

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION AFFIRMING THE DECISION OF THE PLANNING COMMISSION AND
APPROVING THE APPLICATION OF TAMMY MURRAY FOR CONDITIONAL USE
PERMIT DRC2010-00070 REGARDING THE ESTABLISHMENT OF A MEDICAL
MARIJUANA DISPENSARY

The following resolution is now offered and read:

WHEREAS, on November 3, 2011, the Planning Commission of the County of San Luis Obispo (hereinafter referred to as the “Planning Commission”) duly considered and approved the application of Tammy Murray for Conditional Use Permit DRC2010-00070 for the establishment of a medical marijuana dispensary; and

WHEREAS, Barbara Mann has appealed the Planning Commission’s decision to the Board of Supervisors of the County of San Luis Obispo (hereinafter referred to as the “Board of Supervisors”) pursuant to the applicable provisions of Title 22 of the San Luis Obispo County Code; and

WHEREAS, a public hearing was duly noticed and conducted by the Board of Supervisors on March 6, 2012, and determination and decision was made on March 6, 2012; and

WHEREAS, at said hearing, the Board of Supervisors heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said appeal; and

WHEREAS, the Board of Supervisors has duly considered the appeal and finds that the appeal should be denied and the decision of the Planning Commission should be affirmed, and that the application should be approved based upon the findings and conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. That the Board of Supervisors makes all of the findings of fact and determinations set forth in Exhibit A attached hereto and incorporated by reference herein as though set forth in full.
3. That this project qualifies for a Categorical Exemption (Class Three) pursuant to CEQA Guidelines Section 15303 because the project will be located within an existing structure and only involves a change in use. In addition, the project is located in an urbanized area not in close proximity to significant fish and/or wildlife habitat.
4. That the appeal filed by Barbara Mann is hereby denied and the decision of the Planning Commission is affirmed, and that the application of Tammy Murray for Conditional Use Permit DRC2010-00070 is hereby approved based upon the findings of fact and determinations set forth in Exhibit A and the conditions of approval set forth in Exhibit B attached hereto and incorporated by reference herein as though set forth in full.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN, JR.
County Counsel



By: Deputy County Counsel

Dated: February 21, 2012

STATE OF CALIFORNIA,)
)
County of San Luis Obispo,) ss.

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 20____.

County Clerk and Ex-Officio Clerk of the Board of Supervisors

(SEAL)

By _____ Deputy Clerk.