

**AMENDMENTS TO TITLE 22 (NON-COASTAL ZONING) OF THE SAN LUIS  
OBISPO COUNTY CODE RELATING TO CANNABIS USES**

SECTION 1. Section 22.06.030.C, Table 2-2 – Allowable Land Uses and Permit Requirements, of the San Luis Obispo County Code is amended to read as follows:

**TABLE 2-2 - ALLOWABLE LAND USES AND PERMIT REQUIREMENTS**

Land Use <sup>(1) (2)</sup>	Permit Requirements By L.U.C. <sup>(3)</sup>						Specific Use Standards
	AG <sup>(8)</sup>	RL	RR	RS	RSF	RMF	
<b>Agriculture, Resource, and Open Space Uses</b>							
Ag Processing	A2	A2	CUP				22.30.070
Agricultural Accessory Structures	P	P	P	P			22.30.030,060
Animal Facilities - Specialized, except as follows	CUP	CUP	CUP	CUP			22.30.100
Animal hospitals & veterinary medical facilities	MUP	MUP	CUP				22.30.100
Beef and dairy feedlots	CUP	CUP					22.30.100
Fowl and poultry ranches	MUP	MUP	MUP	MUP			22.30.100
Hog ranches	CUP	CUP					22.30.100
Horse ranches and other equestrian facilities	MUP	MUP	MUP	MUP	CUP		22.30.100
Kennels (6)	A1	A1	A1	A1	A1	A1(7)	22.30.100
Zoos - Private, no display open to public	MUP	MUP	MUP				22.30.100
Zoos - Open to public							22.30.100
Animal Keeping	A2	A2	A2	A2	A2	A2	22.32.090
Cannabis Cultivation	A2	A2	A2				22.40
Cannabis Nurseries	A2	A2	A2				22.40
Crop Production and Grazing	A1	A1	A2	A2	A2	A2	22.30.200
Energy-generating facilities (9)	A2	A2	A2	A2	A2	A2	22.32
Fisheries and Game Preserves	A1	A1	A1				
Forestry	A1	A1	A1	A1			
Mines and quarries	A2	A2	A2				22.36
Nursery Specialties	A2	A2	A2	A2			22.30.310
Petroleum Extraction	A2	A2	A2	A2			22.34

**Key To Permit Requirements**

Symbol	Permit Requirement	Procedure is in Section:
A1	Allowable use, subject to the land use permit required by 22.08.030, Table 2-3	22.08.030
A2	Allowable use, subject to the land use permit required by the specific use standards.	22.30
P	Permitted use, Zoning Clearance required. (4)	22.62.030
SP	Permitted use, Site Plan Review required. (4)	22.62.040
MUP	Conditional use - Minor Use Permit required. (4)	22.62.050
CUP	Conditional use - Conditional Use Permit required. (4)	22.62.060
	Use not allowed. (See 22.06.030.C regarding uses not listed.)	22.06.030.C

Land Use <sup>(1)(2)</sup>	Permit Requirements By L.U.C. <sup>(3)</sup>							Specific Use Standards
	OP	CR	CS	IND	OS	REC	PF	
<b>Agriculture, Resource, and Open Space Uses</b>								
Ag Processing			A2	A1				22.30.070
Agricultural Accessory Structures			P	P	SP(5)	P	P	22.30.030,060
Animal Facilities - Specialized, except as follows	CUP	CUP	CUP	CUP		CUP	CUP	22.30.100
Animal hospitals & veterinary medical facilities	A1	A1	A1	A1		MUP	A1	22.30.100
Beef and dairy feedlots				CUP				22.30.100
Fowl and poultry ranches	MUP			MUP			MUP	22.30.100
Hog ranches	MUP			MUP				22.30.100
Horse ranches and other equestrian facilities	MUP	MUP	MUP	MUP		MUP	MUP	22.30.100
Kennels (6)	A1	A1	A1	A1		A1(7)	A1	22.30.100
Zoos - Private, no display open to public	MUP	MUP	MUP	MUP		MUP	MUP	22.30.100
Zoos - Open to public						CUP	CUP	22.30.100
Animal Keeping		A2	A2	A2	A2	A2	A2	22.32.090
<a href="#">Cannabis Cultivation</a>				<a href="#">A2</a>				<a href="#">22.40</a>
<a href="#">Cannabis Nurseries</a>								<a href="#">22.40</a>
Crop Production and Grazing	A2	A2	A2	A2	A1	A1	A1	22.30.200
Energy-generating facilities (9)	A2	A2	A2	A2	A2	A2	A2	22.32
Fisheries and Game Preserves					SP(5)	A1		
Forestry					SP(5)	A1		
Mines and quarries					SP(5)	A1	A2	22.36
Nursery Specialties		A2	A2	A2				22.30.310
Petroleum Extraction			A2	A2	SP(5)	A2	A2	22.34

**NOTES (The following apply only to these two facing pages)**

- (1) See Article 8 for definitions of the listed land uses.
- (2) See Article 9 for any restrictions or special permit requirements for a listed use in a specific community or area.
- (3) L.U.C. means "land use category." See Section 22.04.020, Table 2-1, for a key to the land use category abbreviations.
- (4) Business License Clearance may also be required; see Section 22.62.020.
- (5) Use allowed on private land with Site Plan Review only when authorized by a recorded open space easement executed by the property owner and the County. Use allowed on public land subject to Conditional Use Permit approval.
- (6) Licensing of all kennels by the County Tax Collector is required by Section 9.04.120 of this Code.
- (7) Use limited to non-commercial kennels as defined by Section 9.04.110(t) of this Code.
- (8) Land uses on property under Williamson Act Contracts must adhere to the County's Rules of Procedure to Implement The California Land Conservation Act of 1965 (Table 2), individual Contracts, the provisions of the Williamson Act itself and any changes that may be made to it.
- (9) This use may not be allowable in every land use category. Refer to the standards in Chapter 22.32.

Land Use <sup>(1) (2)</sup>	Permit Requirements By L.U.C. <sup>(3)</sup>						Specific Use Standards
	AG <sup>(12)</sup>	RL	RR	RS	RSF	RMF	
<b>Industry, Manufacturing &amp; Processing Uses</b>							
Apparel Products							
Cannabis Manufacturing	A2 (11)	A2 (11)					22.40
Cannabis Transport and Distribution							22.40
Chemical Product Manufacturing							22.30.160
Corrosive, Toxic, Explosive & Gaseous Product							22.30.160
Concrete, Gypsum & Plaster Products	SP(6)	SP(6)					
Electronics, Equipment & Appliances							
Food and Beverage Products	A1(11)	A1(11)					
Furniture & Fixture Products, Cabinet Shops							
Glass Products							
Lumber & Wood Products							
Machinery Manufacturing							
Metal Industries, Fabricated							
Metal Industries, Primary							
Motor Vehicles & Transportation Equipment							
Paper Products							
Paving Materials	SP(6)	SP(6)					
Petroleum Refining & Related Industries							22.32.050
Plastics and Rubber Products							
Printing and Publishing							
Recycling – Collection stations	SP	SP	SP	SP		SP	22.30.390
Recycling – Scrap & dismantling yards	CUP	CUP					22.30.380
Small Scale Manufacturing	MUP	MUP					22.30.550
Stone & Cut Stone Products	SP(6)	SP(6)					
Structural Clay & Pottery-Related Products	SP(6)	SP(6)					
Textile Products							
Warehousing, Wholesaling & Distribution	SP(10)	SP(10)				MUP(7)	22.30.640

### Key To Permit Requirements

Symbol	Permit Requirement	Procedure is in Section:
A1	Allowable use, subject to the land use permit required by 22.08.030, Table 2-3	22.08.030
A2	Allowable use, subject to the land use permit required by the specific use standards.	22.30
P	Permitted use, Zoning Clearance required. (4)	22.62.030
SP	Permitted use, Site Plan Review required. (4)	22.62.040
MUP	Conditional use - Minor Use Permit required. (4)	22.62.050
CUP	Conditional use - Conditional Use Permit required. (4)	22.62.060
	Use not allowed. (See 22.06.030.C regarding uses not listed.)	22.06.030.C

Land Use <sup>(1)(2)</sup>	Permit Requirements By L.U.C. <sup>(3)</sup>							Specific Use Standards
	OP	CR	CS	IND	OS	REC	PF	
<b>Industry, Manufacturing &amp; Processing Uses</b>								
Apparel Products			A1	A1				
Cannabis Manufacturing			A2	A2				22.40
Cannabis Transport and Distribution			A2	A2				22.40
Chemical Product Manufacturing				A2				22.30.160
Corrosive, Toxic, Explosive & Gaseous Product				CUP				
Concrete, Gypsum & Plaster Products			CUP	A1				
Electronics, Equipment & Appliances			A1	A1				
Food and Beverage Products		A1(8)	A1	A1				
Furniture & Fixture Products, Cabinet Shops			A1	A1				
Glass Products				A1				
Lumber & Wood Products				A1				
Machinery Manufacturing				A1				
Metal Industries, Fabricated			A1	A1				
Metal Industries, Primary				CUP				
Motor Vehicles & Transportation Equipment				CUP				
Paper Products				A1				
Paving Materials				A1				
Petroleum Refining & Related Industries				A2				22.32.050
Plastics and Rubber Products				CUP				
Printing and Publishing		A1(9)	A1	A1				
Recycling – Collection stations	SP	SP	SP	SP(5)	SP	SP	SP	22.30.390
Recycling – Scrap & dismantling yards			A2	A2			CUP	22.30.380
Small Scale Manufacturing		A1	A1	A1				22.30.550
Stone & Cut Stone Products			A1	A1				
Structural Clay & Pottery-Related Products				A1				
Textile Products				A1				
Warehousing, Wholesaling & Distribution			A1	A1			A1	22.30.640

**NOTES (The following apply only to these two facing pages)**

- (1) See Article 8 for definitions of the listed land uses.
- (2) See Article 9 for any restrictions or special permit requirements for a listed use in a specific community or area.
- (3) L.U.C. means "land use category." See Section 22.04.020, Table 2-1, for a key to the land use category abbreviations.
- (4) Business License Clearance may also be required; see Section 22.62.020.
- (5) Use allowed on private land with Site Plan Review only when authorized by a recorded open space easement executed by the property owner and the County. Use allowed on public land subject to Conditional Use Permit approval.
- (6) Allowable use limited to manufacturing operations for which the raw materials are extracted on-site.
- (7) Allowable use limited to personal storage ("mini-storage"), primarily serving residents in the same land use category.
- (8) Allowable use limited to bakeries, ice cream and candy shops, and other similar uses, where the majority of production is for on-site retail.
- (9) Allowable use limited to "quick printing" services and newspaper publishers.
- (10) Use limited to facilities that support approved agricultural production or processing on the same site.
- (11) Allowable use limited to the processing of raw materials grown on the site of the processing facility or on adjacent parcels.
- (12) Land uses on property under Williamson Act Contracts must adhere to the County's Rules of Procedure to Implement The California Land Conservation Act of 1965 (Table 2), individual Contracts, the provisions of the Williamson Act itself and any changes that may be made to it.

Land Use <sup>(1)(2)</sup>	Permit Requirements By L.U.C. <sup>(3)</sup>						Specific Use Standards
	AG <sup>(9)</sup>	RL	RR	RS	RSF	RMF	
<b>Services</b>							
Auto & Vehicle Repair & Service							22.30.120
Banks & Financial Services							
Business Support Services							
Cannabis Testing Facility							22.40
Car was – Full Service							
Car wash – Self Service							
Cemeteries and Columbariums			CUP	CUP			22.30.150
Child Day Care – family Day Care Homes		A2	A2	A2	A2	A2	22.30.170
Child Day Care Centers		CUP	CUP	CUP	CUP	CUP	22.30.170
Construction Contractors							
Consumer Product Repair Services							22.30.190
Correctional Institutions		CUP					
Health Care Services							
Laundries & Dry Cleaning Plants							
Lodging – Bed & Breakfast Inns, 3 or fewer units	P	P	P	P		P	22.30.260
Lodging – Bed & Breakfast Inns, 4 or more units	MUP	MUP	MUP	MUP		MUP	22.30.260
Lodging – Emergency Shelters							22.30.265
Lodging – Homestays				P	P		22.30.270
Lodging – Hotels & Motels, 39 or fewer units							22.30.280
Lodging – Hotels & Motels, 40 or more units							22.30.280
Lodging – Hotels & Motels, condominium							22.30.290
Lodging – Recreation Vehicle Parks							22.30.300
<b>Offices</b>							
Offices – Temporary during construction	P	P	P	P	P	P	22.30.600
Offices – Temporary in advance of construction	MUP	MUP	MUP	MUP	MUP	MUP	22.30.600
Personal Services					CUP	CUP	22.30.350
Public Safety Facilities	CUP	CUP	CUP	CUP	CUP	CUP	
Social Service Organizations							
Storage – Accessory	A1	A2	A2	A2	A2	A2	22.30.040
Storage – Outdoor Storage Yards							22.30.560
Temporary Construction Yards (Off-Site)	MUP	MUP	MUP	MUP	MUP	MUP	22.30.620
Waste Disposal Sites	CUP	CUP					

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	Use not allowed. (See 22.06.030.C regarding uses not listed.)	22.06.030.C

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	OP	CR	CS	IND	OS	REC	PF	
<b>Services</b>								
Auto & Vehicle Repair & Service			A1	A1				22.30.120
Banks & Financial Services	A1	A1				SP		
Business Support Services			A1	A1				
Cannabis Testing Facility			A2	A2				22.40
Car wash – Full Service			A1	A1				
Car wash – Self Service			A2	A2				
Cemeteries and Columbariums							CUP	22.30.150
Child Day Care – family Day Care Homes	A2					A2		22.30.170
Child Day Care Centers	CUP					CUP		22.30.170
Construction Contractors			A1	A1				
Consumer Product Repair Services		A1	A1	A1				22.30.190
Correctional Institutions							CUP	
Health Care Services						MUP	A1	
Laundries & Dry Cleaning Plants			A1	A1				
Lodging – Bed & Breakfast Inns, 3 or fewer units	P	P	P			P		22.30.260
Lodging – Bed & Breakfast Inns, 4 or more units	MUP	MUP	MUP			MUP		22.30.260
Lodging – Emergency Shelters			A2	A2			A2	22.30.265
Lodging – Homestays								22.30.270
Lodging – Hotels & Motels, 39 or fewer units	MUP	MUP	MUP			CUP	MUP(6)	22.30.280
Lodging – Hotels & Motels, 40 or more units	CUP	CUP	CUP			CUP	CUP(6)	22.30.280
Lodging – Hotels & Motels, condominium	CUP	CUP	CUP			CUP		22.30.290
Lodging – Recreation Vehicle Parks		CUP(8)	CUP(8)			CUP(8)		22.30.300
Offices	A1	A1	A1	A1			A1	
Offices – Temporary during construction	P	P	P	P		P	P	22.30.600
Offices – Temporary in advance of construction	MUP	MUP	MUP	MUP		CUP	CUP	22.30.600
Personal Services	A1	A1	A1			MUP		22.30.350
Public Safety Facilities	MUP	MUP	MUP	MUP	SP(5)	MUP	MUP	
Social Service Organizations	A1	A1	A1	MUP			MUP	
Storage – Accessory	A2	A2	A2	A2	SP(5)	A2	A2	22.30.040
Storage – Outdoor Storage Yards			A1	A1		A1(7)	A1	22.30.560
Temporary Construction Yards (Off-Site)		SP	SP	SP		MUP	MUP	22.30.620
Waste Disposal Sites				CUP			CUP	

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- (4) Business License Clearance may also be required; see Section 22.62.020.
- (5) Use allowed on private land with Site Plan Review only when authorized by a recorded open space easement executed by the property owner and the County. Use allowed on public land subject to Conditional Use Permit approval.
- (6) Allowable use limited to sites with public airport or port facilities
- (7) Allowable use limited to storage yards for recreational vehicles and boats.
- (8) Use also requires authorization from the California Department of Housing and Community Development.
- (9) Land uses on property under Williamson Act Contracts must adhere to the County's Rules of Procedure to Implement The California Land Conservation Act of 1965 (Table 2), individual Contracts, the provisions of the Williamson Act itself and any changes that may be made to it.

Land Use <sup>(1) (2)</sup>	Permit Requirements By L.U.C. <sup>(3)</sup>						Specific Use Standards
	AG <sup>(7)</sup>	RL	RR	RS	RSF	RMF	
<b>Retail Trade Uses</b>							
Ag Retail Sales	SP	SP	SP(6)	SP(6)			22.30.075
Auto, Mobile Home & Vehicle Dealers - Indoor							22.30.110
Auto, Mobile Home & Vehicle Dealers - Outdoor							22.30.330
Automobile Service Stations/Gas Stations							22.30.130
Building Materials and Hardware							22.30.140
with retail "Ready-mix" concrete sales							
<b>Cannabis Dispensaries</b>							<b>22.40</b>
Convenience & Liquor Stores							22.30.570
Farm Equipment & Supplies Sales	A2	A2	A2				22.30.210
Fuel Dealers							22.30.220
Furniture, Home Furnishings & Equipment							
General Retail							
<b>Medical Marijuana Dispensaries</b>							<b>22.30.225</b>
Grocery Stores			CUP	CUP	CUP	CUP	22.30.570
Mail Order & Vending							
Outdoor Retail Sales	A2	A2	A2				22.30.330
Restaurants	CUP		CUP	CUP		CUP	22.30.570
Sales Lots							22.30.530
Swap Meets							22.30.530

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	Use not allowed. (See 22.06.030.C regarding uses not listed.)	22.06.030.C

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	OP	CR	CS	IND	OS	REC	PF	
<b>Retail Trade Uses</b>								
Ag Retail Sales						SP(6)		22.30.075
Auto, Mobile Home & Vehicle Dealers - Indoor		A1	A1	A1				22.30.110
Auto, Mobile Home & Vehicle Dealers - Outdoor		MUP(5)	MUP	MUP				22.30.330
Automobile Service Stations/Gas Stations		MUP	SP	SP		MUP		22.30.130
Building Materials and Hardware		A1	A1	A1				22.30.140
with retail "Ready-mix" concrete sales			CUP	A1				
<b>Cannabis Dispensaries</b>		<b>MUP</b>	<b>MUP</b>					<b>22.40</b>
Convenience & Liquor Stores	MUP	A1	A1	SP		CUP		22.30.570
Farm Equipment & Supplies Sales			A1	A1				22.30.210
Fuel Dealers			A1	A1				22.30.220
Furniture, Home Furnishings & Equipment		A1	A1					
General Retail		A1	A1					
<b>Medical Marijuana Dispensaries</b>		<b>MUP</b>	<b>MUP</b>					<b>22.30.225</b>
Grocery Stores	MUP	A1	A1	SP		CUP		22.30.570
Mail Order & Vending		A1	A1	A1				
Outdoor Retail Sales	A2	A2	A2	A2		A2	A2	22.30.330
Restaurants	MUP	A1	A1	MUP		CUP		22.30.570
Sales Lots			A2	A2				22.30.530
Swap Meets			MUP	MUP				22.30.530

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- (3) L.U.C. means "land use category." See Section 22.04.020, Table 2-1, for a key to the land use category abbreviations.
- (4) Business License Clearance may also be required; see Section 22.62.020.
- (5) Use not allowed within a central business district.
- (6) Minor Use Permit approval required if a public hearing is requested in compliance with Section 22.30.075.C..
- (7) Land uses on property under Williamson Act Contracts must adhere to the County's Rules of Procedure to Implement The California Land Conservation Act of 1965 (Table 2), individual Contracts, the provisions of the Williamson Act itself and any changes that may be made to it.



SECTION 2. Section 22.30.225 of the San Luis Obispo County Code is deleted.

SECTION 3. Section 22.80.030 of the San Luis Obispo County Code is amended to include the following:

**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.** 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 individual as defined in Section 11362.7 of the California Health and Safety Code, a licensed cannabis dispensary, or a licensed testing laboratory.

**Cannabis Dispensary.** 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.** 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 Title, 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 and do not have vertical sides exceed 4 feet in height. Cannabis hoop structures are accessory uses on residential land use categories which shall not exceed 120 square-feet. For the purposes of this Title, cannabis cultivation within hoop structures is considered outdoor cultivation.

**Cannabis Manufacturing.** 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.** 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.** 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.** 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 (land use).** 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 "Animal Facilities." The distinction between feedlots and grazing operations is established by Chapter 22.30. See also, "Animal 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”.

SECTION 4. Chapter 22.40 is added to the San Luis Obispo County Code to read as follows:

**Chapter 22.40  
CANNABIS ACTIVITIES**

**Sections:**

- 22.40.010 – Purpose**
- 22.40.020 – Exemptions**
- 22.40.030 – Application Requirements**
- 22.40.040 – Cannabis Cultivation**
- 22.40.050 – Cannabis Nurseries**
- 22.40.060 – Cannabis Manufacturing**
- 22.40.070 – Cannabis Testing Facilities**
- 22.40.080 – Cannabis Dispensaries**
- 22.40.090 – Cannabis Transport and Distribution**
- 22.40.100 – Permit Requirements**
- 22.40.110 – Modifications**
- 22.40.120 – Grounds for Suspension or Revocation**
- 22.40.130 – Procedure for Suspension or Revocation**
- 22.40.140 – Enforcement**

**22.40.010 Purpose**

The purpose of this Chapter 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 22.80 (“Definitions”) of Title 22, includes the cultivation, possession, manufacturing, processing, storing, laboratory testing, labeling, transporting, distribution, or sale of cannabis or a cannabis product. Therefore, this Chapter recognizes 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.

**22.40.020 Exemptions from Permit Requirements**

- A. Applicability.** 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 and permitted 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.
- B. 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 <sup>(1)</sup>	Site Size	Allowed Canopy (sf)	Allowed Number of Plants <sup>(2)</sup>	Setback from Property Line	Land Use Permit Required
ALL	ALL	100	6	§22.10.140 or Planning Area	None
ALL	≥ 1 acre	500	12	§22.10.140 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.

- C. Cannabis Edible Products.** This exemption applies to an individual producing cannabis edible products in a legally established and permitted residence. Does not allow for extraction of cannabis (see “Cannabis Manufacturing”). The requirements of Section 22.30.230 (“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.

#### 22.40.030 Application Requirements

- A. Applicability.** Except as provided in Section 22.40.020 (“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 22.60 (“Permit Application Filing and Processing”).

**B. 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 22.60, all applications for cannabis uses shall include an operations plan including at a minimum, the following information:
  - a. On-site security measures both physical and operational and, if applicable, security measures for the delivery of cannabis associated with the commercial cannabis business;
  - b. Odor prevention plan;
  - c. Size, height, colors, and design of any proposed signage at the site; and

- d. 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.
- C. **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**
    - a. 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 on the effective date of this ordinance. 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.
    - b. 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 that the operation existed as of the date above shall only consist of state issued documents or permits.
    - c. 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.**
    - a. Information on products used in the manufacturing process including the cannabis supply chain, liquids, solvents, agents, and processes;
    - b. Storage protocol and hazard response plan;
  - 3. **Cannabis Testing Facilities.**
    - a. An operations plan detailing how cannabis will be received, secured, tested, and destroyed upon completion;
  - 4. **Cannabis Dispensaries.**
    - a. 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.**

- a. 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;
- b. Vehicle parking and loading areas; and
- c. Storage and handling plans.

**22.40.040 Cannabis Cultivation**

- A. Applicability.** 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.
- B. Limitation on Use.** Except as provided in Section 22.04.020 (“Exemptions”), cannabis cultivation may only be permitted in the Agriculture, 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	Minimum Setback from Property Line
Agriculture Rural Lands Residential Rural Industrial	≥ 1 acre up to 5 acres	1.25% of site size	§22.10.140
	≥ 5 acres up to 10 acres	2.50% of site size	50 feet
	≥ 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

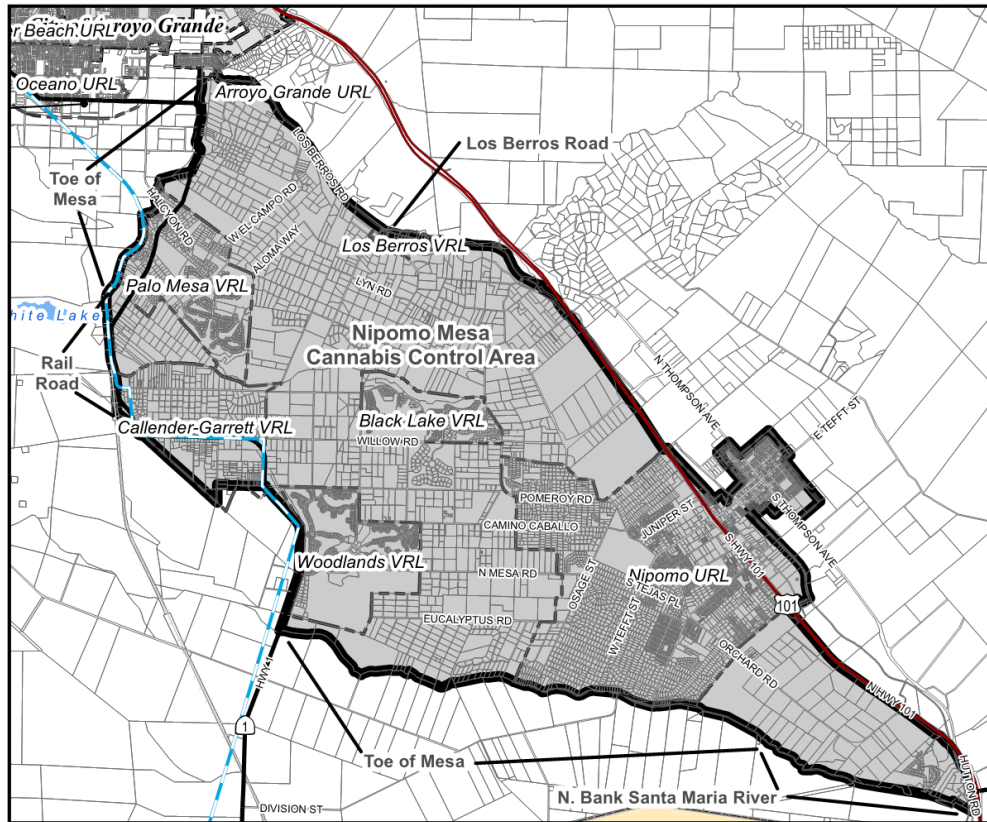
### Limitation on Outdoor Cannabis Cultivation

Land Use Category	Site Size	Allowed Canopy	Minimum Setback from Property Line	Minimum Separation from Offsite Outdoor Cultivation <sup>(1)</sup>
Agriculture 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.

**C. Nipomo Mesa Cannabis Control Area.** The area mapped in Figure 40-1 below requires special consideration prior to issuance of Land Use Permits for the cultivation of cannabis.





**Figure 40-1 –Nipomo Mesa Cannabis Control Area**

The following additional standards apply to the mapped area shown in Figure 40-1, 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
- D. 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.
- E. Setbacks.** Setbacks for cannabis cultivation are as set forth in subsection B, 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. Outdoor cannabis cultivation shall be located at least 50 feet from the upland extent of riparian vegetation of any blue line creek, stream, or water body.

**F. 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 imposed 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.
  - a. 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.
  - b. 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

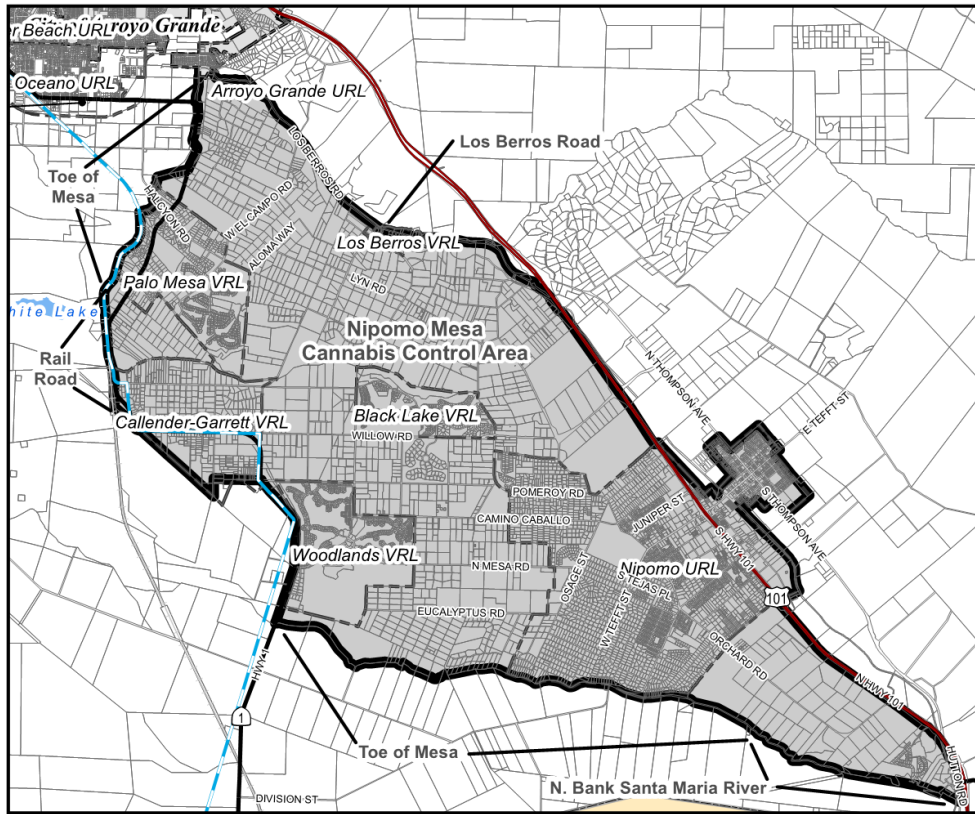
area shall provide a renewable energy source (e.g. solar) to offset at least half of the energy demand of the cultivation.

4. **Odors.** All cannabis cultivation shall be sited and 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.
- G. **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:

- a. 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.

#### **22.40.050 Cannabis Nurseries**

- A. Applicability.** 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.
- B. Limitation on Use.** Cannabis nurseries shall be limited to the Agriculture, Rural Lands, and Residential Rural land use categories.
- C. 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.
- D. Minimum Site Area.**
  1. Agriculture and Rural Lands Land Use Categories. No minimum area.
  2. Residential Rural Land Use Category. 5 acres.
- E. Setbacks from Property Line.**
  1. Agriculture 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.
- F. Nipomo Mesa Cannabis Control Area.** The area mapped in Figure 40-2 below requires special consideration prior to issuance of Land Use Permits for the cultivation of cannabis.



**Figure 40-2 –Nipomo Mesa Cannabis Control Area**

The following additional standards apply to the mapped area shown in Figure 40-2, 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.

**G. Permit Required.**

1. **Outdoor Nurseries.** Outdoor cannabis nurseries shall require Site Plan approval.
2. **Indoor Nurseries.** Land Use Permits for greenhouses shall be determined as set forth in the table below:



### Permit Requirements for Indoor Cannabis Nurseries

Existing Road Improvement <sup>1</sup>	Floor Area of Structure (in square-feet)			
	Less than 20,000	20,000 to 39,999	40,000 to 74,999	75,000 and more
Unpaved <sup>3</sup>	Zoning Clearance	Site Plan	Minor Use Permit	Conditional Use Permit
Paved <sup>2</sup>	Zoning Clearance	Zoning Clearance	Zoning Clearance	Site Plan

- (1) From the property frontage to the nearest county-maintained road.
- (2) Surface shall be asphalt or concrete as specified in the San Luis Obispo Standard Specifications and Improvement Drawings and in conformance with the width and grade requirements of Section 22.54.020.E.
- (3) Greenhouses on an unpaved road shall provide at a minimum, the following, in order to mitigate the air pollution (i.e.: dust) effects created by the use:
  - a. A mitigation plan for continuing dust control from the property frontage to the nearest county-maintained road. The plan may be modified to adjust for changed conditions or to improve the effectiveness of the dust reducing technology. The plan and all modifications to the plan are subject to review and approval by the Director.
  - b. Evidence of road maintenance provided by the County, state, special district, homeowners association or other organized maintenance, such as a road maintenance agreement.
  - c. An agreement, to support and not protest:
    - i. The formation of an assessment district or;
    - ii. The creation of another funding mechanism.

The consenting person(s) retains all due process rights as to any term or condition that was unknown at the time of application approval. The consenting person(s) may contest the specific proportionality rate or other term or condition of the assessment or funding mechanism.

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:
  - a. The cannabis cultivation, as proposed, will comply with all of the requirements of State and County for the cultivation of cannabis;
  - b. 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;
  - c. The cannabis cultivation includes adequate measures that minimize use of water for cannabis cultivation at the site;
  - d. The cannabis cultivation includes adequate quality control measures to ensure cannabis cultivated at the site meets industry standards;
  - e. 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.

#### **22.40.060 Cannabis Manufacturing**

- A. Applicability.** 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.
- B. Limitation on Use.** Cannabis manufacturing facilities may be permitted in the Commercial Service (CS) and Industrial (IND) land use category, or in Agriculture (AG) and Rural Lands (RL) 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.
- C. Setbacks.** Setbacks are required as set forth in Section 22.10.140.
- D. Permit Required.** Permit requirements are as set forth in Section 22.08.030.
  - 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:
    - a. The cannabis manufacturing facility, as proposed, will comply with all of the requirements of State and County for the manufacturing of cannabis;
    - b. 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;
    - c. The cannabis manufacturing facility includes adequate quality control measures to ensure cannabis manufactured at the site meets industry standards;
    - d. 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.

#### **22.40.070 Cannabis Testing Facilities**

- A. Applicability.** 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.
- B. Limitation on Use.** Cannabis testing facilities may be permitted in the Commercial Service (CS) and Industrial (IND) land use categories subject to a Land Use Permit.

**C. Setbacks.** Setbacks are required as set forth in Section 22.10.140.

**E. Permit Required.** Permit requirements are as set forth in Section 22.08.030.

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:
  - a. The cannabis testing facility, as proposed, will comply with all of the requirements of State and County for the testing of cannabis;
  - b. The owners, permittees, operators, and employees of the cannabis testing facility will not be associated with any other form of commercial medical cannabis activity;
  - c. The cannabis testing facility is accredited by an appropriate accrediting agency;
  - d. 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.

#### **22.40.080 Cannabis Dispensaries**

- A. Applicability.** 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.
- B. Limitation on Use.** Cannabis dispensaries may be permitted in the Commercial Service (CS) and Commercial Retail (CR) land use categories subject to a Land Use Permit.
- C. 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.
- D. Setbacks.** Setbacks are required as set forth in Section 22.10.140.
- E. Permit Required.** Minor Use Permit approval is required in order to establish a cannabis dispensary.



- F. **Mobile Deliveries.** Deliveries from a legally established and permitted dispensary are allowed under this Chapter.
- G. **Mobile Dispensaries.** Mobile dispensaries are prohibited.

#### **22.40.090 Cannabis Transportation and Distribution**

- A. **Applicability.** 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.
- B. **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.
- C. **Setbacks.** Setbacks are required as set forth in Section 22.10.140.
- D. **Permit Required.** Permit requirements are as set forth in Section 22.08.030.
  - 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:
    - a. 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;
    - b. 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.

#### **22.40.100 Permit Requirements**

- A. The application for a Land Use Permit, and for amendments thereto and extensions thereof, shall be processed in accordance with Chapter 22.64. 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 22.40.120 and 22.40.130 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 Sherriff.

**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 review and inspection from law enforcement or any agents of the State or County charged with

enforcement of this Chapter.

**22.40.110 Modification of Standards**

- A. The standards of this Chapter may be waived or modified through Conditional Use Permit approval pursuant to Section 22.30.020.D.
- B. The following standards of this Chapter 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.
- C. 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 22.62.070).

**22.40.120 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 22.40.110:

- 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).

**22.40.130 Procedure for Suspension or Revocation**

- A. If the Director of Planning determines that grounds for suspension or revocation of the Land Use Permit exist pursuant to section 22.40.120, the procedure identified in Section 22.74.160 (“Permit Revocation”) shall apply. Upon revocation of a cannabis permit, the Department shall notify the Bureau of Marijuana Control or its successor.

**22.40.140 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 22.74 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 5. Section 22.92.030 of the San Luis Obispo County Code is hereby amended to read as follows:

**22.90.030 – Cannabis Activities**

All cannabis activities within the Carrizo Planning Area are prohibited.

SECTION 6. Section 22.94.050.B of the San Luis Obispo County Code is hereby amended to read as follows:

**B. Commercial Retail (CR) - Limitation on use.** Land uses shall be limited to: bars and nightclubs, caretaker residences, convenience and liquor stores, gas stations, general retail, [cannabis dispensaries](#), grocery stores, restaurants, and vehicle storage, in compliance with the land use permit requirements of Section 22.06.030.

SECTION 7. Section 22.94.074.B.1 of the San Luis Obispo County Code is hereby amended to read as follows:

**1. Limitation on use.** All land uses listed by Section 22.06.030 as allowable, permitted, or conditional within the RL land use category may be authorized in compliance with the land use permit requirements of that Section, except residential care, manufacturing and processing activities, [cannabis manufacturing](#), correctional institutions, ag processing, and farm equipment and supplies, which are not allowed.

SECTION 8. Section 22.94.074.D.1 of the San Luis Obispo County Code is hereby amended to read as follows:

**1. Limitation on use.** All land uses listed by Section 22.06.030 as allowable, permitted, or conditional within the RR land use category may be authorized in compliance with the land use permit requirements of that Section, except animal facilities, farm equipment and supplies, nursery specialties, [cannabis nurseries](#), grocery stores, and restaurants.

SECTION 9. Section 22.94.082.C.1 of the San Luis Obispo County Code is hereby amended to read as follows:

**1. Limitation on use.** Land uses shall be limited to the following:

- |  |                                  |
|--|----------------------------------|
| Animal keeping   | Offices, temporary               |
| Bars and night clubs (limited to 60 customer seats)          | Outdoor sports and recreation    |
| <a href="#">Cannabis dispensaries</a>                        | Pipelines and transmission lines |
| Caretaker residence  |                                  |
| Convenience and liquor stores (limited to 2,000 square feet) | Public safety facilities         |
| Crop production and grazing                                  | Public utility facilities        |
| Energy-generating facilities (limited to                     | Recycling collection stations    |

renewable energy facilities)	Residential accessory uses
Food and beverage products manufacturing	Restaurants (limited to 60 customer seats)
General retail (limited to 2,000 square feet)	Small scale manufacturing
Grocery stores (limited to 1,500 square feet)	Vehicle storage
Mail order and vending	

SECTION 10. Section 22.94.082.D of the San Luis Obispo County Code is hereby amended to read as follows:

**D. Commercial Service (CS) – Wellsona Road area.** The following standards apply within the Commercial Service category from the vicinity of the intersection of Highway 101 and Wellsona Road to the Exline Road intersection with the highway, as shown in Figure 94-40.

**1. Limitation on use – Wellsona Road area.** Allowable land uses on the Wellsona Road properties shown in Figure 94-40 are limited to:

Agriculture and accessory structures	Recreational Vehicle Parks
Bars and night clubs	Recycling and scrap
Bed and breakfast inns	Recycling collection stations
Cannabis manufacturing	Residential accessory use
Cannabis testing facilities	
Cannabis transportation and distribution	
Caretaker residence	
Concrete, gypsum, and plaster products	Restaurants
Construction contractors	Small scale manufacturing
Convenience and liquor stores (limited to 2,000 square feet)	Stone and cut stone products
Crop production and grazing	Storage, accessory
Energy-generating facilities (limited to renewable energy facilities)	Storage yards
Existing motorcycle dealers	Temporary offices
Gas stations	Transmission facilities
General retail (limited to gifts, novelties, souvenirs, and antiques)	Truck stops
Grocery stores (maximum gross floor area of 5,000 square feet)	Vehicle and freight terminals
Hotels, motels if associated with truck stops as uses	Vehicle storage
Mail order and vending	Warehousing
Personal services	Wholesale and distribution
Public safety facilities	

**2. Limitation on use - Other Commercial Service properties.** Land uses shall be limited to the following for other Commercial Service properties shown in Figure 94-40. Retail



sales are limited only to the incidental sale of goods produced, assembled or manufactured on the site. All other sales shall be wholesale to other businesses only.

Ag accessory structures	Recreational vehicle parks are also an allowable use on a property at Exline and Stockdale Roads, as shown in Figure 94-41.
<a href="#">Cannabis manufacturing</a>	Small scale manufacturing
<a href="#">Cannabis transportation and distribution</a>	
Caretaker residence	
Concrete, gypsum, and plaster products	Stone and cut stone products
Construction contractors	Storage, accessory
Crop production and grazing	Storage yards
Energy-generating facilities (limited to renewable energy facilities)	Temporary offices
Existing motorcycle dealers	Transmission facilities
Public safety facilities	Vehicle and freight terminals
Recycling and scrap	Vehicle storage
Recycling collection stations	Warehousing
Residential accessory use	Wholesale and distribution

SECTION 11. Section 22.94.082.G.4.a of the San Luis Obispo County Code is hereby amended to read as follows:

**a. Limitation on use - Spanish Camp area.** Land uses shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030: agricultural accessory structures; [cannabis cultivation](#); crop production and grazing; caretaker residence; animal keeping; energy-generating facilities (limited to renewable energy facilities); home occupations; residential accessory uses; single-family dwellings; storage-accessory; and temporary construction yards.

SECTION 12. Section 22.94.082.G.5 of the San Luis Obispo County Code is hereby amended to read as follows:

**5. Almira Park area.** Allowable land uses within the Almira Park area as shown in Figure 94-54 are limited to agricultural accessory structures; crop production and grazing; caretaker residences; [cannabis cultivation](#); animal keeping; energy-generating facilities (limited to renewable energy facilities); home occupations; residential accessory uses; single-family dwellings; storage-accessory; temporary construction yards; and bed and breakfast inns.

SECTION 13. Section 22.94.090.C.1.a of the San Luis Obispo County Code is hereby amended to read as follows:

**a. Limitation on use - service commercial area.** Land uses shall be limited to the following, subject to the land use permit requirements of Section 22.06.030: Metal Industries - Fabricated; Small Scale Manufacturing; [Cannabis manufacturing](#); Agricultural



Processing (excluding wine tasting and special events); Energy-Generating Facilities (limited to Accessory Renewable Energy Facilities); Warehousing (no wholesale or retail sales from the site), Caretaker's Quarters and Residential Accessory Uses. All uses are limited to the producing, assembling, manufacturing, and storing of goods and products that are for rural or agricultural applications or operations.

SECTION 14. Section 22.94.090.C.2.b of the San Luis Obispo County Code is hereby amended to read as follows:

**b. Limitation on use - service commercial area.** Allowable uses shall be limited to Ag Processing, Animal hospitals and veterinary medical facilities, Crop Production and Grazing, Nursery Specialties, **Cannabis manufacturing**; Small Scale Manufacturing (limited to artisan / craftsman type operations), Indoor Amusement and Recreation Facilities, Automobile Service Stations and Gas Stations, Restaurants, Libraries and Museums, Outdoor Sports and Recreational Facilities, Public Assembly and Entertainment Facilities, General Retail, Restaurants, Lodging and Personal Services.

SECTION 15. Section 22.96.050.B of the San Luis Obispo County Code is hereby amended to read as follows:

**B. Rural Lands (RL).** The following standards apply within the Rural Lands land use category.

**1. Irish Hills - Limitation on use.** Land uses within the Irish Hills (see Figure 96-9) shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030: ag accessory structures; animal facilities; **cannabis cultivation**; **cannabis nurseries**; crop production and grazing; nursery specialties; energy-generating facilities (limited to renewable energy facilities); communications facilities; animal keeping; residential accessory uses; single-family dwellings; mobile homes; temporary dwellings; roadside stands; outdoor retail sales; accessory storage; pipelines and transmission lines.

SECTION 16. Section 22.96.050.E.2.a of the San Luis Obispo County Code is hereby amended to read as follows:

**a. Limitation on Use.** Uses identified in Table O, Part I of the Land Use Element as "A" or "S" uses are limited to: agricultural accessory structures; animal raising and keeping; bed and breakfast facilities; caretaker residence; cemeteries and columbaria; churches; communications facilities; **cannabis cultivation**; **cannabis nurseries**; crop production and grazing; energy-generating facilities; (solar electric facilities and wind energy conversion systems only); farm equipment and supplies; fisheries and game preserves; forestry; home occupations; mobile homes; nursery specialties; offices, temporary; public safety facilities; public utility facilities; residential accessory uses; residential care (for 6 or fewer); roadside stands; secondary dwellings; single family dwellings; specialized animal facilities; storage accessory; temporary dwelling; and existing school, pre to secondary, and existing outdoor sports and recreation facilities.

SECTION 17. Section 22.96.050.E.3.a of the San Luis Obispo County Code is hereby amended to read as follows:

**a. Limitation on use.** Land uses shall be limited to agricultural accessory structures, animal keeping, **cannabis cultivation**, crop production and grazing, and energy-generating facilities (limited to renewable energy facilities).

SECTION 18. Section 22.98.062.B.3.c of the San Luis Obispo County Code is hereby amended to read as follows:

**c. Limitation on use.** Land uses shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030: agricultural accessory structures; animal keeping; **cannabis cultivation**; **cannabis nurseries**; crop production and grazing; animal facilities (horse ranches and other equestrian facilities only); energy-generating facilities (limited to renewable energy facilities); caretaker residences; home occupations; mobile homes; residential accessory uses; single-family dwellings; storage, accessory; and public utility facilities. Notwithstanding the provisions of this standard, it is the applicant's responsibility to ensure that any proposed land uses comply with the Tiffany Ranch covenants, conditions and restrictions (CC&Rs).

SECTION 19. Section 22.98.072.A.1.a of the San Luis Obispo County Code is hereby amended to read as follows:

**a. Limitation on use.** Land uses are limited to the following within the Agriculture land use category in the Nipomo and Santa Maria (Oso Flaco) Valleys, subject to the land use permit requirements of Section 22.06.030:

- |   |   |
|---|---|
| Ag processing   | Mobile homes  |
| Agricultural accessory structures   | Nursery specialties (Conditional Use Permit required) |
| Animal keeping  | Outdoor retail sales                                  |
| <b>Cannabis cultivation</b>   | Pipelines and power transmission lines                |
| <b>Cannabis nurseries</b>   |   |
| <b>Cannabis manufacturing</b>   |   |
| Communications facilities   |   |
| Crop production and grazing   | Residential accessory uses                            |
| Energy-generating facilities (limited to accessory renewable energy facilities)   | Roadside stands                                       |
| Farm support quarters   |   |
| Home occupations  | Single-family dwellings                               |
| Mining and concrete batch plants (within the area along the Santa Maria River shown in Figure 98-23 which corresponds to the EX1 or subsequently designated EX combining designation) | Temporary dwellings                                   |

SECTION 20. Section 22.104.030.E.1 of the San Luis Obispo County Code is hereby amended to read as follows:

**1. Limitation on use.** Land uses shall be limited to single-family dwellings, residential accessory uses, home occupations, animal keeping and agricultural uses, energy-generating facilities (limited to renewable energy facilities), and cannabis cultivation in compliance with the land use permit requirements of Section 22.06.030.

SECTION 21. Section 22.104.030.H.1 of the San Luis Obispo County Code is hereby amended to read as follows:

**1. Limitation on use.** Land uses shall be limited to single-family dwellings, residential accessory uses, home occupations, animal keeping and agricultural uses, energy-generating facilities (limited to renewable energy facilities), and cannabis cultivation in compliance with the land use permit requirements of Section 22.06.030.

SECTION 22. Section 22.104.040.B.1 of the San Luis Obispo County Code is hereby amended to read as follows:

**1. West (tennis) neighborhood.** Convenience and liquor stores, gas stations, general retail, cannabis dispensaries, grocery stores, and personal services.

SECTION 23. Section 22.104.050.B.1 of the San Luis Obispo County Code is hereby amended to read as follows:

**1. Limitation on use.** Land uses shall be limited to bars and night clubs, convenience and liquor stores, single-family dwellings, gas stations, general retail, cannabis dispensaries, grocery stores, restaurants, and energy-generating facilities (limited to accessory renewable energy facilities), in compliance with the land use permit requirements of Subsection B.2.

SECTION 24. Section 22.104.060.B.3.a on page 10-26 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended to read as follows:

**a. Location and Limitation on use.** Land uses shall be limited to:

- |   |   |
|---|---|
| Energy-generating facilities (limited to renewable energy facilities)   | Outdoor retail sales (plaza festivals and art shows)          |
| Accessory storage   | Personal services   |
| Bars and night clubs  | Recreational vehicle park (on the southerly half of the site) |
| Cannabis dispensaries   | Restaurants   |
| Convenience and liquor stores   |   |
| Gas stations  | Small scale manufacturing                                     |
| Grocery stores, and general retail (tourist oriented, limited to 2,000 square feet each, to total no more than 30,000 square feet in areas 1 and 2) |   |

Hotels and motels

SECTION 25. Section 22.104.060.D of the San Luis Obispo County Code is hereby amended to read as follows:

**D. Industrial (IND) - Limitation on use.** Land uses within the Industrial land use category shall be limited to: offices; **cannabis testing facilities**; accessory storage; storage yards; vehicle and freight terminals; ~~and~~ warehousing; **cannabis transportation and distribution**, and energy-generating facilities (limited to renewable energy facilities).

SECTION 26. Section 22.104.080.F.1 of the San Luis Obispo County Code is hereby amended to read as follows:

**2. Limitation on use.** Allowable uses shall be limited to Ag Processing, **Cannabis Manufacturing**, Energy-Generating Facilities (limited to Renewable Energy Facilities only), Animal hospitals and veterinary medical facilities, crop production and grazing, nursery specialties, Small Scale Manufacturing (limited to artisan and craftsman-type operations), Indoor Amusement and Recreation Facilities, Outdoor Sports and Recreational Facilities, Public Assembly and Entertainment Facilities, Automobile Service Stations/Gas Stations, General Retail, **Cannabis Dispensaries**, Restaurants, and Lodging, and Personal Services.

SECTION 27. Section 22.104.090.D.1 of the San Luis Obispo County Code is hereby amended to read as follows:

**1. Limitation on use within special setbacks.** All land uses identified by Section 22.06.030 (Allowable Land Uses and Permit Requirements) as being allowable, permitted, or conditional uses may be authorized in compliance with the land use permit requirements of that Section, except the following, which are prohibited within 200 feet of collector and arterial streets, and residential categories: concrete, gypsum and plaster products; metal industries, fabricated; recycling and scrap; fuel dealers; storage yards and sales lots that are primary uses; **cannabis transport and distribution**; and vehicle storage.

SECTION 28. Section 22.104.090.D.3.a of the San Luis Obispo County Code is hereby amended to read as follows:

**a. Limitation on use.** Allowable land uses shall be limited to Building Materials and Hardware and incidental outdoor storage, Nursery Specialties, **Cannabis Transport and Distribution**, and Vehicle and Freight Terminals.

SECTION 29. Section 22.104.090.D.4.a of the San Luis Obispo County Code is hereby amended to read as follows:

**a. Limitation on use.** Land uses shall be limited to agricultural processing, agricultural accessory structures, caretaker residence, crop production and grazing, energy-generating facilities (limited to renewable energy facilities), incidental offices, accessory storage, outdoor storage yards, **cannabis transport and distribution**, and vehicle and freight terminals.

SECTION 30. Section 22.106.010.C.2.a of the San Luis Obispo County Code is hereby amended

to read as follows:

**a. Limitation on use.** Land uses in the commercial village shall be limited to bars and night clubs, convenience and liquor stores, financial services, general retail, [cannabis dispensaries](#), grocery stores, health care services, offices, personal services, public assembly and entertainment, restaurants, and energy-generating facilities (limited to accessory renewable energy facilities).

SECTION 31. Section 22.108.040.C.3.a of the San Luis Obispo County Code is hereby amended to read as follows:

**a. Limitation on use.** Land uses shall limited to the following, in compliance with the land use permit requirements of Section 22.06.030: grocery stores; restaurants; offices; financial services; personal services; consumer repair services; general retail; [cannabis dispensaries](#); building materials and hardware; indoor amusements and recreation; gas stations; and multi-family or caretaker dwellings, and energy-generating facilities (limited to accessory renewable energy facilities), except that gas stations shall not be allowed within Area "A" on Figure 108-11.

SECTION 32. Section 22.108.040.D.1 of the San Luis Obispo County Code is hereby amended to read as follows:

**a. Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional in the CS land use category may be authorized in compliance with the land use permit requirements of that Section, except: ag processing; animal keeping; drive-in theaters; public assembly and entertainment; sports assembly; petroleum extraction; restaurants larger than 5,000 square feet; grocery stores larger than 5,000 square feet; general retail, [cannabis dispensaries](#), and personal services that are larger than 2,000 square feet each and that occupy more than 25 percent of the total floor area of a site; offices [and cannabis testing facilities](#) (except allowable in community gateway projects in Subsection D.4.); lodging uses listed by Table 2-2, Section 22.06.030 in the "Services" use group; concrete, gypsum and plaster products; airfields and landing strips; gas stations; and truck stops.

The following uses are not permitted on properties that are adjacent to Residential Land Use Categories: collection stations; metal industries-fabricated; recycling and scrap; stone and cut stone products; auto and vehicle repair and service.

SECTION 33. Section 22.108.060.B.1 of the San Luis Obispo County Code is hereby amended to read as follows:

**1. Limitation on use.** Land uses shall be limited to: bars and night clubs; caretaker dwellings; consumer repair services; convenience and liquor stores; financial services; gas stations; general retail; [cannabis dispensaries](#); hardware stores; indoor amusements and recreation; offices; personal services; restaurants, and energy-generating facilities (limited to accessory renewable energy facilities).

SECTION 34. 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