



COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING & BUILDING

Frequently Asked Questions About the Countywide Abeyance Resolution

On September 20, 2016, The San Luis Obispo County Board of Supervisors (“Board of Supervisors”) adopted an interim urgency ordinance (“Urgency Ordinance”) which temporarily prohibited the cultivation of cannabis in the County, with limited exceptions including existing nonconforming medicinal cultivation sites who timely registered with the department. Inland and coastal cannabis land use ordinances (“Permanent Ordinance”) were subsequently adopted by the Board of Supervisors which repealed and replaced the Urgency Ordinance. In conjunction with adoption of the Permanent Ordinance, a limited abeyance of enforcement policy (“Temporary Abeyance”) was established to allow qualifying existing Urgency Ordinance cannabis cultivations to continue operations subject to certain conditions while timely pursuing a County cannabis land use permit. The Temporary Abeyance for inland and coastal cannabis ordinances were later combined and known as the Countywide Abeyance Resolution.

On January 14, 2020, the Board of Supervisors extended the expiration deadline set forth in the Countywide Abeyance Resolution from December 31, 2019, until June 30, 2020 and imposed additional eligibility and operational requirements.

1. Where can I find the recording of the Board of Supervisors January 14, 2020, hearing?

A recording of the January 14, 2020, hearing can be found on the Board of Supervisors website or by using the following link: <https://www.slocounty.ca.gov/Departments/Board-of-Supervisors/Board-Meetings,-Agendas-and-Minutes.aspx>

2. Where can I find current versions of the inland and coastal cannabis land use ordinances?

Copies of the ordinances can be found by navigating to the cannabis page located on the Planning Department website or by clicking on the following link: <https://www.slocounty.ca.gov/Departments/Planning-Building/Cannabis/Additional-Resources/Ordinances.aspx>

3. How do I know if I can continue cultivating under the Countywide Abeyance Resolution?

Eligible applicants were notified by the Planning and Building Department. Ineligible applicants were notified and instructed to cease all cannabis activities until land use permit approval and all project conditions of approval have been met. Any unpermitted cultivation activities identified 14-days after receiving a notice to cease operations would be subject to immediate local enforcement action.

4. The State won't issue my provisional/annual license and say they are waiting on a response from a local point of contact, when will the County provide a response?

A list of applicants is being provided to the State who are in-compliance and able to proceed with the provisional/annual license application process.

NOTE: With exception for eligible temporary abeyance operators under Resolution No. 2020-018, cannabis projects which have not received land use permit approval will be deemed not in compliance with local County regulations for purposes of responding to state licensing inquiries.

5. When does the Countywide Abeyance Resolution expire?

COUNTYWIDE ABEYANCE RESOLUTION SUMMARY

The Countywide Abeyance Resolution expiration date was extended to June 30, 2020 and will expire on that date unless extended by the Board of Supervisors.

6. I am a Temporary Abeyance operator and have received an approved land use permit. Can I still operate my Temporary Abeyance cultivation while I fulfill the conditions of approval for my land use permit?

No. Operators who have received land use permit approval no longer meet the criteria for operating under the Temporary Abeyance Resolution. Cultivation operations may begin only after all conditions of approval have been satisfied and an approval to operate letter has been issued.

7. Does the Countywide Abeyance Resolution apply to Industrial Hemp?

No. Industrial Hemp is a separate land use from cannabis. The Industrial Hemp Ordinance is scheduled to be presented to the Board of Supervisors on April 7, 2020. The public hearing draft that was reviewed by the Planning Commission and the agenda packet from the January 23, 2020, meeting is available here: <https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/11532>.