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To: Commissioners and Interested Persons

From: Susan Craig, Central Coast District Manager
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**Subject: San Luis Obispo County LCP Amendment Number LCP-3-SLO-19-0009-1
(Cannabis Regulations Update)**

SUMMARY OF STAFF RECOMMENDATION

San Luis Obispo County proposes to amend its Local Coastal Program (LCP), including its Land Use Plan (LUP) and Implementation Plan (IP) components, to refine its recently certified cannabis regulations. The proposed changes are mostly minor and clarifying, but they also include the addition of two new types of cannabis uses, as well as changes to the definitions of some already-established cannabis uses that affect the scope of activities allowed under those uses. Specifically, the proposed LUP amendment establishes cannabis processing facilities and cannabis transport facilities as new uses, amends the definitions of cannabis cultivation and cannabis nurseries to allow some non-cultivation activities as “ancillary” uses to cannabis cultivation, identifies the land use categories within which each new use is allowed,¹ and further specifies whether or not the new uses are allowed in particular communities by adding them to the lists of allowed and restricted activities in various LCP Area Plans. The IP component of the proposed amendment updates IP Section 23.11.030 to include new cannabis-related definitions and amend existing definitions, and amends various cannabis-specific IP sections² to, among other changes, provide the standards with which the new cannabis uses must comply, update the standards relating to existing uses to reflect the definition changes, increase restrictions on outdoor lighting, and correct typographical and other errors.

In general, the proposed amendments to the LUP allow slightly different cannabis uses in areas designated for similar uses. For example, the changes allow cannabis processing facilities in agricultural, rural, industrial, and commercial areas, where cannabis cultivation or cannabis

¹ The San Luis Obispo County LCP does not have zoning designations, but instead relies solely on land use designations.

² The proposed IP amendment includes renumbering already-certified IP Sections 23.08.420 through 23.08.429 as Sections 23.08.412 through 23.08.429. This staff report and **Exhibit 2** use the proposed numbers, and the changes are shown in strikethrough/underline format in **Exhibit 1**.

manufacturing is already allowed under the existing LUP, subject to specific criteria. The proposed IP amendment provides standards that further tailor these new cannabis uses to appropriate contexts (such as by requiring cannabis transport facilities, which are proposed to be allowed in a much broader array of land use categories, to store vehicles used for transporting cannabis in a manner appropriate to the surroundings), and either maintain or strengthen additional requirements that address most of the unique resource-impact issues associated with cannabis, such as artificial lighting for plant growth manipulation, nuisance odors, security risks, and proximity to at-risk populations. However, the IP amendment, as proposed, includes some minor drafting errors, including two that provide habitat setbacks for the new cannabis uses that are inconsistent with LUP policies protecting environmentally sensitive habitat areas (ESHA). Therefore, staff is recommending modifications that replace these setbacks with a reference to the setbacks required for all cannabis uses (which were previously found consistent with the LUP under the initial cannabis LCP amendment certification). Other modifications clarify intent and correct minor errors. County planning staff is supportive of the staff recommendation, including all of the suggested modifications.

As modified, the proposed amendment allows two new cannabis uses where those uses are appropriate, and subject to exacting criteria, while also maintaining or enhancing protections for coastal resources. The proposed amendment is essentially a series of refinements to the LCP amendment that established the County's cannabis regulations in the LCP for the first time (certified by the Commission in June 2018), and the changes now proposed are fairly minor in that context and should be understood in that way. It is expected that the County will submit additional cannabis-related LCP changes in the future that will have greater implications for the operation of the cannabis regulatory program (e.g., related to the types of cannabis activities allowed on agricultural land), but these issues are not before the Commission today; the County's purpose at this time is to make needed, noncontroversial changes to the LCP now while continuing to engage with the public and the cannabis industry on other changes that will take more time to hone and refine. The proposed amendment, as modified, is consistent with and adequate to carry out the Coastal Act and the LUP. Therefore, staff recommends that the Commission approve the amendment with suggested modifications. The required motions and resolutions are found on page 4 below.

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EXHIBITS

Exhibit 1: Proposed LCP Amendment Text

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I. MOTIONS AND RESOLUTIONS

Staff recommends that the Commission, after public hearing, approve the proposed LCP amendment with suggested modifications. The Commission needs to make three motions, one on the LUP amendment and two on the IP amendment, in order to act on this recommendation.

A. Certify the LUP Amendment as submitted

Staff recommends a **YES** vote on the motion below. Passage of the motion will result in the certification of the LUP amendment as submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

Motion: *I move that the Commission **certify** Land Use Plan Amendment Number LCP-3-SLO-19-0009-1 as submitted by San Luis Obispo County, and I recommend a **yes** vote.*

Resolution: *The Commission hereby certifies Land Use Plan Amendment LCP-3-SLO-19-0009-1 as submitted by San Luis Obispo County and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.*

B. Deny the IP Amendment as Submitted

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in rejection of the IP amendment as submitted and the adoption of the following resolution and findings. The motion to reject the amendment as submitted passes only by an affirmative vote of a majority of the Commissioners present.

Motion: *I move that the Commission reject Implementation Plan Amendment Number LCP-3-SLO-19-0009-1 as submitted by San Luis Obispo County, and I recommend a **yes** vote.*

Resolution: *The Commission hereby denies certification of Implementation Plan Amendment Number LCP-3-SLO-19-0009-1 as submitted by San Luis Obispo County and adopts the findings set forth below on grounds that the implementation plan amendment as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan as amended. Certification of the implementation plan amendment would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the implementation plan amendment as submitted.*

C. Certify the IP Amendment with Suggested Modifications

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the IP amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Motion:** I move that the Commission certify San Luis Obispo County Implementation Plan Amendment Number LCP-3-SLO-19-0009-1 if it is modified as suggested in this staff report, and I recommend a yes vote.*

***Resolution:** The Commission hereby certifies San Luis Obispo County Implementation Plan Amendment Number LCP-3-SLO-19-0009-1, if modified as suggested, and adopts the findings set forth below on grounds that the implementation plan amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan as amended. Certification of the implementation plan amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the implementation plan amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the implementation plan amendment if modified.*

II. SUGGESTED MODIFICATIONS

The Commission's suggested modifications to the proposed LCP amendment are included in **Exhibit 2**. Text in ~~cross-out~~ format and text in underline format denotes proposed text to be ~~deleted~~ and added, respectively, by San Luis Obispo County in its proposed LCP amendment. Text in ~~double cross-out~~ format and text in double underline format denotes proposed text to be ~~deleted~~ and added, respectively, by the Commission's suggested modifications.

If San Luis Obispo County accepts each of the suggested modifications within six months of Commission action (i.e., by October 10, 2019), by formal resolution of the Board of Supervisors, the modified amendment will become effective upon Commission concurrence with the Executive Director's finding that this acceptance has been properly accomplished.

III. FINDINGS AND DECLARATIONS

A. DESCRIPTION OF PROPOSED LCP AMENDMENT

San Luis Obispo County adopted its original cannabis regulations on November 27, 2017. These regulations amended the LCP's Land Use Plan (LUP) to define various cannabis uses and specify the land use categories in which each cannabis use is allowed,³ and amended the Implementation Plan (IP) to define cannabis-related terms and establish standards for each cannabis use.⁴ The Commission certified the LCP amendment (LCP-3-SLO-18-0020-1) on June 6, 2018 with modifications, and the County adopted the Commission's modifications on August 7, 2018.

Now the County is proposing changes to both the LCP's LUP and IP in order to refine its cannabis regulations. The changes are mostly minor (e.g., renumbering) and clarifying, but also include the addition of two new types of cannabis uses, as well as changes to the definitions of some already-established cannabis uses that affect the scope of activities allowed under those uses.

Specifically, the proposed LUP amendment would:

- Remove most cannabis processing activities from the definition of "cannabis cultivation."

³ The San Luis Obispo County LCP does not have zoning designations, but instead relies solely on land use designations.

⁴ The LUP's "Framework for Planning" document includes Coastal Table O, which lists fourteen land use categories, the allowable uses within those categories, and the permitting status for each. The Framework for Planning also includes definitions for each defined land use. Four Area Plans additionally restrict or permit specific uses in various parts of the unincorporated County. LCP-3-SLO-18-0020-1 amended all of these LUP components. It created a new use group for cannabis-related activities in Coastal Table O, thereby identifying which cannabis activities are allowed within each land use category, and added definitions for each cannabis-related activity in the new use group. The original cannabis uses were cannabis cultivation, cannabis nurseries, cannabis manufacturing, cannabis testing facilities, cannabis dispensaries, and cannabis distribution facilities. All cannabis-related uses were classified in Coastal Table O as special uses, meaning that they are allowable if specific criteria are met and if required findings are made. County approvals of CDPs for special uses are also appealable to the Coastal Commission. The IP component of LCP-3-SLO-18-0020-1 amended IP Section 23.11.030 (definitions) and added IP Sections 23.08.420 through 23.08.432 (cannabis use standards and revocation and enforcement provisions).

- Define “cannabis processing facilities” as a new cannabis use encompassing cannabis processing in non-residential facilities.⁵ Cannabis processing facilities would be allowed in the Agriculture – Non-Prime Soils (AGnps), Rural Lands (RL), Commercial Service (CS), and Industrial (IND) land use categories, subject to various limitations specified in the proposed IP amendment (see discussion below).
- Define “cannabis transport facility” as a new cannabis use that occurs when cannabis products are transported between other cannabis uses, provided that the transporting entity does not itself own or sell cannabis products or store cannabis products on its own premises. Cannabis transport facilities would be allowed in the AGnps, RL, CS, IND, Agriculture – Prime Soils (AGps), Rural Residential (RR), Residential Suburban (RS), Residential Single-Family (RSF), Office and Professional (OP), and Commercial Retail (CR) land use categories, subject to various limitations specified in the proposed IP amendment (see discussion below).
- Add the two new cannabis uses (i.e., cannabis processing facilities and cannabis transport facilities) to the lists of uses additionally restricted or permitted in the LCP’s Area Plans.
- Change the terminology used to identify the subtypes of cannabis dispensaries (an existing cannabis use) defined in the original ordinance. “Mobile delivery” would be changed to “non-storefront retailer” and “mobile dispensary” would be changed to “mobile retailer.”
- Change the definition of “cannabis nursery” to exclude activities that would otherwise meet the definition of nursery use when they are conducted under an approved land use permit for cannabis cultivation to produce cannabis plants for use on-site, subject to additional limitations specified in the proposed IP amendment.

The proposed IP amendments would:

- Allow limited cannabis nursery, cannabis processing, and cannabis transport activities as ancillary activities to cannabis cultivation, subject to restrictions, and require applicants requesting a land use permit for cannabis cultivation to provide a description of any proposed ancillary activities as part of their application materials.
- Eliminate “cannabis cultivation operation” as a defined term, and limit the size of cannabis canopy at indoor and outdoor cultivation sites directly rather than by proxy of the term “cannabis cultivation operation.”⁶

⁵ Cannabis processing would not be allowed in residential facilities under the proposed amendment. As discussed below, the proposed IP amendment further restricts the use of residences for cannabis activities.

⁶ In the County’s certified cannabis regulations, cannabis cultivation operations are subject to the canopy area limitations in state law (which vary based on license type), but multiple operations of up to one acre each are allowed at each “site,” defined as any lot or parcel or contiguous combination thereof under the same ownership. Indoor cultivation sites are subject to a maximum canopy area (22,000 square feet), but outdoor cultivation sites are subject to a limit on the total number of one-acre operations they can contain (one to three, depending on site size and land use category). Under the proposed amendment, these requirements would be rephrased to remove

- Amend the definitions of two types of structures used to grow cannabis (i.e., cannabis greenhouses and cannabis hoop structures) to add specificity regarding what activities are allowed within greenhouses; components and features that are not allowed in hoop structures; and size limits on hoop structures in non-residential land use categories.⁷
- Define several additional cannabis-related terms that are not defined in the certified cannabis regulations, and make minor clarifying changes to other definitions.⁸
- Renumber most IP sections providing the standards and conditions with which cannabis uses must comply.
- Explicitly place the burden on cultivators of “industrial hemp” to demonstrate that their plants are not cannabis, and clarify that violations of state law related to industrial hemp are violations of County regulations and subject to the same enforcement procedures.
- Require applicants for permits for all cannabis uses to provide, as part of their application, evidence that the site has legal access to a public road.
- Require applicants proposing more than one cannabis activity on one site to obtain Development Plan approval (instead of Conditional Use Permit approval); exempt ancillary cultivation activities from this requirement; and eliminate the requirement that applications for more than one of the *same* cannabis use on the same site (i.e., two cannabis cultivation operations) obtain a conditional use permit.⁹

“operation” as a mediating definition. Instead, indoor cultivation sites would be limited to 22,000 square feet of cannabis canopy and outdoor cannabis cultivation sites would be limited to one to three acres of cannabis canopy (again depending on site size and land use category).

⁷ The certified cannabis regulations limit hoop structures in residential land use categories to 120 square feet, but do not provide size limits for non-residential land use categories.

⁸ Proposed new definitions include “cannabis nursery canopy,” “cannabis processing” (which is distinct from the cannabis processing *facility* use defined in the proposed LUP amendment), “cannabis shade cloth structure,” “flowering,” “immature plant,” “indoor cultivation,” “light deprivation,” “mature plant,” and “outdoor cultivation.” Minor clarifying changes are proposed to the existing definitions of “cannabis canopy,” “cannabis topical product,” and “cannabis transport” (which is, again, distinct from the cannabis transport *facility* use defined in the proposed LUP amendment).

⁹ As discussed in note 6 above, under the currently-certified IP, it is possible to have between one and three “cannabis cultivation operations” on a site, depending on the size of the site and provided that each operation is limited to one acre. Because the proposed IP amendments would eliminate the term “cannabis cultivation operation” (instead allowing cannabis cultivation sites to have up to one, two, or three acres of cannabis canopy, depending on the size of the site), the same amount of cannabis cultivation would be considered one instance of cannabis cultivation rather than two or three. With this change, there would no longer be any circumstance under which an applicant would apply for more than one of the same cannabis use on a given site, so a permitting pathway for this circumstance is not necessary.

- Clarify the requirement that cannabis use applications for sites with verified cannabis violations obtain Development Plan approval for *any* proposed cannabis uses, not only cultivation.
- Expand existing restrictions on use of a residence from cannabis cultivation to all cannabis uses.
- Expand the existing requirement to participate in a County-run compliance monitoring program from cannabis cultivation to all cannabis uses.
- For all cannabis activities, expand public notice requirements to include a greater number of neighboring property owners and to require that these neighbors be notified prior to permit application submittal as well as prior to hearing.¹⁰
- Change screening requirements for cannabis cultivation and cannabis nurseries to add specifications related to solidity and durability; to allow modification of screening standards when site characteristics render screening unnecessary or ineffective; to require that fencing be designed to allow for the movement of wildlife where necessary; and to clarify that these cannabis-specific standards are to be used in place of more general screening and fencing requirements in the Coastal Zone Land Use Ordinance.
- Specify that outdoor lighting for cannabis cultivation and cannabis nurseries may not be used to manipulate plant growth (e.g., for photosynthesis or mixed-light processes) and is subject to the same restrictions on outdoor lighting that apply to residences.
- Add a location standard for cannabis testing facilities and cannabis distribution facilities (i.e., prohibit these uses within 600 feet of sensitive uses, such as parks, drug and alcohol treatment facilities, and schools), and, for all cannabis uses, add a second alternative to the required location standard finding for cases in which site and/or vicinity conditions render even the alternative minimum distance from sensitive uses (i.e., 600 feet) unnecessary or ineffective. This second alternative finding would not apply to schools.¹¹
- For the existing cannabis cultivation use, add several new required findings addressing special issues related to cannabis (e.g., minimization of water use, compliance with state regulatory standards, addressing enforcement priorities, and prevention of reoccurring violations) and to allow modifications to screening and fencing standards when site conditions render these unnecessary or ineffective.
- Apply standards for the new cannabis processing facility and cannabis transport uses, including permit and application requirements, location standards, setbacks, and required

¹⁰ Specifically, applicants would be required to provide evidence to the County that they notified property owners within 1,000 feet of the proposed cannabis activity and any applicable advising group of their intent to submit an application at least ten days in advance of submittal. The Department of Planning and Building would provide a notice form for this purpose.

¹¹ The 600-foot minimum distance from schools is required by state regulations and cannot be reduced.

findings. The cannabis transport facility use standards would also prohibit the ownership and sale of cannabis and cannabis products by cannabis transport facilities, and include parking, vehicle storage, and other restrictions that vary based on the land use category in which the transport facility would be located.

- Change terminology related to the cannabis dispensary use to be consistent with the LUP, as amended.

Please see **Exhibit 1** for the proposed amendment text.

B. CONSISTENCY ANALYSIS

Standard of Review

The proposed amendment affects both the LUP and IP components of the San Luis Obispo County LCP. The standard of review for LUP amendments is that they must meet the requirements of and be in conformity with the Chapter 3 policies of the Coastal Act. The standard of review for IP amendments is that they must conform with and be adequate to carry out the policies of the certified LUP.

LUP Amendment Consistency Analysis

Relevant Coastal Act Policies

Coastal Act Section 30250(a) encourages new development within existing developed areas:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

The Coastal Act also requires agricultural land to be maintained in agricultural use to the greatest extent feasible, and for conflicts between agriculture and urban land uses to be minimized:

Section 30241. *The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:*

- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.*
- (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical*

and viable neighborhood and contribute to the establishment of a stable limit to urban development.

- (c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.*
- (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.*
- (e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.*
- (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.*

Section 30242. *All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.*

Consistency Analysis

As noted above, the County amended its LCP in late 2017 to establish its cannabis regulatory program, and the Commission certified that amendment in June 2018. Now the County is proposing a series of refinements to the cannabis regulatory program which are fairly minor (in an absolute sense and relative to June 2018 amendment) and should be understood in that way.

The County's certified LUP policies regarding cannabis define various commercial cannabis activities as allowable uses within appropriate land use areas so as to ensure their compatibility with the coastal zone's unique geographies and resource considerations (i.e., as opposed to a blanket allowance of all such activities anywhere and everywhere in the entire coastal zone). For example, by designating each of the specific types of commercial cannabis activities as allowable within particular land use categories, the County's LUP generally allows cannabis cultivation within agricultural districts and cannabis manufacturing in more industrial areas.

The proposed amendments to the LUP are consistent with this framework. Most of the changes sought by the County slightly modify the existing suite of cannabis uses in order to better reflect how businesses within the cannabis supply chain actually operate (i.e., identification of cannabis processing and transportation facilities and amendments to the definition of cannabis nurseries to allow some nursery activities as an ancillary use to cannabis cultivation). For instance, the currently certified LUP allows cannabis processing activities as a component of cannabis cultivation, but does not provide a permitting pathway for facilities devoted to cannabis processing that do not operate on the same site as cannabis cultivation. The proposed amendment would separate cannabis processing activities from the definition of cannabis cultivation and establish cannabis processing facilities as a new cannabis use that can be permitted independently from cultivation in four land use categories (AGnps, RL, CS, and IND) that are

generally appropriate for such activities.¹² A second proposed new cannabis use (i.e., cannabis transport facilities) addresses the need for a permitting pathway for entities that move cannabis and cannabis products among sites engaged in their production and processing, but do not make, store, or sell cannabis products themselves. Cannabis transport facilities would be allowed in a broad range of land use categories.¹³ Because the proposed LUP amendment includes two new cannabis uses (i.e., cannabis processing facilities and cannabis transport facilities), amendments are also proposed to add these new uses to the “Limitation on Uses” sections of various Area Plans. The effect of these changes is to restrict or allow cannabis processing and cannabis transport facilities in specific communities or parts of communities where special permissions or prohibitions already exist for similar, non-cannabis uses.

Additionally, some cannabis cultivation operations engage in nursery activities to supply their own needs (for immature plants, seeds, etc.). Under the certified LCP, these entities need to obtain land use permits for both the cannabis cultivation *and* cannabis nursery uses, even though the nursery operations are secondary and necessary to support the primary cultivation operation. One of the proposed IP amendments would allow sites permitted for cannabis cultivation to engage in limited nursery activities to produce plants only for use on site (see the discussion of “ancillary uses” below), but without a change to the definition of a cannabis nursery in the LUP, any nursery activity would still require a land use permit for cannabis nurseries, as well. The proposed LUP amendment would therefore change the definition of cannabis nursery (an existing cannabis use) so that it explicitly excludes nursery activities that are conducted under a land use permit for cannabis cultivation in order to produce plants for use onsite. Additional amendments proposed for the IP would allow cannabis cultivation operations to engage in nursery activities subject to limitations in the proposed IP amendment.

Finally, the proposed LUP amendment would change the names used to distinguish between the two types of cannabis dispensaries defined in the certified LUP in order to reduce public confusion about the types of dispensaries that are and are not allowed in unincorporated areas of the County.¹⁴ This change would not alter allowable activities or practices, just the terms used to characterize them.

¹² Cannabis processing would still be allowed in conjunction with cannabis cultivation under the proposed new ancillary use provision – a change to the cannabis cultivation standards further described in the IP consistency analysis below.

¹³ While the list of land use categories in which the cannabis transport use would be allowed is extensive and encompasses a diversity of land use types in which other cannabis uses are not necessarily allowed, it is important to note that cannabis transport facilities are distinct from all other cannabis uses in that cannabis is not actually located at the site that constitutes the facility. Rather, a cannabis transport business would be one that sends a vehicle to pick up cannabis or cannabis products from one cannabis-related operation (e.g., a cultivation site) and delivers it to another (e.g., a manufacturing facility), returning to the site of the transport business only after the delivery is completed. The site for which the land use permit is approved might house the offices for the transport operation and/or the delivery vehicle, but the cannabis itself cannot be brought to or stored at the transport facility. This means that cannabis-specific impacts (e.g., nuisance odors, security concerns) are far less likely to affect uses adjacent to the transport facility. Moreover, and as discussed further in the IP consistency analysis below, the proposed cannabis transport facility standards (IP section 23.08.429(b)) provide additional conditions of operation depending on whether a cannabis transportation facility is situated in the more industrial land use categories (i.e., OP, CR, CS, and IND) or those that are more rural/residential in character (i.e., AGps, AGnps, RL, RR, RS, and RSF).

¹⁴ Specifically, “mobile delivery” operations would be called “non-storefront retailers.” The current and proposed terms refer to dispensaries that bring cannabis products ordered by a qualified customer (e.g., online) to that

The proposed amendment is therefore relatively minor in scope, and is intended to add more clarity and specificity to the certified cannabis provisions, which were found by the Commission to be broadly consistent with Coastal Act Sections 30241 and 30242 (which protect and prioritize coastal agriculture) and with Section 30250(a) (which encourages new development within or near existing developed areas), because they allowed each defined cannabis use in land use categories that support other similar, non-cannabis uses, such as crop production and manufacturing. The proposed changes maintain this framework without any fundamental alterations. For these reasons, the proposed LUP amendment is consistent with the above-cited provisions of the Coastal Act.

IP Amendment Consistency Analysis

Relevant LUP Policies

The County's LUP includes a variety of policies affecting issues raised by cannabis activities, including protection of environmentally sensitive habitat and visual and scenic resources. Key policies include:

Environmentally Sensitive Habitats Policy 1: *New development within or adjacent to locations of environmentally sensitive habitats (within 100 feet unless sites further removed would significantly disrupt the habitat) shall not significantly disrupt the resource. Within an existing resource, only those uses dependent on such resources shall be allowed within the area.*

Environmentally Sensitive Habitats Policy 17: *In new development, a buffer strip shall be required and maintained in natural condition along the periphery of all wetlands. This shall be a minimum of 100 feet in width measured from the upland extent of the wetland unless a more detailed requirement for a greater or lesser amount is included in the LUE or the LUO would allow for adjustment to recognize the constraints which the minimum buffer would impose upon existing subdivided lots.*

Environmentally Sensitive Habitats Policy 28: *In rural areas (outside the USL) a buffer setback zone of 100 feet shall be established between any new development (including new agricultural development) and the upland edge of riparian habitats. In urban areas this minimum standard shall be 50 feet except where a lesser buffer is specifically permitted. The buffer zone shall be maintained in natural condition along the periphery of all streams. Permitted uses within the buffer strip shall be limited to passive recreational, educational or existing nonstructural agricultural developments in accordance with adopted best management practices. Other uses that may be found appropriate are limited to utility lines, pipelines, drainage and flood control facilities, bridges and road approaches to bridges to cross a stream and roads when it can be demonstrated that: 1) alternative routes are infeasible or more environmentally damaging and 2) adverse environmental effects are mitigated to the maximum extent feasible. Lesser setbacks on existing parcels may be*

customer. This type of dispensary activity is currently allowed under the IP and would still be allowed under the proposed amendments. The term "mobile dispensaries" would be changed to "mobile retailers." These terms refer to dispensaries that have a storefront that can be moved from place to place, like a food truck that sells cannabis. This type of dispensary is not allowed under the IP currently and would not be allowed by the proposed amendments.

permitted if application of the minimum setback standard would render the parcel physically unusable for the principal permitted use. In allowing a reduction in the minimum setbacks, they shall be reduced only to the point at which a principal permitted use (as modified as much as is practical from a design standpoint) can be accommodated.

Visual and Scenic Resources Policy 1: *Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved protected, and in visually degraded areas restored where feasible.*

Visual and Scenic Resources Policy 2: *Permitted development shall be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors. In particular, new development should utilize slope created "pockets" to shield development and minimize visual intrusion.*

Visual and Scenic Resources Policy 4: *New development shall be sited to minimize its visibility from public view corridors. Structures shall be designed (height, bulk, style) to be subordinate to, and blend with, the rural character of the area. New development which cannot be sited outside of public view corridors is to be screened utilizing native vegetation; however, such vegetation, when mature, must also be selected and sited in such a manner as to not obstruct major public views. New land divisions whose only building site would be on a highly visible slope or ridgetop shall be prohibited.*

Consistency Analysis

The proposed IP amendments are generally minor in nature, and in most cases have little or no potential to affect coastal resources. Additionally, several of the more substantive changes further restrict cannabis activities relative to the existing IP provisions, such as by adding application requirements to ensure that sites permitted for cannabis use are legally accessible by a public road; by making it the responsibility of cultivators of industrial hemp to demonstrate that their plants are not cannabis; by imposing location standards (i.e., minimum distances from sensitive uses) on cannabis activities; and by expanding provisions that currently apply only to cannabis cultivation to *all* cannabis uses (i.e., the prohibition on use of a residence for cannabis activities; the requirement for sites with a prior cannabis-related violation to obtain Development Plan approval; mandatory participation in a County-run compliance monitoring program). The proposed IP amendments would also add several new required findings for cannabis cultivation, widen the noticing radius for all cannabis uses from 300 to 1000 feet, and require that neighboring property owners be notified prior to permit application submittal as well as prior to hearing.¹⁵ All of these changes raise the standards that cannabis uses must meet to be approved, and/or increase the level of scrutiny for each cannabis application.

¹⁵ As discussed in note 10 above, the applicant would be required to provide evidence to the County that they notified property owners within 1,000 feet of the proposed cannabis activity and any applicable advising group of their intent to submit an application at least ten days in advance of submittal. The Department of Planning and Building would provide a notice form for this purpose. This pre-noticing procedure is consistent with what the County currently requires for agricultural processing facilities in its inland (i.e., non-coastal) land use ordinance.

Another subset of the IP amendments implement the proposed changes to the LUP described above. For example, a new provision outlining cannabis activities that can be considered “ancillary” to cultivation (e.g., nursery activities to produce plants for onsite use, processing of cannabis grown on site, and transport of cannabis grown or processed onsite) would be added to the cannabis cultivation standards in order to allow limited nursery, processing, and transport activities in association with cannabis cultivation (see **Exhibit 1**, p. 15). In addition to the onsite use limitation noted above, nursery uses would be limited to 25 percent of the cannabis cultivation area when ancillary to cultivation. Processing and transport activities would also be limited to cannabis grown onsite, and applicants for a land use permit for cannabis cultivation would be required to provide a description of all proposed ancillary activities as part of their application, allowing the County to evaluate whether or not the proposed nursery, processing, and transport operations meet the standards for ancillary activities (see **Exhibit 1**, p. 17).

Furthermore, the addition of the new cannabis processing and cannabis transport uses in the proposed LUP amendment requires the establishment of detailed standards for each new use in the IP. The proposed IP amendments include the addition of Sections 23.08.022 (for cannabis processing facilities) and 23.08.429 (cannabis transport facilities), which provide those details (see **Exhibit 1**, pp. 27-29 and pp. 37-39). The standards for cannabis processing facilities include the same requirements for the prevention of nuisance odors that apply to the existing suite of cannabis uses. The standards for cannabis transport facilities are notable in that they allow approval via a plot plan (i.e., ministerial review) in some cases, as well as a waiver of certain application requirements.¹⁶ These relatively permissive standards are adequately protective of coastal resources given the low impact of a cannabis transport facility on surrounding uses relative to other cannabis uses (i.e., because no cannabis can be stored on the premises of the transport facility), and additional restrictions on parking, storage of commercial vehicles, number of trips per day, and employees that are provided in the cannabis transport facilities standards.¹⁷ In sum, the proposed IP changes that implement the LUP amendments described above simply provide further detail as to how cannabis uses would be made compatible with existing development in various areas where they would be allowed.

¹⁶ IP Section 23.02.024 (not amended by this proposal) allows the County Planning Director to waive required elements of a land use permit application (e.g., site plans; description or documentation of various site features), but only under limited conditions. Specifically, characteristics of the project or of the project site must make provision of the waived information unnecessary or infeasible, and it must be possible to evaluate the project for compliance with the IP in the absence of the waived application materials.

¹⁷ Per IP Section 23.08.429(d)(3), cannabis transport facilities located in commercial and industrial land use categories (i.e., OP, CR, CS, and IND) would be required to comply with the general restrictions for storage of commercial vehicles found in IP Section 23.08.024(b) (not amended by this proposal). Cannabis transport facilities proposed in the remaining land use categories (i.e., AGps, AGnps, RL, RR, RS, and RSF) would be required to meet their parking needs off the street (IP Section 23.08.429(d)(4)(iii)). Because these land use categories are more rural and/or residential in character, the standards in IP Section 23.08.429(d)(4) would also limit cannabis transport facilities in these areas in order to address the potential impacts of additional vehicle trips, the coming and going of employees, and non-residential uses in areas that are not primarily oriented toward commercial and industrial enterprises. Specifically, IP Section 23.08.429(d)(4) would require a principal residence on the site (while reiterating and maintaining the general prohibition on use of a residence for cannabis activities), prohibit any employees who do not reside at the site from working there, and cap cumulative traffic at the site to ten vehicle trips per day. Vehicles would be limited to those “normally associated with a home in a residential neighborhood” or would need to be stored as allowed by IP Section 23.08.024(b). These amendments can be found on pp. 37-39 of **Exhibit 1**.

The proposed IP amendments that have the most potential to affect coastal resources concern: (1) screening and fencing standards; (2) definitions of structures used in cannabis cultivation and nurseries; and (3) new provisions relating to lighting of cannabis operations. Cannabis screening, structures, and lighting provisions are significant because they affect the consistency of the IP with LUP policies that protect visual resources along the coast. These changes would either enhance or have no effect on the existing certified IP's protections for coastal resources as proposed, or could be slightly modified to achieve the County's intent and avoid negative impacts to coastal resources.

Specifically, screening standards in the existing certified IP require that any outdoor cannabis activities (i.e., cannabis cultivation and cannabis nurseries, IP Sections 23.08.418 and 23.08.420; see **Exhibit 1**, pp. 14-22 and 22-27) screen plants and prevent access by unauthorized persons by way of a solid, durable, and lockable fence at least six feet in height. The certified IP requires that any such fencing not violate any other ordinance or code section, and also requires that the fencing comply with applicable area, community, specific, and design plans, and further requires consistency with the visual resource protection standards applicable to all cannabis activities. The proposed amendment would amend the cultivation and nursery screening provisions to add specificity to the existing requirements, including requirements that fencing be located outside of setback areas and be designed to allow for wildlife movement where necessary. The proposed new language would also clarify that no screening is required for indoor cultivation and nurseries if the structure that contains these uses already provides the functional equivalent of screening (in terms of both security and opacity). While the proposed amendment allows for a waiver or modification of these screening standards, such action would require a finding that site and/or vicinity characteristics make the fencing or screening requirements unnecessary or ineffective. The cross reference to the visual resource protection standards for all cannabis activities would be retained. Notably, however, the certified IP also contains general standards for screening and fencing (IP Section 23.04.190; not specific to cannabis). As proposed, the County's IP amendments would clarify that the updated cannabis-specific standards supersede the more general standards of IP Section 23.04.190. However, IP Section 23.04.190 contains some screening and fencing requirements for commercial and industrial structures that may apply to attributes of cannabis cultivation and nurseries (especially indoor cultivation and nurseries) other than the plants themselves. For instance, IP Section 23.04.190(a)(1) requires screening of mechanical building support equipment (e.g., air conditions and utility meters), and 23.04.190(a)(5) requires screening along the side and rear property lines of non-residential uses in some circumstances. To avoid relieving cannabis operations of screening and fencing standards that would apply to similar, non-cannabis uses, suggested modifications specify that the proposed cannabis-specific screening and fencing standards would supplement the requirements of 23.04.190 rather replacing them (see **Exhibit 2**, pp. 3-4). Thus, as modified, the proposed amendments preserve the requirement that screening not obstruct public views while clarifying the original language and the proposed relationship between generic and cannabis-specific screening and fencing standards, while also providing some flexibility for situations in which screening of cannabis plants is not necessary.

The changes to the definition of structures used for cannabis cultivation and nurseries concern three terms defined in IP Section 23.11.030 (Coastal Land Use Ordinance Definitions; see

Exhibit 1, pp. 5-6): Cannabis greenhouses, cannabis hoop structures, and cannabis shade cloth structures, each of which is discussed further below.

The changes to the definition of cannabis greenhouses are minor, and include adding the term “cannabis” to modify the word “nurseries” in several places for clarity, and specifying that cannabis processing (either as a primary or ancillary use) cannot take place in a cannabis greenhouse.

The changes to the definition of a hoop structure are more substantive, but they also impose *more* restrictions on what can be classified as a hoop structure. The amendment would replace the current requirement that a hoop structure be open on the ends and include no framing other than the hoops with a prohibition on permanent anchors or foundations, trusses, wood construction, plumbing (other than for irrigation), mechanical, or electrical systems. The objective of both the currently certified and the proposed replacement language is to ensure that hoop structures are relatively impermanent, but the new proposed language provides a more appropriate set of indicators of permanence. Additionally, it adds a limit to the length of hoop structures in non-residential land use categories and clarifies that the existing limit on hoop structures in residential areas is cumulative for the site. These changes provide more and clearer limits on the amount of hoop structure area allowed in all land use categories where cannabis cultivation and nurseries are allowable.¹⁸

The amendment would add a new definition for cannabis shade cloth structures, which are not defined in the IP currently. Adding this definition allows the County to place limits on shade cloth structures (i.e., open on all sides, temporary, not more than 12 feet in height, not more than 120 square feet of cumulative area in residential land use categories, detached from other structures, no plumbing, mechanical, or electrical systems allowed). To ensure that cannabis shade cloth structures do not degrade coastal views and are used in a manner that is consistent with the visual resource protection policies of the LUP more broadly, suggested modifications add a sentence to the definition of cannabis shade cloth structures that specifies that cannabis cultivation or cannabis nurseries under a shade cloth structure are outdoor cultivation or outdoor nurseries for the purposes of the chapter. While this is intuitively obvious (since shade cloth structures are temporary and open on all sides, i.e.), making it explicit ensures that all restrictions on the use of artificial lighting that apply to outdoor cultivation and outdoor nurseries apply to cultivation or nurseries beneath shade cloth structures, as well (see **Exhibit 2**, p. 2). To ensure that cannabis shade cloth structures do not block protected coastal views, an additional suggested modification adds the term to the list of cannabis development types that must be sited to prevent impacts to certain public views (see **Exhibit 2**, p. 2).¹⁹

¹⁸ Additionally, the definition is amended to note that for the purposes of obtaining licenses (i.e., from the state, and as distinct from the purpose of obtaining a land use permit from the County pursuant to the IP), cannabis cultivation or cannabis nurseries within hoop structures can be considered indoor or mixed-light cannabis cultivation or cannabis nurseries. This allows cannabis producers more flexibility in which state licenses they obtain while maintaining clear restrictions on what activities are and are not allowed in hoop structures in the unincorporated area of the County’s coastal zone. Lighting of hoop structures is restricted by the broad restrictions on outdoor lighting that are proposed to be added to the standards for nurseries and cultivation (see **Exhibit 1**, pp. 20 and 26; this language is also discussed on p. 18 of these findings).

¹⁹ Another suggested modification in IP Section 23.11.030 (**Exhibit 2**, p. 1) is to delete the definition of the term “cannabis cultivation operation.” As noted above in the project description (p. 7 of this report), the County proposed

The proposed IP amendment also proposes changes relating to the lighting of cannabis operations. Light pollution from cannabis operations (particularly mixed light operations in which artificial light is used to manipulate cannabis plant growth) can degrade scenic vistas, disrupt public views, and highlight the presence of development in otherwise dark areas at night. Currently, the IP requires all cannabis activities to site, angle, shield, and operate lighting for security and mixed-light operations so that such activities are not visible from public roads and requires shielding of mixed-light operations between sunset and sunrise (**Exhibit 1**, p. 13). The proposed amendments add to these protections and further ensure consistency with the visual resource policies of the LUP by defining outdoor cultivation (previously an undefined term) as cultivation without the use of artificial lighting to manipulate plant growth (**Exhibit 1**, p. 7) and by adding new sections to the cannabis cultivation and cannabis nursery standards (**Exhibit 1**, pp. 20 and 26, respectively) that impose new limitations on artificial outdoor lighting for any other purpose (i.e., other than growth manipulation).²⁰ Specifically, under the proposed amendments, outdoor cannabis cultivation and nursery activities would be allowed to use artificial light only for illumination, and only consistent with the restrictions on outdoor lighting that apply to residences.²¹ The cannabis-specific restrictions on light pollution are reiterated by reference, temporary lighting is prohibited, and lighting in conjunction with hoop structures is prohibited. Collectively, these modifications further clarify that the intent of the cannabis regulations in the coastal zone is to limit the use of artificial light to grow cannabis to indoor operations only.

Thus, the proposed amendments related to screening and fencing, definitions of cannabis structures, and lighting either maintain or enhance the consistency of the IP with LUP policies relating to visual and scenic resources, or will maintain or enhance protections for visual resources with minor modifications as suggested.

to eliminate this term for in order to more clearly and directly limit the size of cannabis cultivation operations and to address confusion stemming from the distinction between a cultivation “operation” and a cultivation “site” and from the distinction between the meaning of “operation” in state law versus the County’s LCP. This change is included in the strikethrough/underline version of the proposed LCP amendment provided by the County as part of its LCP amendment submittal, and the ordinance the County adopted to affect the amendments (which does not show changes in strikethrough/underline format) omits the definition to reflect the fact that it would no longer be operative under the proposed amendment. However, the County’s intent to delete the definition is not clear in the ordinance because the section heading for IP Section 23.11.030 (which provides definitions) notes that “definitions not listed are not amended by this section.” As such, the omission of the definition of “cannabis cultivation operation” from this section could be construed as having an effect opposite of what the County intended (i.e., it could be construed as meaning that no changes to the definition were proposed). The suggested modification deletes this definition in order to achieve, without ambiguity, the County’s original intent of eliminating the term from IP Section 23.11.030.

²⁰ Cannabis cultivation and cannabis nurseries are the only cannabis uses that involve actual growth of the cannabis plant, which means they are the only cannabis uses in which the use of artificial light to manipulate cannabis growth is a concern. Other cannabis uses cover the transportation, processing, manufacturing, testing, and sale of cannabis products, all of which occur after harvesting and therefore do not involve plant growth.

²¹ Subsections (b) through (f) of IP Section 23.04.320, which are referenced by the proposed amendments, require minimization of the intensity of outdoor lighting; require that light sources be designed and adjusted to direct light away from any road or street, and away from any dwelling outside the ownership on which it originates; place distinct, specific limitations on lights used to illuminate both the ground and elevated features; define the highest point on which light fixtures can be placed on a given site; and impose additional restrictions on street lighting in order to prevent light pollution.

The IP also includes Section 23.08.416(p) on habitat setbacks, which applies to all cannabis activities (see **Exhibit 1**, p. 13). This language was added by the Commission to the original regulations to ensure consistency with the Environmentally Sensitive Habitats (ESHA) policies noted above, particularly ESHA Policy 28 requiring a 100-foot riparian vegetation setback for any new development outside the USL, and ESHA Policy 17, which provides a 100-foot development setback for wetlands particularly. However, the proposed new IP sections relating to the new cannabis transport and processing uses apply habitat setbacks consistent with those required *outside* the coastal zone. Suggested modifications replace the proposed habitat setbacks in these two sections with a reference to the habitat setbacks in IP Section 23.08.416(p) (see **Exhibit 2**, pp. 4 and 5, respectively).²² An additional suggested modification removes language prohibiting the location of cannabis processing facilities in ESHA because the habitat setbacks provided in IP Section 23.08.416(p) already ensure that cannabis uses will not be sited in ESHA (see **Exhibit 2**, p. 4).

Other proposed IP amendments are not expected to influence the consistency of the County's cannabis regulations with the LUP, but modifications are suggested at the request of the County to improve clarity or correct errors. For instance, the elimination of the definition of "cannabis cultivation operation" as a defined term is part of a suite of proposed changes that add clarity and specificity to the cannabis regulations and do not pose any consistency issues with the LUP.²³ Suggested modifications to strike this definition (see **Exhibit 2**, p. 1) reflect the fact that while the County's intent was to eliminate the definition this change is not clear in the ordinance adopted by the Board of Supervisors.²⁴ Additionally, some use-specific restrictions on use of a residence for cannabis activities obviated by the proposed amendments were not deleted, and suggested modifications make those changes (see **Exhibit 2**, pp. 3-4). Finally, required findings for each cannabis use have always addressed minimum distances from sensitive uses (as required by state law), but the proposed IP amendments ensure that these requirements are also noted as locational standards for each cannabis use. Modifications are suggested to ensure that each new locational standard refers to the correct use (see **Exhibit 2**, pp. 4-5).

The remaining proposed amendments make minor and clarifying changes that will not affect coastal resource protections, including the renumbering of IP sections providing the standards

²² In the original version of the IP cannabis regulations, only the standards for the two cannabis uses that could be conducted outdoors (i.e., cannabis cultivation and cannabis nurseries) specifically reiterated the habitat setbacks of IP Section 23.08.416(p) (see **Exhibit 1**, p. 13) in the sections pertaining to setbacks. Since the suggested modifications to the cannabis processing and transport standards change this pattern, additional suggested modifications to the setback standards for cannabis manufacturing, cannabis testing facilities, cannabis dispensaries, and cannabis distribution facilities would adopt the same convention of cross-referencing the habitat setback standards in IP Section 23.08.416(p) (see **Exhibit 2**, pp. 4-5). While this suggested modification could be considered redundant, the clarity it provides about the broad applicability of 23.08.416(p) is necessary to ensure that cannabis activities are conducted consistent with the ESHA policies of the LUP. Similarly, suggested modifications to cannabis cultivation and cannabis nursery standards (**Exhibit 2**, pp. 2 and 3, respectively) clarify that the habitat setbacks in Section 23.08.416(p) apply to all cannabis cultivation and cannabis nurseries, not just outdoor cultivation and nurseries.

²³ See discussion at note 6 above.

²⁴ See discussion at note 19 above.

and conditions with which cannabis uses must comply, and the addition of definitions for several cannabis-related terms that were not defined in the originally certified text.

In conclusion, as modified, the IP amendment provides additional specificity and clarity to ensure that cannabis activities are allowed in appropriate areas and in a manner that protects visual resources and ESHA as required by the LUP. County planning staff have been supportive of the suggested modifications described above, and have identified additional minor modifications to clarify the intent of the proposed amendment and to correct drafting errors. As such, the proposed IP amendment, with the identified suggested modifications, is adequate to carry out the LUP.

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of the State's Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA. Local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

San Luis Obispo County filed a notice of exemption for the proposed amendment, citing Business and Professions Code Section 26055(h), which exempts from CEQA review the adoption of cannabis regulations by local jurisdictions that require discretionary review of permits, licenses, or other authorizations to engage in commercial cannabis activity, if that discretionary review includes compliance with CEQA. Under the County's certified IP, all cannabis activities require either Minor Use Permit or Development Plan approval, and all Minor Use Permits and Development Plans require an environmental determination. While the proposed IP amendments include the addition of one cannabis use, cannabis transport facilities, which may be approved via ministerial review, the County cites CEQA Guidelines Section 15061(b)(3) (known as the general rule or common sense exemption), which state that a project is exempt from CEQA when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, to address that case.

This report has discussed the relevant coastal resource issues with the proposal and proposes suggested modifications to address relevant coastal resource issues to ensure that the LUP as proposed to be amended will be fully consistent with Coastal Act Chapter 3 policies and that the IP as proposed to be amended will be fully consistent with the LUP (as proposed to be amended). All above findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS²⁵

- LCP Amendment File LCP-3-SLO-19-0009-1

APPENDIX B – STAFF CONTACT WITH AGENCIES AND GROUPS

- San Luis Obispo County Department of Planning and Building

²⁵ These documents are available for review in the Commission’s Central Coast District office.