



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
Trevor Keith Director of Planning & Building

March 18, 2019

JASON SHIPMAN (MEDS4LESS)
237 TOWN CENTER WEST 236
SANTA MARIA, CA 93458

SUBJECT: Notice of Final County Action, Conditional Use Permit DRC2018-00116

Dear Sir/Madam,

On **March 14, 2019**, the County Planning Commission approved your application based on the approved Findings and subject to the approved Conditions, both attached as exhibits to the adopted official resolution, which is enclosed for your records.

If you disagree with this action, pursuant to (County Real Property Ordinance Section 21.04.020 / County Land Use Ordinance Section 22.70.050 / County Coastal Zone Land Use Ordinance (CZLUO) Section 23.01.042), and in the manner described therein, you have the right to appeal this decision, or a portion of this decision, to the Board of Supervisors within 14 calendar days after the date of the action.

The appeal must be submitted to the Department of Planning and Building on the proper Department appeal form, as provided on the County website. The appeal form must be submitted with an original signature; a facsimile will not be accepted. The appeal fee is set by the current fee schedule and must accompany your appeal form for your appeal to be accepted for processing.

If you have any questions regarding your project, please contact **Cassidy McSurdy** at (805) 788-2959 .

Sincerely,

A handwritten signature in blue ink that reads "R. Hedges".

Ramona Hedges, Secretary
County of San Luis Obispo
Department of Planning & Building

CC: LEONARD ANAYA (CANNA COAST COLLECTIVE),
LOUIE HIN (MRH ENTERPRISES INC),
SWIATEK FAMILY TRUST-BYPASS TRUST,
MATTHEW GOODMAN

PLANNING COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, March 14, 2019

PRESENT: Commissioners James Harrison, Don Campbell, Jay Brown, Dawn Ortiz-Legg, and Chairman Michael Multari

ABSENT:

PLANNING COMMISSION RESOLUTION NO. 2019 - 018
RESOLUTION RELATIVE TO THE GRANTING
OF A
CONDITIONAL USE PERMIT

WHEREAS, the County Planning Commission of the County of San Luis Obispo, State of California, did, on the 14th day of March, 2019, grant a Conditional Use Permit, County File Number DRC2018-00116 to CANNA-COAST COOPERATIVE, INC., MEDZ4LESS, AND MRH ENTERPRISES and approve the General Rule Exemption. The site is in the Commercial Service land use category and is located west of 13th Street in the community of Oceano in the South County planning area. Assessor Parcel Number(s) / APN(s): 062-291-003.

WHEREAS, the Planning Commission, after considering the facts relating to such application, approves this Permit based on the Findings listed in Exhibit A.

WHEREAS, the Planning Commission, after considering the facts relating to such application, approves this Permit subject to the Conditions listed in Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the County of San Luis Obispo, State of California, in a regular meeting assembled on the 14th day of March, 2019, does hereby grant the aforesaid Permit No. DRC2018-00116.

This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance/Coastal Zone Ordinance Section 22.64.070/23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance/Coastal Zone Ordinance Section 22.64.080/23.02.042.

If the use authorized by this Permit approval, once established, remains vacant and unused for its authorized purpose, or is abandoned or discontinued for a period greater than 12 consecutive months, such Permit approval shall become void.

On motion of Commissioner Harrison, seconded by Commissioner Brown, and on the following roll call vote, to-wit:

a

AYES: Commissioners Campbell, Harrison, Ortiz-Legg, Brown and Chairman Multari

NOES: None

ABSENT:

the foregoing resolution is hereby adopted.

the foregoing resolution is hereby adopted.

/s/ Michael Multari
Chairperson of the Planning Commission

ATTEST:

/s/ Ramona Hedges
Secretary, Planning Commission

EXHIBIT B - CONDITIONS OF APPROVAL
CANNA-COAST COOPERATIVE, INC., MEDZ4LESS, MRH ENTERPRISES

Approved Development

1. This approval authorizes the use of three lease spaces (Suites 3, 4 and 5) within an existing 4,407 square building located at 1189 Pike Lane for the following:

MRH Enterprises – Suite 3

- a. A 176 square foot non-storefront cannabis dispensary.
- b. A 222 square foot cannabis manufacturing business.
- c. A 156 square foot cannabis distribution business.
- d. A maximum of two full time employees to serve all three businesses.
- e. Operational hours:
 - i. Non-storefront dispensary: 8AM – 8PM Friday – Monday and Wednesday
 - ii. Manufacturing: 8AM – 8 PM Monday through Sunday
 - iii. Cannabis distribution: 8AM – 8 PM Tuesday and Thursday
- f. A maximum of 8 pick-up/delivery trips per day.

Medz4Less – Suite 4

- a. A 554 square foot non-storefront dispensary.
- b. Operational hours: 8AM – 8PM Monday through Sunday
- c. A maximum of 4 full time employees.
- d. A maximum of 12 pick-up/delivery trips per day.

Canna-Coast Cooperative Inc. – Suite 5

- e. A 597 square foot non-storefront dispensary.
- f. Operational hours: 8AM – 8PM Monday through Sunday
- g. A maximum of 3 full time employees.
- h. A maximum of 12 pick-up/delivery trips per day.

2. Dispensaries shall not be open to the public. Retail sales from dispensaries shall be by delivery only. The products sold are limited to cannabis products obtained from licensed providers in accordance with applicable State regulations and licenses.
3. Excepting the items listed above, no other onsite uses are permitted, including, but not limited to, additional full-time or seasonal employees, cultivation, nursery, greenhouse, tours or events.
4. This approval does not authorize mobile retail (dispensary); and the operations (non-storefront cannabis dispensaries, manufacturing and distribution) shall not be open to the general public.
5. The manufacturing of cannabis edible products that are in the shape of animals, people, insects, or fruit is prohibited.

Conditions required to be completed prior to commencing permitted activities

6. **Prior to commencing permitted activities**, the applicant shall obtain a business license through the County of San Luis Obispo Tax Collector's Office. Business license renewals shall be obtained by the applicant annually as required by Title 6 of the County Code.
7. **Prior to commencing permitted activities**, the applicant shall complete all State licensing requirements for non-storefront dispensary and non-volatile manufacturing at the approved location. A copy of all pertinent State licenses shall be submitted to the County of San Luis Obispo Planning and Building Department prior to commencing permitted activities.
8. **Prior to commencing permitted activities**, the applicant shall provide evidence to the Planning and Building Department 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.
9. **Prior to commencing permitted activities**, the applicant shall demonstrate to the Planning and Building Department how cannabis activities will be physically and adequately separated from vacant areas or other non-cannabis uses onsite. The applicant shall obtain any necessary building permits to create the separation between uses.
10. **Prior to commencing permitted activities**, the applicant shall complete and submit the Hazardous Materials Declaration Flowchart to the Environmental Health Services office.
11. **Prior to the commencement of permitted activities**, the applicant shall demonstrate that an APCD Cannabis Manufacturing/Processing Authority to Construct permit has been issued by the Air Pollution Control District.

Conditions required to be completed prior to issuance of a County Business License.

12. **Prior to issuance of County Business License**, the applicant shall submit evidence of compliance with all requirements of the Central Coast Regional Water Quality Control Board (CCRWQCB).
13. **Prior to issuance of County Business License**, the applicant shall submit evidence that solid waste and recycling collection will be consistent with Sections 22.10.150.B and C of the County Land Use Ordinance.
14. **Prior to issuance of County Business License**, the applicant shall submit evidence that project security plan has been reviewed and approved by the County Sheriff as required by Section 22.40.040.D of the County Land Use Ordinance.

Conditions required to be completed at the time of application for building permits

Fees

15. At the time of application for building permits, the applicant shall pay all applicable public utility and housing impact fees.
16. Within 30 days of Land Use Permit approval, because the project is located adjacent to the City of Grover Beach, the applicant shall submit evidence to the County that all impact fees applicable to this project have been paid, or that none are required.

Lighting

17. **At the time of application for construction permits**, the applicant shall provide a lighting plan showing all exterior security lighting with shielding that confines light sources to the project site and shields neighboring properties consistent with LUO Section 22.10.060 B through F.

Services

18. **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.

Fire Safety

19. **At the time of application for construction permits**, the applicant shall demonstrate compliance with the Fire and Life Safety Requirements described in the letter of August 9, 2018 from Five Cities Fire Authority.

Site Development

20. **At the time of application for construction permits**, plans submitted shall show all development consistent with the approved site plan, floor plan, and architectural elevations.
21. **At the time of application for construction permits**, all project conditions shall be clearly printed on the plans and construction documents shall be consistent with the currently-adopted California Codes.
22. **At the time of application for construction permits**, all plans and engineering shall be prepared by a California Licensed Architect of Record or Engineer for all design portions of the project that do not meet "conventional construction" as defined by the current building code.
23. **At the time of application for construction permits**, the submitted building plan set shall demonstrate consistency with California State Title 24 energy laws.
24. **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.
25. **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 #25 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.
 - 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:
 - i. Structural Control Measure Description
 - ii. Stormwater System Contact Information
 - iii. 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.

26. **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.

Conditions to be completed prior to occupancy or final building inspection/establishment of the use

27. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from Cal Fire for all required fire/life safety measures.
28. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

Ongoing conditions of approval (valid for life of the project)

29. **Ongoing condition of approval** (valid for the life of the project), to minimize project related traffic impacts the project is restricted in accordance with the project description and proposed trip generation.
30. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
31. **Throughout the life of the project** all conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Sections 22.74.160 and 22.40.110 and 120 of the County Land Use Ordinance. Revocation may require restoration to pre-existing conditions of areas of disturbance for cannabis-related activities authorized by this permit.
32. **Throughout the life of the project**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way, including, but not limited to, project signage, landscaping, etc., without a valid Encroachment Permit issued by the Public Works Department.
33. **Throughout the life of the project**, solid waste and recycling shall be conducted in accordance with LUO Sections 22.10.150 B. and C.
34. **Throughout the life of the project** and in accordance with the parking standards set forth in Section 22.18.050.C.1, the applicant shall maintain no less than two parking spaces onsite and one loading space for the life of the project.
35. **Throughout the life of the project**, the applicant shall post onsite all required land use permit approvals and all required State and County permits and licenses required to operate. Such posting shall be in a central location, visible to the visitors, at the operating site, and in all vehicles that deliver or transport cannabis.

36. **Throughout the life of the project**, the applicant shall maintain clear and adequate records and documentation demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.
37. **Throughout the life of the project** the applicant shall conduct all cannabis activities in compliance with the approved Operations Plan, as well as all required County permits, State licenses, County ordinance, and State law and regulation. The applicant shall be responsible for the payment of all required fees and taxes.
38. Upon adoption of the County of San Luis Obispo Cannabis Monitoring Program, the applicant shall enter the program within 90 days of adoption. Any associated fees shall be paid to the County of San Luis Obispo.
39. **Throughout the life of the project**, the cannabis manufacturing shall be sited and/or operated in a manner that prevents cannabis nuisance odors from being detected offsite. All structures utilized for cannabis manufacturing shall be equipped and/or maintained with sufficient ventilation controls (e.g., carbon scrubbers) to eliminate nuisance odor emissions from being detected offsite.
40. **Throughout the life of the project** the applicant shall maintain and manage odor controls so that odors will be contained within the property boundaries so as to not invoke a verified nuisance complaint by surrounding property owners and neighbors.
41. **Throughout the life of the project** no minors or unauthorized personnel shall be permitted inside any restricted access areas under any circumstance.
42. **Throughout the life of the project**, the applicant shall meter water used for cannabis activities and provide the Planning and Building Department with quarterly water usage monitoring reports based on meter readings.
43. **Throughout the life of the project**, the applicant shall meter electricity used for cannabis activities and provide the Planning and Building Department with quarterly energy usage monitoring reports based on meter readings.

FINDINGS – EXHIBIT A
CANNA-COAST COOPERATIVE, INC., MEDZ4LESS, MRH ENTERPRISES/
CONDITIONAL USE PERMIT DRC2018-00116

Environmental Determination

- A. The project is categorically exempt under CEQA, pursuant to CEQA Guidelines Section 15061(b)(2). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15061. The project qualifies for a Categorical Exemption for Class 1 as set forth in the CEQA Guidelines because it involves the operation and permitting of an existing private structure and facilities, involving negligible expansion of use beyond that which was existing. The project does not involve any site disturbance and is not located in a sensitive environment, will not have a cumulative impact, will not have a significant effect due to unusual circumstances, will not damage scenic resources, is not located on a hazardous waste site, and will not affect any historical resources.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because cannabis distribution, cannabis manufacturing, and a cannabis dispensary, as Cannabis Activities, are allowed land uses and, as conditioned, consistent with all relevant policies of the General Plan.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety, or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed cannabis dispensaries, cannabis distribution and non-volatile manufacturing businesses do not generate activities that present a potential threat to the surrounding property or buildings, water use would be minimized and actual usage shall be monitored, energy usage shall be monitored, security fencing shall be installed, State water quality regulations shall be met, solid waste shall be properly disposed of, and nuisance odor shall be controlled. This project is subject to Land Use Ordinance and Building Code requirements designed to address health, safety, and welfare concerns.
- E. The proposed project or use will not be inconsistent with the Oceano Specific Plan and the character of the immediate neighborhood or contrary to its orderly development because the proposed cannabis activities would occur within an existing building, cannabis would not be visible from offsite, and nuisance odors would not be detectable from offsite.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project. The project is accessed from Pike Lane that connects to South 13th Street in the community of Oceano. As described in the traffic study prepared by ATE Transportation Engineers dated September 25, 2018, the project is anticipated to generate 14 AM peak hour trips and 12 PM peak hour trips, a net increase of 10.16 morning peak hour trips when compared with the previous use.

Cannabis Dispensaries

- G. The cannabis dispensaries, as proposed, will comply with all the requirements of the State and County for the dispensing of cannabis, including all dual licensure and participation in an authorized track-and-trace program.

- H. The cannabis dispensaries will not be open to the public (non-storefront retailers only) and will not be located within six hundred (600) feet from any pre-school, elementary school, junior high school, high school, library, park, playground, recreation or youth center, licensed drug or alcohol recovery facility, or licensed sober living facility.
- I. The cannabis dispensaries includes adequate measures to address enforcement priorities for cannabis activities, including restricting access to minors and ensuring that cannabis and cannabis products are obtained from, and supplied only to, other permitted licensed sources within the State and not distributed out of state.

Cannabis Distribution

- J. The cannabis distribution business, as proposed, will comply with all the requirements of the State and County for the distribution of cannabis, including all dual licensure and participation in an authorized track-and-trace program.
- K. The cannabis distribution business demonstrates proper protocols and procedures that includes adequate measures that address enforcement priorities for cannabis activities, including restricting access to minors and ensuring that cannabis and cannabis products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of state.
- L. The cannabis distribution business will not be open to the public and will not be located within six hundred (600) feet from any pre-school, elementary school, junior high school, high school, library, park, playground, recreation or youth center, licensed drug or alcohol recovery facility, or licensed sober living facility.

Cannabis Manufacturing

- M. The cannabis manufacturing facility, as proposed, will comply with all the requirements of State and County for the manufacturing of cannabis, including dual licensure and participation in an authorized track and trace program;
- N. The cannabis manufacturing facility does not pose a significant threat to the public or to neighboring uses from explosion or from release of harmful gases, liquids, or substances;
- O. The cannabis manufacturing facility includes adequate quality control measures to ensure cannabis manufactured at the site meets industry standards and includes a documented employee safety training program, a Materials Data Safety Sheet (MSDS), and meets all requirements in the Health and Safety Code Section 11362.775, and as it may be amended;
- P. The cannabis manufacturing facility includes adequate measures that address enforcement priorities for cannabis activities including restricting access to minors, and ensuring that cannabis and cannabis products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of State.
- Q. The cannabis manufacturing facility will not be located within six hundred (600) feet from any pre-school, elementary school, junior high school, high school, library, park, playground, recreation or youth center, licensed drug or alcohol recovery facility, or licensed sober living facility;



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

August 5, 2021

MRH Enterprises Inc
Attn: Louie Hin
117 Narlene Court, Pismo Beach, CA 93449
Via email: louiehin@gmail.com

SUBJECT: DRC2020-00175 – Modification to Land Use Permit Application (Substantial Conformance) for Conditional Use Permit DRC2018-00116 (MRH Enterprises Substantial Conformance Determination

Dear Mr. Louie Hin,

The County of San Luis Obispo Planning and Building Department (Department) has reviewed the substantial conformance request for Conditional Use Permit DRC2018-00116. Based on the information provided and the County's review of the approved project, the County has determined that the proposed changes are not in substantial conformance with the approved development and the County's Land Use Ordinance:

Description of Proposed Changes:

A request to revise the project description to authorize the addition of 16 employees and modify the hours of operation associated with distribution, non-storefront retail delivery, and manufacturing.

Determination:

The Department has reviewed the proposed substantial conformance request to modify the previously approved Conditional Use Permit DRC2018-00116 and found that this request can not be supported through a substantial conformance review for the following reasons:

- Per Section 22.64.050 of the County's Land Use Ordinance, the change relates to a project feature that was specifically addressed in conditions of approval of a Conditional Use Permit.
- An amendment (DRC2020-00208) to Conditional Use Permit DRC2018-00116 was applied for and approved by the Planning Commission January 28, 2021.

If you have any questions regarding this determination, please contact me at emoreno@co.slo.ca.us or 805-781-5721.

A handwritten signature in blue ink that reads "Elizabeth Moreno".

Elizabeth Moreno, Planner
Department of Planning & Building