

AMENDMENTS TO FRAMEWORK FOR PLANNING - COASTAL ZONE OF THE SAN LUIS OBISPO COUNTY GENERAL PLAN AND AMENDMENTS TO TITLE 23 (COASTAL ZONING) OF THE SAN LUIS OBISPO COUNTY CODE RELATING TO CANNABIS USES

SECTION 1. Chapter 6 Section C (“Allowable Land Uses in the Coastal Zone and Coastal Table O”) of Framework for Planning – Coastal Zone of the San Luis Obispo County General Plan is amended to read as follows:

KEY TO COASTAL TABLE O

USE STATUS DEFINITION

- A Allowed use, unless otherwise limited by a specific planning area standard. Coastal Zone Land Use Ordinance Chapter 23.03 ("Required Level of Processing") determines the permit necessary to establish an "A" use, and Chapters 23.04 through 23.06 determine the site design, site development, and operational standards that affect the use. See also the "Planning Area Standards" sections of the Land Use Element Area Plans and the LCP Policy Document to find any standards that may apply to a project in a particular community or area.
- S Special use, allowable subject to special standards and/or processing requirements, unless otherwise limited by a specific planning area standard. The following list shows where in the Coastal Zone Land Use Ordinance to find the special standards that apply to particular uses.
- P Principally permitted use, a use to be encouraged and that has priority over non-principally permitted uses, but not over agriculture or coastal dependent uses.

"S" NUMBER APPLICABLE COASTAL ZONE LAND USE ORDINANCE SECTION AND/OR LAND USE ELEMENT REQUIREMENT

1	23.08.120 b	MISCELLANEOUS USES
2	23.08.120 a	MISCELLANEOUS USES
3	23.08.040	AGRICULTURAL USES
4	23.08.060	CULTURAL, EDUCATIONAL & RECREATIONAL USES
5	23.08.080	INDUSTRIAL USES are allowable subject to the special standards found in Section 23.08.080. For new expanded uses within the Petroleum Refining and Industries and Marine Terminals and Piers use groups, a plan is required prior to acceptance of land use permit(s) to the standards as set forth in Section 23.08.094.
6	23.08.100	MEDICAL & SOCIAL CARE FACILITIES
7	23.08.140	OUTDOOR COMMERCIAL USES

8	23.08.160	RESIDENTIAL USES
9	23.08.170	RESOURCE EXTRACTION
10	23.08.200	RETAIL TRADE
11	23.08.220	SERVICES
12	23.08.260	TRANSIENT LODGINGS
13	23.08.280	TRANSPORTATION, UTILITIES & COMMUNICATION
14		Uses are allowable in the Open Space land use category on privately-owned land subject to Coastal Zone Land Use Ordinance Section 23.08.120a in addition to the special standards in Chapter 23.08, only when authorized by a recorded open space agreement executed between the property owner and the county. On public lands, uses designated are allowable subject to Coastal Zone Land Use Ordinance Section 23.08.120b, in addition to the special standards found in Chapter 23.08.
15		Listed processing activities are allowable in the Rural Lands and Agriculture land use categories only when they use materials extracted on-site pursuant to Coastal Zone Land Use Ordinance Section 23.08.120a, or when applicable, the Coastal Zone Land Use Ordinance Surface Mining Standards, Section 23.08.180 et. seq.
16	23.08.020	ACCESSORY USES
17	23.08.240	TEMPORARY USES
18	23.08.050	INTERIM AGRICULTURAL USES
19	23.08.400	WHOLESALE TRADE
20	23.08.300	ELECTRIC GENERATING PLANTS
21	23.08.420	CANNABIS USES

**LOCAL
 COASTAL
 PLAN
 COASTAL
 TABLE 'O'**

USE GROUP

L) CANNABIS USES	
Cannabis Cultivation	1
Cannabis Nurseries	2
Cannabis Manufacturing	3
Cannabis Testing Facilities	4
Cannabis Dispensaries	5
Cannabis Transport and Distribution	6

ALLOWABLE USES

LAND USE CATEGORY

PAGE NUMBER OF USE	Agriculture - Prime Soils	Agriculture - Non-Prime Soils	Rural Lands	Recreation	Residential Rural	Residential Suburban	Residential Single-Family	Residential Multi-Family	Office & Professional	Commercial Retail	Commercial Service	Industrial	Public Facilities	Open Space
	S-21	S-21	S-21		S-21							S-21		
	S-21	S-21	S-21		S-21									
	S-21-15	S-21-15									S-21	S-21		
											S-21	S-21		
										S-21	S-21			
											S-21	S-21		

SECTION 2. Chapter 6 Section D (“Land Use Definitions”) of Framework for Planning – Coastal Zone of the San Luis Obispo County General Plan is amended to read as follows:

Cannabis

“Cannabis” or “cannabis product” means all parts of the plant *Cannabis sativa Linnaeus*, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof, the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. “Cannabis” also means the separated resin, whether crude or purified, obtained from marijuana. “Cannabis” also means marijuana as defined by Section 11018 of the Health and Safety Code. For the purposes of this Title, “cannabis” does not include “industrial hemp” as defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code (See “Industrial Hemp”).

Cannabis Activity

The cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, delivery, or sale of cannabis or a cannabis product.

Cannabis Canopy

All areas occupied by any portion of a cannabis plant, encompassing all vertical planes (i.e. stacking of plants), whether contiguous or noncontiguous on any one site. “Cannabis Canopy” shall be measured by taking the longest length and widest width of existing plants (including all gaps and open areas between plants) and multiplying the length and width to get square footage.

Cannabis Cultivation [L1]

Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

Cannabis Delivery

The commercial transfer of cannabis or cannabis products from a licensed dispensary, up to an amount allowed by the Bureau of Marijuana Control or its successor, to a primary caregiver, qualified patient, or customer as defined in Section 11362.7 of the California Health and Safety Code, a licensed cannabis dispensary, or a licensed testing laboratory.

Cannabis Dispensary [L5]

A facility where cannabis, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that delivers cannabis and cannabis products as part of a retail sale.

Mobile Delivery. The commercial transfer of cannabis or cannabis products from a dispensary, up to an amount allowed by the Bureau of Marijuana Control or its successor, to a primary caregiver, qualified patient, or customer. “Mobile Delivery” also includes the use by a dispensary of any technology platform owned and controlled by the dispensary, or independently licensed under this chapter, that enables a primary caregiver, qualified patient, or customer to arrange for or facilitate the commercial transfer by a licensed dispensary of cannabis or products.

Mobile Dispensary. The commercial transfer of cannabis or cannabis products from an outdoor location or mobile structure (e.g. food truck or food cart), up to an amount allowed by the Bureau of Marijuana Control or its successor, to a primary caregiver, qualified patient, or customer.

Cannabis Distribution [L6]

The procurement, sale, and transport of cannabis and cannabis products between entities authorized pursuant to this chapter.

Cannabis Edible Product

Manufactured cannabis that is intended to be used, in whole or in part, for human consumption, including, but not limited to, chewing gum, but excluding products set forth in Division 15 (commencing with Section 32501) of the Food and Agricultural Code. An edible medical cannabis product is not considered food as defined by Section 109935 of the Health and Safety Code or a drug as defined by Section 109925 of the Health and Safety Code.”.

Cannabis Greenhouse

A fully enclosed permanent structure that is clad in transparent material with climate control, such as heating and ventilation capabilities and supplemental artificial lighting, and that uses a combination of natural and supplemental artificial lighting for cultivation. For the purposes of this Chapter, cannabis cultivation within a greenhouse is considered indoor cultivation.

Cannabis Hoop Structure

A readily removable plastic covered hoop structure without in-ground footings or foundations, which are not more than 12 feet in height. Hoop structures are accessory uses on Residential land use categories and shall not exceed 120 square-feet. For the purposes of this Chapter, cannabis cultivation within hoop structures is considered outdoor cultivation.

Cannabis Manufacturing [L3]

The production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis, using volatile or non-volatile organic compounds, at a fixed location, that packages or repackages cannabis or cannabis products, or labels or relabels its containers.

Cannabis Nursery [L2]

A licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis. Cultivation as a cannabis nursery may be considered indoor cultivation (see “cannabis greenhouse”) or outdoor cultivation.

Cannabis Product

See “Cannabis” and “Cannabis Edible Product”.

Cannabis Primary Caregiver

The same definition as in Section 11362.7 of the California Health and Safety Code, as it may be amended.

Cannabis Testing Facility [L4]

A facility, entity, or site in the state that offers or performs test of cannabis or cannabis products and that is both accredited by an accrediting body that is independent from all other persons involved in the cannabis industry in the state, and registered with the California State Department of Public Health.

Cannabis Transport [L6]

Transfer of cannabis or cannabis products from the permitted business location of one licensee to the permitted business location of another licensee, for the purposes of conducting commercial cannabis activity authorized pursuant to the California Business & Professions Code Sections 19300, et seq. and 26000, et seq.

Crop Production and Grazing [A5]

Agricultural uses including production of grains, field crops, vegetables, melons, fruits, tree nuts, flower fields and seed production, ornamental crops, tree and sod farms, associated crop preparation services and harvesting activities including but not limited to mechanical soil preparation, irrigation system construction, spraying, crop processing and sales in the field not involving a permanent structure. Does not include the production of cannabis, which is included under “Cannabis Cultivation”. Also includes the raising or feeding of beef cattle, sheep and goats by grazing or pasturing. Does not include cattle feedlots, which are included under "Specialized Animal Facilities." The distinction between feedlots and grazing operations is established by the Coastal Zone Land Use ordinance Section 23.08. See also, "Animal Raising and Keeping."

Industrial Hemp

A fiber or oilseed crop, or both, that is limited to nonpsychoactive types of the plant *Cannabis sativa L.* and the seed produced therefrom, having no more than three-tenths of 1 percent tetrahydrocannabinol (THC) contained in the dried flowering tops, and that is cultivated and processed exclusively for the purpose of producing the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin or flowering tops extracted therefrom, fiber, oil, or cake, or the sterilized seed, or any component of the seed, of the plant that is incapable of germination.

Marijuana

See “Cannabis”.

Medical Cannabis

See “Cannabis”.

Medical Marijuana

See “Cannabis”.

DRAFT

SECTION 3. Sections 23.08.420 through 23.08.433 are added to the San Luis Obispo County Code to read as follows:

23.08.420 – Cannabis Uses (L): The purpose of these Sections is to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls in compliance with state law and federal enforcement guidelines, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment in the unincorporated areas of San Luis Obispo County by establishing minimum land use requirements for cannabis activities. Cannabis activity, as defined pursuant to Chapter 6 Section D – Land Use Definitions of the Framework for Planning – Coastal Zone of the San Luis Obispo County General Plan, includes the cultivation, possession, manufacturing, processing, storing, laboratory testing, labeling, transporting, distribution, or sale of cannabis or a cannabis product. Therefore, these Sections recognize that cannabis activities require land use controls due to the unique federal and state legal constraints on cannabis activity, and the potential environmental and social impacts associated with cannabis activity. These standards are organized as follows:

- 23.08.421 – Exemptions
- 23.08.422 – Cannabis Application Requirements
- 23.08.423 – Cannabis Cultivation (L-1)
- 23.08.424 – Cannabis Nurseries (L-2)
- 23.08.425 – Cannabis Manufacturing (L-3)
- 23.08.426 – Cannabis Testing Facilities (L-4)
- 23.08.427 – Cannabis Dispensaries (L-5)
- 23.08.428 – Cannabis Transport and Distribution (L-6)
- 23.08.429 – Permit Requirements
- 23.08.430 – Modifications
- 23.08.431 – Grounds for Suspension or Revocation
- 23.08.432 – Procedure for Suspension or Revocation
- 23.08.433 – Enforcement

23.08.421 - Exemptions from Permit Requirements: The provisions of this Section are applicable in all land use categories. In all cases, activities that are exempt under this Section shall be accessory to a legally established residential use. Any development utilized for activities that are exempt under this Section shall be legally established and permitted, and shall meet all other requirements of the County Code. Any exemption under this Section shall comply with all other applicable provisions of this Title.

- a. **Cannabis Cultivation for Personal or Medical Use.** This Section applies to an individual cultivating cannabis if he or she cultivates cannabis for his or her personal medical or non-medical use and does not sell, distribute, donate, or provide cannabis to any other person or entity.

Land Use Category ⁽¹⁾	Site Size	Allowed Canopy (sf)	Allowed Number of Plants ⁽²⁾	Setback from Property Line	Land Use Permit Required
ALL	ALL	100	6	§23.04.100 or Planning Area	None
ALL	≥ 1 acre	500	12	§23.04.100 or Planning Area	None

(1) Cultivation under this section shall be accessory to a legally established residential use.

(2) The allowed number of plants includes both mature and immature plants on one site.

- b. Cannabis Edible Products.** This exemption applies to an individual producing cannabis edible products in a legally established and permitted residence. The requirements of Section 23.08.030 (“Home Occupations”) apply and Business License Clearance is required. Onsite sales are prohibited. Distribution of cannabis edible products shall be to a legally established and permitted dispensary only. Applicable state licenses shall be obtained to remain in compliance with this Section.

23.08.422 – Cannabis Application Requirements: Except as provided in Section 23.08.421 (“Exemptions”) of this Chapter, cannabis activities shall not be allowed in the unincorporated areas of San Luis Obispo County without first securing all permits, licenses, or other entitlements required by County ordinance and state law and regulation. In addition to any specific requirements in this Section, land use permit applications shall comply with the requirements of Chapter 23.02 (“Permit Applications – Content, Processing & Time Limits”).

a. Requirements for all Applications:

- (1) Site plan, floor plans, and a general description of the nature, size, and type of cannabis activity(ies) being requested.
- (2) In addition to the application requirements of Chapter 23.02, all applications for cannabis uses shall include an operations plan including at a minimum, the following information:
 - (i) On-site security measures both physical and operational and, if applicable, security measures for the delivery of cannabis associated with the commercial cannabis business;
 - (ii) Details how operations will comply with State and local requirements
 - (iii) Odor prevention plan;
 - (iv) Size, height, colors, and design of any proposed signage at the site; and
 - (v) Parking plan.

- (3) Applicants who own less than 50% of the property intended for a cannabis use must provide written consent from the majority owner(s) of the property authorizing the application submittal.
- b. **Additional Requirements:** In reviewing an application for a Land Use Permit to establish a cannabis activity, the Director of Planning or his or her designee may request the following additional information:
- (1) **Cannabis Cultivation and Nurseries**
- (i) All cannabis cultivation and nursery operations that existed as of August 23, 2016 and registered with the County under Ordinance 3334 by November 18, 2016 may apply for a Land Use Permit under this ordinance beginning once this ordinance is effective. Allows existing registered cultivation sites to close and relocate to new site within the same groundwater basin, which more fully meet the standards of this ordinance.
- (ii) All cannabis cultivation and nursery operations that existed as of August 23, 2016 and did not register with the County under Ordinance 3334 by November 18, 2016 may apply for a land use permit under this ordinance beginning July 1, 2018. Reasonable proof of existence shall be provided (i.e. state registration).
- (iii) New indoor and outdoor cannabis cultivation and nursery operations that did not exist as of August 23, 2016 may apply for a land use permit under this ordinance beginning January 1, 2019.
- (2) **Cannabis Manufacturing.**
- (i) Information on products used in the manufacturing process including the cannabis supply chain, liquids, solvents, agents, and processes;
- (ii) Storage protocol and hazard response plan;
- (3) **Cannabis Testing Facilities.**
- (i) An operations plan detailing how cannabis will be received, secured, tested, and destroyed upon completion;
- (4) **Cannabis Dispensaries.**
- (i) A security plan that includes lighting, security video cameras, alarm systems and secure area for medical cannabis storage. The security plan shall include a requirement that there be at least 30 (thirty) business days of surveillance video (that captures both inside and outside images) stored on an ongoing basis. The video system for the security cameras must be located in a locked,

tamper-proof compartment.

(5) Cannabis Transportation and Distribution Facilities.

- (i) An operations plan detailing how, and from where, cannabis and cannabis products will be received, how any storage, distribution, and transportation operations will be secured to prevent theft and trespass, and to whom the product will be distributed;
- (ii) Vehicle parking and loading areas; and
- (iii) Storage and handling plans.

23.08.423 - Cannabis Cultivation (L-1): California Health and Safety Code 11362.777(a) specifies: “For purposes of this section and Chapter 3.5 (commencing with Section 19300) of Division 8 of the Business and Professions Code, medical cannabis is an agricultural product.” Additionally, California Business and Professions Code Section 26067 specifies: “For the purposes of this division (Division 10), marijuana is an agriculture product.” However, the identification of cannabis as an agricultural product does not extend to other areas of the law. For example, cannabis is not an agricultural commodity with respect to local “right to farm” ordinances. Additionally, cannabis cultivation is not considered “crop production and grazing” as that term is defined in the San Luis Obispo County General Plan and is therefore not exempt from permitting requirements. One or more of the state cultivator license types set forth in California Business and Professions Code section 19332(g) and section 26050, shall be maintained in good status by the Permittee in order for a Land Use Permit issued under this Chapter to remain valid.

- a. **Limitation on Use.** Except as provided in Section 23.08.421 (“Exemptions”), cannabis cultivation may only be permitted in the Agriculture – Prime Soils, Agriculture – Non-Prime Soils, Rural Lands, Residential Rural, and Industrial land use categories with a Land Use Permit in each case and as may further be restricted by this Title. Cannabis cultivation shall be an accessory to a legally established and permitted residential use. Cannabis cultivation is prohibited on previously undisturbed areas (see subsection G, below). The following tables show the limitation on the quantity of cannabis that can be grown in each land use category, as based on site size:

Limitation on Indoor Cannabis Cultivation

Land Use Category	Site Size	Allowed Canopy	Setback from Property Line
Agriculture – Prime Soils	≥ 1 acre up to 5 acres	1.25% of site size	§23.04.100
Agriculture – Non-Prime Soils Rural Lands	≥ 5 acres up to 10 acres	2.50% of site size	50 feet
Residential Rural Industrial	≥ 10 acres up to 20 acres	3.75% of site size	75 feet

	> 20 acres	5.0% of site size, up to 1 acre	100 feet
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Limitation on Outdoor Cannabis Cultivation

Land Use Category	Site Size	Allowed Canopy	Setback from Property Line	Setback from Offsite Outdoor Cultivation ⁽¹⁾
Agriculture – Prime Soils Agriculture – Non-Prime Soils Rural Lands Residential Rural	≥ 1 acre up to 5 acres	1.15% of site size	50 feet	1,000 feet
	≥ 5 acres up to 10 acres	1.35% of site size	100 feet	750 feet
	≥ 10 acres up to 20 acres	1.55% of site size	200 feet	500 feet
	≥ 20 acres	1.75% of site size, up to 1 acre	300 feet	250 feet

(1) Separation from other permitted cultivation and nursery sites shall be measured from the nearest property line of the subject property to the nearest property line of the other permitted cultivation or nursery site.

- b. **Nipomo Mesa Cannabis Control Area.** The area mapped in Figure 8-1 below requires special consideration prior to issuance of Land Use Permits for the cultivation of cannabis.

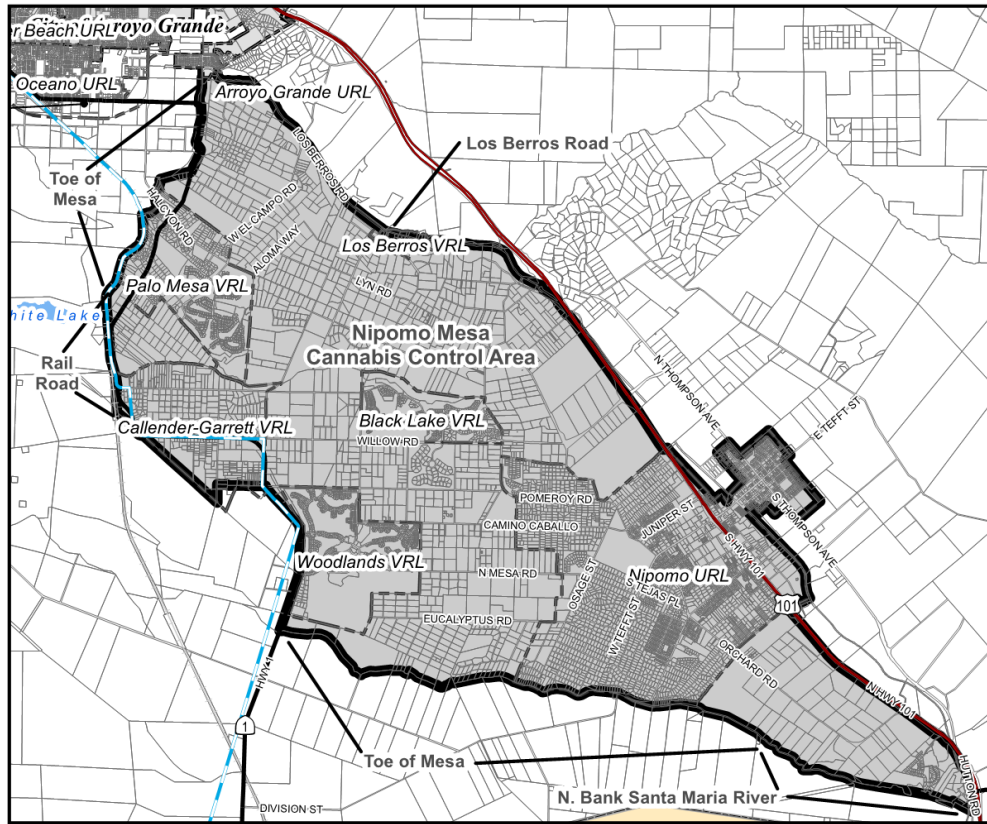


Figure 8-1 – Nipomo Mesa Cannabis Control Area

The following additional standards apply to the mapped area shown in Figure 8-1, above.

- (1) **Limitation on Use.** Cannabis cultivation is limited to indoor cultivation only.
 - (2) **Minimum Site Area.** Cannabis cultivation is prohibited on sites less than 5 acres in size.
 - (3) **Separation from Other Cultivation Sites.** All cannabis cultivation shall be separated by a minimum of 1,000 feet from other permitted indoor and outdoor cannabis cultivation sites and cannabis nursery sites. The separation shall be measured from the nearest property line of the subject property to the nearest property line of the other permitted cultivation or nursery site
- c. **Location.** Cannabis cultivation shall 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, or drug recovery facility. Distance shall be measured from the property line that contains the cultivation to the property line of the enumerated use using a direct straight line measurement. A new adjacent use does not affect the continuation of an existing use that was legally established under the standards of this section.
- d. **Setbacks.** Setbacks for cannabis cultivation are as set forth in subsection a, above. Additionally, the following apply:

- (1) Cannabis cultivation shall be setback 100 feet from any existing offsite residence, swimming pool, patio, or other living area of separate ownership.
 - (2) The minimum setbacks are based on use of air filtration and control of ventilation to prevent odors from being detected offsite. Additional setback may be required to mitigate odors and prevent offsite detection.
 - (3) Cannabis cultivation shall be located at least 100 feet from the upland extent of riparian vegetation of any blue line creek, stream, or water body.
 - (4) Cannabis cultivation shall be located at least 100 feet of the boundary of an Environmentally Sensitive Habitat Area.
- e. **Cultivation Standards.** All cannabis cultivation shall comply with all of the following standards. The number of cultivation permits per site shall not collectively exceed maximum canopy size limits per site as impose by this Chapter, and shall comply with state regulations regarding licenses per site.
- (1) **Water.** Cannabis cultivation not existing as of August 23, 2016 that requires a Land Use Permit and is located in a groundwater basin at Level of Severity III pursuant to the last Biennial Resource Management System report shall provide an estimate of water demand prepared by a licensed professional engineer or other expert on water demand, and a detailed description of how the new water demand will be offset. New water demand shall be offset at a 1:1 ratio unless a higher offset is required by another section in this Title.
 - (i) Cannabis cultivation existing as of August 23, 2016 that expands beyond the cultivation size as of that date shall offset all new water demand pursuant to this section.
 - (ii) Cannabis cultivation existing as of August 23, 2016 that relocates the cultivation to a different groundwater basin at Level of Severity III pursuant to the last Biennial Resource Management System report shall provide an estimate of water demand prepared by a licensed professional engineer or other expert on water demand, and a detailed description of how the new water demand will be offset. New water demand shall be offset at a 1:1 ratio unless a higher offset is required by another section in this Title..
 - (2) **Screening.** Cannabis plants shall not be visible from offsite. All cannabis cultivation activities shall occur within a secure fence at least six (6) feet in height that fully encloses the cultivation area. The fence must include a lockable gate(s) that is locked at all times, except for during times of active ingress/egress. Said fence shall not violate any other ordinance, code section, or provision of law regarding the height, location, materials, or other fencing restrictions and shall not be constructed or covered with plastic or cloth. No portion of any cannabis plant shall be visible

from the outside of the fence enclosure. All screening shall conform to the requirements of applicable area, community, specific and design plans.

- (3) **Renewable Energy.** All sites engaging in artificial light or mixed light indoor cannabis cultivation or nursery cultivation exceeding 10,000 square-feet of canopy area shall provide a renewable energy source (e.g. solar) to offset at least half of the energy demand of the cultivation.
 - (4) **Odors.** All cannabis cultivation shall be operated in a manner that prevents odors from being detected offsite. All structures utilized for indoor cannabis cultivation shall be equipped and/or maintained with sufficient ventilation controls (e.g. carbon scrubbers) to reduce nuisance odor emissions. Outdoor cannabis cultivation shall be located in a manner that prevents odors from being detected offsite.
 - (5) **Pesticides.** Pesticides and fertilizers shall be properly labeled and stored to avoid contamination through erosion, leakage, or inadvertent damage from rodents, pests, or wildlife.
 - (6) **Structures.** In no case shall a building intended for residential use be used for the cultivation of cannabis.
 - (7) **Monitoring Program.** All land use permits for cannabis cultivation shall require that applicant's participation in a County-run monitoring program. The monitoring program shall be funded by applicants, and will proactively conducted site visits and inspections of all cannabis cultivation sites. The annual program fees shall be collected yearly at time of Business License renewal by the Planning and Building Department. Sites with unsatisfactory inspection reports are subject to permit revocation pursuant to Section 22.40.13 and/or Business License non-renewal.
- f. **Permit Required.** The type of Land Use Permit required is based on site disturbance.
- (1) **Previously Disturbed Area.** An area which underwent any activity that involved clearing, grubbing, grading, or disturbances to the ground such as stockpiling or excavation as of August 23, 2016.
 - (2) **Existing Cannabis Cultivation on Previously Disturbed Areas.** Cultivation sites meeting all applicable development standards of this Title are subject to approval of a Zoning Clearance Land Use Permit.
 - (3) **Proposed Cannabis Cultivation on Previously Disturbed Areas.** Cultivation sites meeting all applicable development standards of this Title are subject to Site Plan.
 - (4) **Proposed Cannabis Cultivation on Previously Undisturbed Areas.** Cultivation is not allowed on previously undisturbed areas.
 - (5) **Previous Violations.** Any cultivation site with verified violations within the last 24

months shall require Minor Use Permit approval by the Review Authority. In addition to the mandatory findings required by Section 22.62.060.C.4, the Review Authority shall make the following additional findings in order to approve a Minor Use Permit under this subsection:

- (i) The proposed project or use will not contribute to repeat violation on the site. The subject site is in compliance with all laws, rules, and regulations pertaining to land uses, building and construction, health and safety, and any other applicable provisions of this Title, and such violation processing fees have been paid.

23.08.424 - Cannabis Nurseries (L-2): The following standards apply to the production and sale of cannabis clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis, grown under cover, outdoors, or in greenhouses.

- a. **Limitation on Use.** Cannabis nurseries shall be limited to the Agriculture – Prime Soils, Agriculture – Non-Prime Soils, Rural Lands, and Residential Rural land use categories.
- b. **Location.** Cannabis nurseries shall 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, or drug recovery facility. Distance shall be measured from the property line that contains the nursery to the property line of the enumerated use using a direct straight line measurement. A new adjacent use does not affect the continuation of an existing use that was legally established under the standards of this section.
 - (1) **Greenhouses.** No greenhouse shall be constructed where the natural slope exceeds 15 percent.
- c. **Minimum Site Area.**
 - (1) **Agriculture – Prime Soils, Agriculture – Non-Prime Soils, and Rural Lands Land Use Categories.** No minimum area.
 - (2) **Residential Rural Land Use Category.** 5 acres.
- d. **Setbacks from Property Line.**
 - (1) **Agriculture – Prime Soils, Agriculture – Non-Prime Soils, and Rural Lands Land Use Categories.** As required by Section 22.30.060 (“Agricultural Accessory Structures”), unless the California Building Code would require a larger setback.
 - (2) **Residential Rural Land Use Category.** Front - 80 feet; Side and Rear - 100 feet, unless the California Building Code would require a larger setback.
- e. **Nipomo Mesa Cannabis Control Area.** The area mapped in Figure 8-2 below requires special consideration prior to issuance of Land Use Permits for the cultivation of cannabis.

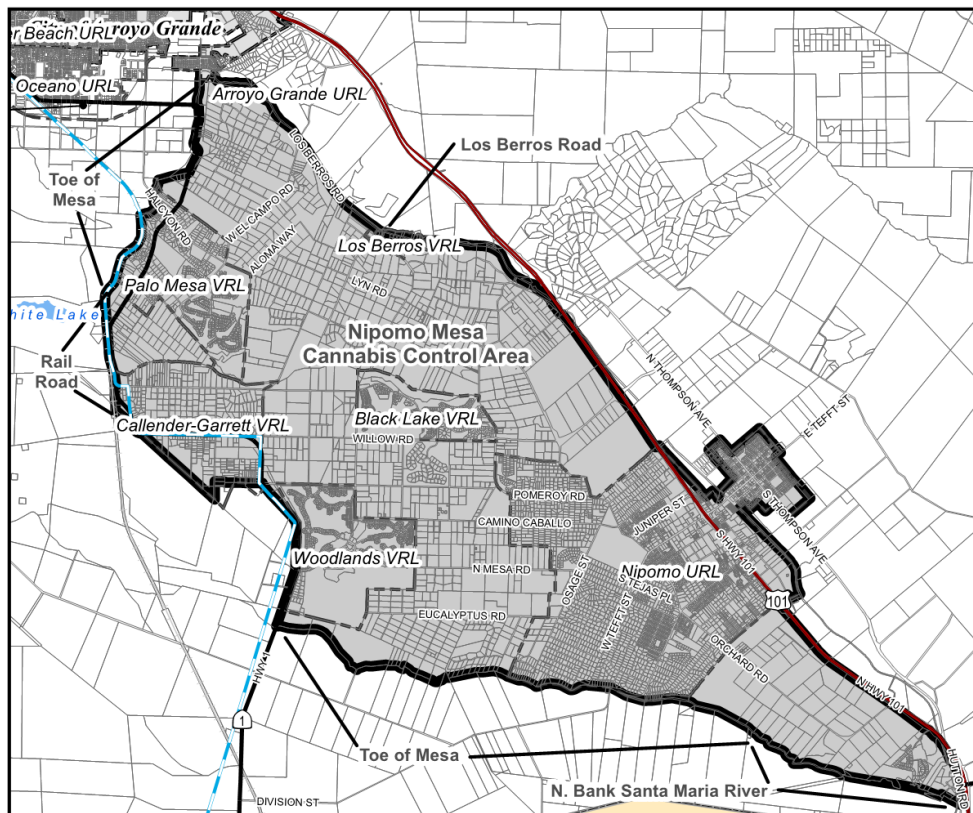


Figure 8-2 –Nipomo Mesa Cannabis Control Area

The following additional standards apply to the mapped area shown in Figure 8-2, above.

- (1) **Limitation on Use.** Cannabis nurseries are limited to indoor nurseries only.
- (2) **Setbacks from Other Cultivation Sites.** All cannabis nurseries shall be setback a minimum of 1,000 feet from other permitted indoor and outdoor cannabis cultivation sites and cannabis nursery sites located offsite. The setback shall be measured from the nearest property line of the subject property to the nearest property line of the other permitted cultivation or nursery site.

f. Nursery Standards.

- (1) The provisions of Sections 23.04.180 (Landscape, Screening and Fencing) through 23.04.190 (Fencing and Screening) are applicable to greenhouse projects located within or adjacent to urban and village reserve lines.
- (2) Greenhouses growing plants that do not require placement in native, prime soil and may require the use of impervious flooring are also subject to the following standards:
 - (i) The use of herbicides or soil sterilants under any paving is prohibited.

- (ii) As part of any drainage plan required by Section 23.05.042 (Drainage Plan Required), a method of runoff impoundment shall be included that will limit runoff to predevelopment levels unless the applicant can demonstrate that increased runoff will not cause erosion or be otherwise detrimental to downstream property.
- (iii) Run-off containing fertilizers or pesticides shall be stored on-site and shall not be released to any perennial or intermittent stream. Disposal of such run-off shall be in accordance with standards established by the U.S. Environmental Protection Agency and the California Regional Water Quality Control

g. Permit Required.

- (1) **Outdoor Nurseries.** Outdoor cannabis nurseries shall require Plot Plan approval.
- (2) **Indoor Nurseries.** Minor Use Permit approval, which shall be subject to the Review Authority being able to make the findings in Section 23.08.429 regarding the proposed project.
- (3) **Required Findings.** Any Land Use Permit issued pursuant to this Section requiring discretionary review and approval by a Review Authority shall not be granted unless all of the following findings are made based on substantial evidence:
 - (i) The cannabis cultivation, as proposed, will comply with all of the requirements of State and County for the cultivation of cannabis;
 - (ii) The cannabis cultivation will not be located within six hundred (600) feet of any pre-school, elementary school, junior high school, high school, library, park, playground, recreation or youth center, or drug recovery facility;
 - (iii) The cannabis cultivation includes adequate measures that minimize use of water for cannabis cultivation at the site;
 - (iv) The cannabis cultivation includes adequate quality control measures to ensure cannabis cultivated at the site meets industry standards;
 - (v) The cultivation includes adequate measures that address the federal enforcement priorities for cannabis activities including restricting access to minors, and ensuring that cannabis and cannabis products are not supplied to unlicensed or unpermitted persons within the State and not distributed out of state.

23.08.425 - Cannabis Manufacturing (L-3): One or more of the state manufacturing license types set forth in California Business and Professions Code section 19332(g) and section 26050, shall be

maintained in good status by the Permittee in order for a Land Use Permit issued under this Chapter to be valid.

- a. **Limitation on Use.** Cannabis manufacturing facilities may be permitted in the Commercial Service and Industrial land use category, or in Agriculture – Prime Soils, Agriculture – Non-Prime Soils, and Rural Lands land use categories when combined with a cannabis cultivation permit and state license, subject to a Land Use Permit in each case, as required below.
- b. **Setbacks.** Setbacks are required as set forth in Section 23.04.100.
- c. **Permit Required.** Permit requirements are determined by Section 23.03.042, Table 3-A (Permit Requirements, for Manufacturing & Processing uses).
 - (1) **Required Findings.** Any Land Use Permit issued pursuant to this Section requiring discretionary review and approval by a Review Authority shall not be granted unless all of the following findings are made based on substantial evidence:
 - (i) The cannabis manufacturing facility, as proposed, will comply with all of the requirements of State and County for the manufacturing of cannabis;
 - (ii) 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;
 - (iii) The cannabis manufacturing facility includes adequate quality control measures to ensure cannabis manufactured at the site meets industry standards;
 - (iv) The cannabis manufacturing facility includes adequate measures that address the federal 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.

23.08.426 - Cannabis Testing Facilities (L-4): One or more of the state testing license types set forth in California Business and Professions Code section 19332(g) and section 26050, shall be maintained in good status by the Permittee in order for a Land Use Permit issued under this Chapter to be valid.

- a. **Limitation on Use.** Cannabis testing facilities may be permitted in the Commercial Service and Industrial land use categories subject to a Land Use Permit.
- b. **Setbacks.** Setbacks are required as set forth in Section 23.04.100.
- d. **Permit Required.** Permit requirements are as set forth in Section 23.03.042

- (1) **Required Findings.** Any Land Use Permit issued pursuant to this Section requiring discretionary review and approval by a Review Authority shall not be granted unless all of the following findings are made based on substantial evidence:
- (i) The cannabis testing facility, as proposed, will comply with all of the requirements of State and County for the testing of cannabis;
 - (ii) The owners, permittees, operators, and employees of the cannabis testing facility will not be associated with any other form of commercial medical cannabis activity;
 - (iii) The cannabis testing facility is accredited by an appropriate accrediting agency;
 - (iv) The cannabis testing facility operating plan demonstrates proper protocols and procedures for statistically valid sampling methods and accurate certification of cannabis and cannabis products for potency, purity, pesticide residual levels, mold, and other contaminants according to adopted industry standards.

23.08.427 - Cannabis Dispensaries (L-5): The specific purpose of this Section is to set standards for this use consistent with neighborhood concerns. One or more of the state dispensary license types set forth in California Business and Professions Code section 19332(g) and section 26050 shall be maintained in good status by the Permittee in order for a Land Use Permit issued under this Chapter to be valid.

- a. **Limitation on Use.** Cannabis dispensaries may be permitted in the Commercial Service and Commercial Retail land use categories subject to a Land Use Permit.
- b. **Location.** Cannabis dispensaries shall 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, or drug recovery facility. Distance shall be measured from the structure that contains the manufacturing to the property line of the enumerated use using a direct straight line measurement.
- c. **Setbacks.** Setbacks are required as set forth in Section 23.04.100.
- d. **Permit Required.** Minor Use Permit approval is required in order to establish a cannabis dispensary.
- e. **Mobile Deliveries.** Deliveries from a legally established and permitted dispensary are allowed under this Chapter.
- f. **Mobile Dispensaries.** Mobile dispensaries are prohibited.

23.08.428 - Cannabis Transportation and Distribution (L-6): One or more of the state transportation and distribution license types set forth in California Business and Professions Code section 19332(g) and section 26050, shall be maintained in good status by the Permittee in order for a Land Use Permit issued under this Chapter to be valid.

- a. **Limitation on Use.** Cannabis transportation and distribution facilities may be permitted in the Commercial Service (CS) and Industrial (IND) land use categories subject to a Land Use Permit.
- b. **Setbacks.** Setbacks are required as set forth in Section 23.04.100.
- c. **Permit Required.** Minor Use Permit review and approval are required unless Development Plan approval would otherwise be required by Section 23.03.042 (Permit Requirements) for wholesale trade uses.
 - (1) The cannabis transportation and/or distribution facility, as proposed, will comply with all of the requirements of State and County for the transportation and distribution of cannabis;
 - (2) The cannabis transportation and/or distribution facility operating plan demonstrates proper protocols and procedures that address the federal 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.

23.08.429 - Permit Requirements: The application for a Land Use Permit, and for amendments thereto and extensions thereof, shall be processed in accordance with Chapter 23.02. Notwithstanding the foregoing, the procedures for suspension and revocation of a Land Use Permit granted under this Chapter shall be as set forth in sections 23.08.431 and 23.08.432 of this Chapter.

- b. **Security.** Security measures sufficient to restrict access to only those intended and to deter trespass and theft of cannabis or cannabis products shall be provided and maintained. Security measures shall include, but are not limited to, the following:
 - (1) Prevent individuals from loitering on the premises if they are not engaging in activity expressly related to the operations of the facility;
 - (2) Store all cannabis in a secured and locked structure or behind a secured and locked fence, and all cannabis products in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss;
 - (3) Install security cameras on site; and
 - (4) Provide for on-site security personnel meeting the approval of the San Luis Obispo County Sheriff.

c. Other Approvals.

- (1) A valid license from the State issued pursuant to California Business and Professions Code Section 19320 shall be required to operate any commercial cannabis activity.
 - (2) Cannabis activities requiring Land Use Permit approval shall also obtain Business License Clearance pursuant to Title 6 of the San Luis Obispo County Code.
 - (3) Cannabis cultivation employing the use of pesticides and requiring Land Use Permit approval shall also obtain a pesticide license pursuant to Title 5 of the San Luis Obispo County Code.
 - (4) Cannabis cultivation shall obtain a permit from the Central Coast Regional Water Quality Control Board (CCRWQCB). Until the permitting process is in place, all cannabis cultivators shall take the environmental measures outlined by CCRWQCB.
- d.** The owner shall post on site all required Land Use Permit approvals and all required County and state permits and licenses required to operate. Such posting shall be in a central location, visible to the patrons, at the operating site, and in all vehicles that deliver or transport cannabis.
- e.** The owner and all permittees of all cannabis activities requiring Land Use Permit approval 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.
- f.** The owner and all permittees of all cannabis activities requiring Land Use Permit approval shall conduct cannabis activities in compliance with all required County permits, state licenses, County ordinance, and state law and regulation. The owner shall be responsible for the payment of all required license fees, inspection fees, permit fees, and taxes.
- g.** All Land Use Permits and permitted cannabis activity sites are subject to annual review and inspection from law enforcement or any agents of the State or County charged with enforcement of this Chapter.

23.08.430 - Modification of Standards: The standards of this Chapter may be waived or modified through Development Plan approval pursuant to Section 23.01.044.

- a.** The following standards of these Sections 23.08.423 through 23.08.428 may be waived or modified:
- (1) Minimum Setback from Property Line
 - (2) Separation from Offsite Cannabis Cultivation and Nursery Sites

- (3) Setback from Existing Offsite Residence, Swimming pool, Patio, or Other Living Area of Separate Ownership.
- b. In no case, however, shall any standard of this Chapter be reduced beyond the minimum standards of the other chapters of this Title, except through Variance (Section 23.01.045).

23.08.431 - Grounds for Suspension or Revocation: Any of the following shall be grounds for suspension or revocation of the Land Use Permit, based on substantial evidence and following notice and public hearing pursuant to Section 23.08.432:

- a. Failure to comply with one or more of the conditions of the Land Use Permit;
- b. The Land Use Permit was granted on the basis of false material information, written or oral, given willfully or negligently by the applicant;
- c. Any act or omission by an owner or permittee in contravention of the provisions of this Chapter;
- d. Any act or omission by an owner or permittee that results in the denial, revocation or suspension of the owner's or permittee's State License;
- e. Any act or omission that results in the revocation of that owner's or permittee's commercial cannabis Business License Clearance under Title 6 of the San Luis Obispo County Code;
- f. Any act or omission by an owner or permittee in contravention of State law or the San Luis Obispo County Code;
- g. An owner's or permittee's failure to take appropriate action to evict or otherwise remove persons conducting commercial cannabis activities who do not maintain the necessary permits or licenses in good standing with the County or State;
- h. Possession or delivery of any form of illegal drugs; or
- i. Conduct of the commercial cannabis activities in a manner that constitutes a nuisance, where the owner or permittee has failed to comply with reasonable conditions to abate the nuisance (e.g. odor).

23.08.430 - Procedure for Suspension or Revocation: If the Director of Planning determines that grounds for suspension or revocation of the Land Use Permit exist pursuant to section 23.08.431, the procedure identified in Section 23.10.160 ("Permit Revocation") shall apply. Upon revocation of a cannabis permit, the Department shall notify the Bureau of Marijuana Control or its successor.

23.08.433 - Enforcement: The remedies provided by this Chapter are cumulative and in addition to any other remedies available at law or in equity.

- a. Any condition caused or allowed to exist in violation of any of the provisions of this

Chapter shall be deemed a public nuisance and shall, at the discretion of County, create a cause of action for penalty pursuant to Chapter 23.10 of this Code, and any other action authorized by law:

- (1) Additionally, it shall be unlawful for any person to violate any provision, or to fail to comply with any of the requirements, of this Chapter. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Chapter shall be guilty of a misdemeanor. No proof of knowledge, intent, or other mental state is required to establish a violation.
- (2) Any person violating any of the provisions of this chapter shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued, or permitted.
- (3) Paying a fine or serving a jail sentence shall not relieve any person from responsibility for correcting any condition which violates any provision of this Title.

b. Pesticide Use Enforcement. Pursuant to the California Code of Regulations, Title 3. Food and Agriculture, Section 6140(a), the director or commissioner may, during business hours, or if necessary to ensure immediate compliance, at any other reasonable time enter and inspect, and/or sample any of the following or related items in order to determine compliance with the provisions of this Chapter and Divisions 6 and 7 of the Food and Agricultural Code, which pertain to pesticides and pest control operations:

- (1) Fields, areas, structures, and greenhouses where pesticides are handled, stored or applied;
- (2) Growing crops and harvested commodities;
- (3) Equipment (including protective clothing and equipment) used to store, transport or handle pesticides;
- (4) Change areas and other facilities used by employees; and
- (5) Pesticides and tank mixtures thereof.

In addition, California Code of Regulations, Title 3. Food and Agriculture, Section 6140(b) gives the commissioner the authority to inspect the pesticide related records of growers, pest control businesses, and other during business hours.

c. Weights and Measures. Notwithstanding this ordinance, the County Agricultural Commissioner/Sealer shall have the duty of enforcing Division 5 of the California Business and Professions Code and carrying out its provisions and requirements as set forth in the California Code of Regulations, Title 4, Division 9. This shall include the inspection, testing, and registration of weighing devices, the inspection of prepackaged product, and the

inspection of product labeling relative to the commercial sale of cannabis.

SECTION 4. Section A of the Agriculture section of the Rural Area Standards of the Estero Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

- A. **Limitation on Use.** The following standard applies only to lands that are defined by the Agriculture and Open Space Element as Row Crop Terrain and Soils. The intent of this standard is to limit uses to those that are most directly related to agricultural production on lands that support the most intensive farming operations.
 - 1. Allowable uses are limited to: agricultural accessory structures; animal raising and keeping; crop production and grazing; **cannabis cultivation**, nursery specialties soil dependent; **cannabis nurseries**, coastal accessways; farm support quarters; home occupations; mobilehomes; residential accessory uses; single family dwellings consistent with the protection

SECTION 5. Section D.1.a of the Communitywide section of the Cayucos Urban Area Standards of the Estero Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

- a. **Limitation on Uses.** In addition to any applicable limitation on uses described elsewhere in this chapter, the following uses are also not permitted: residential care consisting of drug and alcohol rehabilitation centers and halfway houses; eating and drinking places that serve alcohol; **any uses within the Cannabis use group**; food and beverage retail sales that serve alcohol.

SECTION 6. Section D.1 of the Commercial Retail section of the Cayucos Urban Area Standards of the Estero Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

- a. **Limitation on Uses.** Uses are limited to: nursery specialties--non-soil dependent; broadcasting studios; allowable uses in the cultural, education and recreation use group; recycling collection stations; printing and publishing; caretaker residence; home occupations; multi-family dwellings as a principal use; water wells and impoundments; eating and drinking places; food & beverage retail sales; **cannabis dispensaries**; general merchandise stores; mail order and vending; outdoor retail sales; financial services; health care services; offices; personal services; public safety facilities; consumer repair facilities; pipelines and transmission lines.

SECTION 7. Section 1 of the Commercial Retail section of the North Coast Rural Area Standards of the North Coast Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

- 1. Limitation on Use.** Uses shall be limited to: caretaker residences; coastal accessways; eating and drinking places (not including drive-in restaurants, fast food and refreshment stands); food and beverage retail sales (limited to tourist-oriented supplies); **cannabis dispensaries**; general merchandise stores (limited to tourist-oriented gift shops and art galleries); service stations; water wells and impoundment; hotels and motels; bed and breakfast facilities; public assembly and entertainment (when accessory to a hotel or motel); and those cultural, education and recreation uses (excluding libraries, membership organizations, schools, and social service organizations) normally allowed in the Commercial Retail category (see Coastal Table O, Part I of the Land Use Element).

SECTION 8. Section 4 of the Commercial Retail section of the North Coast Rural Area Standards of the North Coast Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

- 4. San Simeon Village Limitation on Use.** Uses shall be limited to: eating and drinking facilities (limited to restaurants); food and beverage retail sales; **cannabis dispensaries**; general merchandise stores (limited to tourist oriented retail shops including boating supplies); museums; coastal accessways; passive recreation; vehicle storage (parking only); water wells and impoundment; rural sports and group facilities (limited to picnic and restroom facilities); and hotels and motels (limited to a hostel).

SECTION 9. Section 6 of the Commercial Retail section of the North Coast Rural Area Standards of the North Coast Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

- 6. Staging Area Limitation on Use.** Uses shall be limited to: eating and drinking facilities (limited to restaurants); food and beverage retail sales; **cannabis dispensaries**; general merchandise stores (limited to tourist oriented retail shops including boating supplies); museums; coastal accessways; passive recreation; vehicle storage (parking only); water wells and impoundment; rural sports and group facilities (limited to picnic and restroom facilities); and hotels and motels (limited to a hostel).

SECTION 10. Section 1 of the Commercial Service section of the Cambria Urban Area Standards of the North Coast Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

1. **Limitation on Use.** All uses as set forth in Coastal Table 'O' - Allowable Uses are allowable except the following: Specialized Animal Facilities, Agricultural Processing, Cannabis Manufacturing, Petroleum Extraction, Hotels, Motels, Churches, and Recycling and Scrap.

SECTION 11. Section 1 of the Commercial Retail section of the San Simeon Acres Village Standards of the North Coast Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

1. **Limitation on Use.** Principally Permitted Uses are limited to: tourist-oriented uses including Eating and Drinking Facilities (not including drive-in restaurants, fast-food and refreshment stands); Food and Beverage Retail Sales (limited to tourist-oriented supplies); General Merchandise Stores (limited to tourist-oriented shops); and Motels and Hotels. Non-principal permitted uses are limited to: Public Assembly and Entertainment (when accessory to a hotel and motel); Caretaker's Residence; Cannabis Dispensaries; Service Stations; Bed and Breakfast Facilities; Water Wells and Impoundments; and Coastal Accessways. (This is a visitor-serving priority area.)

SECTION 12. Section 2 of the Agriculture section of the San Luis Bay Rural Area Standards of the North Coast Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

1. **Limitation on Use.** Uses allowed by Coastal Table O, Part I of the Land Use Element are limited to: agricultural accessory structures; crop production and grazing; cannabis cultivation; animal raising and keeping; nursery specialties--soil-dependent; cannabis nurseries; cannabis manufacturing; farm support quarters; single family dwellings; mobile homes; temporary dwellings; roadside stands; temporary or seasonal retail sales; pipelines and power transmission; and water wells and impoundment.

SECTION 13. Section 1 of the Rural Lands section of the San Luis Bay Rural Area Standards of the San Luis Bay (Coastal) Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

1. **Limitation on Use.** Uses allowed by Coastal Table O, Part I of the Land Use Element as "A" or "S" are limited to: ag accessory structures; animal raising and keeping; crop production and grazing; nursery specialties; cannabis cultivation; cannabis nurseries; cannabis manufacturing; specialized animal facilities; transmission facilities; residential accessory uses; single family dwellings; mobilehome dwellings; temporary dwellings; roadside stands; temporary or

seasonal retail sales; accessory storage; pipelines and power transmission; coastal accessways; and water wells and impoundment.

SECTION 14. Section 1 of the Industrial section of the Avila Beach Urban Area Standards of the San Luis Bay (Coastal) Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

- 1. Limitation on Use – Tank Farm.** Uses allowed by Coastal Table O, Part I of the Land Use Element as "A" or "S" are limited to: ag accessory structures; animal raising and keeping; crop production and grazing; nursery specialties; **cannabis cultivation; cannabis nurseries; cannabis manufacturing;** specialized animal facilities; transmission facilities; residential accessory uses; single family dwellings; mobilehome dwellings; temporary dwellings; roadside stands; temporary or seasonal retail sales; accessory storage; pipelines and power transmission; coastal accessways; and water wells and impoundment.

SECTION 15. Section 1 of the Rural Lands section of the Avila Beach Urban Area Standards of the San Luis Bay (Coastal) Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

- 1. Limitation on Use.** Uses allowed by Coastal Table O, Part I of the Land Use Element shall be limited to: agricultural accessory structures; animal raising and keeping; crop production and grazing; **cannabis cultivation; cannabis manufacturing;** nursery specialties; **cannabis nurseries;** specialized animal facilities; residential accessory uses; single family dwellings; temporary dwellings; accessory storage; pipelines and power transmission; rural sports and group activities; coastal accessways; and water wells and impoundment.

SECTION 16. Section 1 of the Agriculture section of the South County Rural Area Standards of the South County (Coastal) Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

- 1. Limitation on Use.** Uses allowed by Coastal Table O, Part I of the Land Use Element are limited to: agricultural processing; agricultural accessory structures; crop production and grazing; **cannabis cultivation; cannabis manufacturing; cannabis nurseries;** animal raising and keeping; farm labor quarters; residential accessory uses; single family dwellings; mobilehome dwellings; temporary dwellings; roadside stands; pipelines and power transmission; water wells and impoundments; and coastal accessways. (LCP)

SECTION 17. Section 1 of the Rural Lands section of the South County Rural Area Standards of the South County (Coastal) Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

- 1. Limitation on Use.** Uses allowed by Coastal Table O of the Land Use Element and Local Coastal Plan are limited to: agricultural accessory structures; aquaculture; crop production and grazing; [cannabis cultivation](#); [cannabis manufacturing](#); [cannabis nurseries](#); coastal accessways; fisheries and game preserves; water wells and impoundments; petroleum extraction; accessory storage; pipelines and power transmission. (LCP) (Amended 03-14-89, Ordinance No. 2378)

SECTION 18. Section 6 of the Industrial section of the Callendar-Garret Village Area Standards of the South County (Coastal) Area Plan of Part II of the Framework for Planning – Coastal Zone is hereby amended to read as follows:

Sheridan Road Heavy Industrial Area. Standard 6 applies only to the Sheridan Road heavy industrial area (see Figure 5), in addition to Standard 5 above. (LCP)

- 6. Allowable Uses and Permit Requirement.** Allowable uses are as follows, with the permit requirements shown instead of the permit requirements of the Coastal Zone Land Use Ordinance (CZLUO). Where the permit requirement column lists a Coastal Zone Land Use Ordinance section, the required permit is determined by the Coastal Zone Land Use Ordinance section. (LCP)

(LCP)	APPLICABLE CZLUO SPECIAL USE STANDARDS	PERMIT REQUIREMENT
ALLOWABLE USES		
Ag Accessory Structures	23.08.041	MUP*
Apparel & Finish Products		MUP
Business Support Services		MUP
Caretaker Residence	23.08.026	MUP
Cannabis Cultivation	23.08.420	MUP
Cannabis Manufacturing	23.08.420	MUP
Cannabis Transport and Distribution	23.08.420	MUP
Cannabis Testing Facilities	23.08.420	MUP
Chemical Products	23.08.082	23.08.082
Collection Stations	23.08.084	
Concrete, Gypsum & Plaster Products		MUP
Contract Construction Services		MUP
Crop Production & Grazing		MUP
Electronic & Scientific Instruments		23.03.040-042
Food & Kindred Products		MUP
Fuel & Ice Dealers		MUP
Furniture & Fixtures		MUP
Glass Products		MUP
Lumber & Wood Products		MUP
Machinery Manufacturing		23.08.040-042

Metal Industries, Fabricated		MUP
Metal Industries, Primary		Dev Plan
Motor Vehicles & Trans. Eq.		23.03.040-042
Offices, Temporary	23.08.240	MUP
Paper Products		MUP
Paving Materials		MUP
Petroleum Refining & Related Industries	23.08.094	23.08.094
Pipelines & Power Transmission	23.08.284	23.08.284
Plastics & Rubber Products		23.03.040-042
Printing & Publishing		MUP
Residential Accessory Uses	23.08.032	23.08.032
Recycling & Scrap	23.08.097	23.08.097
Small Scale Manufacturing		MUP
Storage, Accessory	23.08.024	
Storage Yards (sales lots Prohibited)	23.08.146	MUP
Stone & Cut Stone Products		MUP
Structural Clay, Pottery-Related Products		MUP
Transmission and Receiving Facilities		MUP
Textile Mills		
Vehicle & Freight Terminals		MUP
Vehicle Storage		MUP
Warehousing		MUP
Wholesaling & Distribution		MUP
Water Wells and Impoundments	23.08.178	MUP

*Minor Use Permit

SECTION 19. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

PASSED AND ADOPTED on this ____ day of _____, 2017, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Chair,
San Luis Obispo County Board of Supervisors

A T T E S T:

NAME
Clerk of the Board

By: _____
Deputy

APPROVED AS TO FORM BY:

County Counsel