



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

January 30, 2020

Ron Laurence
204 Nighthawk Dr
Paso Robles CA 93446

420 Strains Inc
1492 Railroad St.
Oceano CA 93445

Subject: Notice of Final County Action, Development Plan/Coastal Development Permit
COUNTY FILE NUMBER: DRC2019-00090

On, January 23, 2020 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 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.

County Coastal Zone Land Use Ordinance (CZLUO) Section 23.01-043 and applicable sections of the Coastal Act provide ten (10) working days for an appellant to appeal the County's Final Action. An appellant may include any of the following: an applicant, an aggrieved person as defined in CZLUO 23.01-043 and any two California Coastal Commissioners. This means the Applicant cannot commence development and the County cannot take any further administrative actions for the proposed development, including but not limited to, the request or issuance of a building permit, until the Coastal Commission Appeal period has expired without an appeal being filed and the County's notice of final action that it submitted to the Coastal Commission has been accepted by Commission staff as compliant with Title 14 CCR section 13571.

If you have any questions regarding your project, please contact Holly Phipps at +1-805-781-1162

Ramona Hedges, Secretary

A blue ink signature of Ramona Hedges, written in a cursive style.

County of San Luis Obispo
Department of Planning & Building

PLANNING COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, January 23, 2020

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

ABSENT: None

PLANNING COMMISSION RESOLUTION NO. 2020-004
RESOLUTION RELATIVE TO THE GRANTING
OF A
CONDITIONAL USE PERMIT
COASTAL DEVELOPMENT PERMIT

WHEREAS, the County Planning Commission of the County of San Luis Obispo, State of California, did, on the 23rd day of January, 2020, grant a Conditional Use Permit/Coastal Development Permit to 420 STRAINS and relies on the Categorical Exemption. The site is in the Commercial Services land use category and is located at 1492 Railroad Street in the community of Oceano in the San Luis Bay (Coastal) Planning Area. Assessor Parcel Number(s) / APN(s): 061-046-056.

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 23rd day of January, 2020, does hereby grant the aforesaid Permit No. DRC2019-00090.

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 Ortiz-Legg, seconded by Commissioner Multari, and on the following roll call vote, to-wit:

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

NOES: None

ABSENT: None

the foregoing resolution is hereby adopted.

the foregoing resolution is hereby adopted.

/s/ Jay Brown
Chairperson of the Planning Commission

ATTEST:

/s/ Ramona Hedges
Secretary, Planning Commission

EXHIBIT A - FINDINGS
CONDITIONAL USE PERMIT DRC2019-00090/420 STRAINS, INC.

CEQA Exemption

- 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 of a non-storefront dispensary, non-volatile cannabis manufacturing, and cannabis distribution facility within an existing 1,900 square foot lease space of an approximate 2,850-square-foot building. In accordance with the Berkeley Hillside Preservation v. the City of Berkeley (2015) 60 Cal.4th 1086 case, the project does not present unusual circumstances, such as size or location. 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 manufacturing, non-storefront dispensary and distribution, as a Cannabis Activity, is an allowed use and, as conditioned, is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 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 manufacturing, non-storefront dispensary and distribution 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 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. The project is located on Railroad Street, a County-maintained road accessed via Highway 1. Based upon the project description and number of employees the impacts to County roads are considered negligible.

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Cannabis Dispensary

- G. The cannabis dispensary, 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 dispensary 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 dispensary 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 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 business, 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 business 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 business 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 business 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.

ATTACHMENT 1

- Q. The cannabis manufacturing business 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.

Coastal Access

- R. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Archaeological Sensitive Area

- S. The site design and proposed development are within an Archaeological Sensitive Area; operations will occur within an existing structure, no changes to the building footprint or architecture is proposed and the project will not result in any new site disturbance of the site. It is not anticipated that any interference with archeologically sensitive areas will occur with the addition of this use to the existing facilities onsite.

**EXHIBIT B - CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT DRC2019-00090 / 420 STRAINS, INC.**

Approved Development

1. This approval authorizes use of the 1,900-square foot lease space located on the first floor of an existing 2,850-square-foot building subject to the following:
 - a. A 93-square foot non-storefront cannabis dispensary;
 - b. A 745 square foot cannabis manufacturing business;
 - c. A 153 square foot cannabis distribution business;
 - d. Support uses include, a 144 square foot intake area (reception), a 56 square foot vault area, and approximately 800 square feet for a breakroom and restrooms.
 - e. Hours of operation for cannabis dispensary as allowed per ordinance.

Conditions required to be completed prior to commencing permitted activities

2. **Prior to the commencement of post-approval activities**, the applicant shall submit evidence to the Planning and Building Department that all conditions of approval have been satisfied. After conditions have been satisfied in a format acceptable to the County, the County will issue a "Notice to Proceed" for the approved project.
3. **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.
4. **Prior to commencing permitted activities**, the applicant shall provide verification to the Planning and Building Department that both the County Tax Collector and County Assessor's office have received a copy of the lease agreement.
5. **Prior to commencing permitted activities**, the applicant shall complete all State licensing requirements for cultivation at the approved location. A copy of all pertinent State licenses shall be submitted to the Planning and Building Department prior to commencing permitted activities.
6. **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.
7. **Prior to commencing permitted activities**, the applicant shall complete and submit the Hazardous Materials Declaration Flowchart to the Environmental Health Services office.
8. **Prior to commencing permitted activities**, the applicant shall contact the Planning and Building Department to have the site inspected for compliance with the conditions of this approval.
9. **Prior to the commencement of permitted activities**, the applicant shall provide verification that a Cannabis Manufacturing/ Processing Authority to Construct permit has been issued by the San Luis Obispo County Air Pollution Control District, or that one is not required.

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

10. **Prior to issuance of County Business License**, the applicant shall submit evidence that solid waste and recycling collection will be consistent with Sections 23.04.280.b and c of the County Land Use Ordinance.
11. **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 23.08.427.c(1) of the County Land Use Ordinance.
12. **Prior to issuance of a County Business License**, the applicant shall enter the County of San Luis Obispo Cannabis Monitoring Program. Any associated fees shall be paid to the Planning and Building Department.
13. **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.

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

Site Development

14. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, and floor plan.
15. **At the time of application for construction permits**, all plans and engineering shall be prepared by a California Licensed Architect of Record or Engineer 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).

Drainage

16. **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 23.05.040 of the Land Use Ordinance.
17. **At the time of application for construction permits**, the applicant may be required to submit complete erosion and sedimentation control plan for review and approval in accordance with Section 23.05.036 of the Land Use Ordinance.
18. **At the time of application for construction permits**, the applicant shall submit sedimentation control plans in accordance with the recommended Best Management Practices (BMPs) as listed in Table 4.10 of the "Arroyo Grande Creek Erosion, Sedimentation and Flooding Alternatives Study" (Swanson Hydrology & Geomorphology, January 2006), and county Public Improvement Standards. These BMPs shall include and not be limited to:
 - a. Dispersing and/or slowing runoff with swales, infiltration trenches or similar;
 - b. Controlling concentrated runoff with curb usage or culverts or similar;
 - c. Soil stabilization with decomposed granite, retaining walls or slough walls or similar;
 - d. Sediment retention with staged catch or retention basins, vegetated filter strips or similar.

Fees

19. At the time of application for building permits, the applicant shall pay all applicable public utility and housing impact fees.

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20. 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.

Energy

21. **At the time of application for construction permits**, the submitted building plan set shall demonstrate consistency with California State Title 24 energy laws.

Lighting

22. **Prior to issuance of 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.

Services (for community water and sewer)

23. **At the time of application for construction permits**, the applicant shall provide letters from Oceano Community Services District and South San Luis Obispo County Sanitary District stating they are willing and able to service the property.

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

Access

24. **Prior to commencing permitted activities**, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the Public Works Inspector and in accordance with the County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.

Fire Safety

25. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from Five Cities Fire Authority for all required fire/life safety measures.

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

26. 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 Section 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, or pursuant to Land Use Ordinance Section 23.02.044.b, the Director verifies that the use or activity not involving a building or grading permit is occurring on the subject site in compliance with all applicable provisions of the Land Use Ordinance and these conditions of approval. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

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27. 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 Planning and Building Department. 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 23.10.160 and 23.08.430 and 431 of the Land Use Ordinance.
28. 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.
29. Throughout the life of the project, solid waste and recycling shall be conducted in accordance with CZLUO Sections 23.04.280.b and c.
30. 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.
31. 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.
32. 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.
33. The applicant shall be responsible for the timely payment of all required fees and taxes associated with this approval. Failure to pay fees in a timely manner may result in revocation of the permit.
34. The applicant shall maintain physical and adequate separation of cannabis operations from vacant areas or other non-cannabis uses onsite, including residential uses, as required by State law.
35. No minors or unauthorized personnel shall be permitted inside any restricted access areas, including the manufacturing, dispensary and distribution areas, under any circumstance.
36. No cannabis related products or signage shall be visible from off-site.
37. The applicant shall meter water used for cannabis activities and provide the Planning and Building Department with quarterly water usage reports based on meter readings.
38. 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.
39. **Throughout the life of the project**, the cannabis manufacturing activities shall be sited and/or operated in a manner that prevents cannabis nuisance odors from being detected offsite so as to not invoke any verified nuisance complaints. All structures utilized for the cannabis manufacturing activities shall be equipped and/or maintained with sufficient ventilation controls (e.g. carbon scrubbers) to eliminate nuisance odor emissions from being detected offsite. In the event of a verified nuisance complaint, the County may pursue remedial action that may include the reduction or cessation of operations until a revised operations plan is reviewed and approved by the Planning and Building

ATTACHMENT 2

Department, abatement of the violation pursuant to CZLUO Sections 23.10.150 and 23.08.432 and permit revocation pursuant to CZLUO Sections 23.10.160 and 23.08.430 and 23.08.431.

40. **Throughout the life of the project**, the property owner(s) shall grant access to the County of San Luis Obispo, its officers, agents, employees, and any other governmental entities and their respective officers, agents, and employees to enter onto the subject property to conduct site inspections. Inspections may occur any day of the week, without prior notice, between the hours of 8 a.m. – 6 p.m.