

FINDINGS - EXHIBIT A
Mancini-Shetler DRC2019-00142 (formerly DRC2018-00171)

Environmental Determination

- A. This project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), which provides that CEQA does not apply to projects which a public agency rejects or disapproves.

Conditional Use Permit

- B. The proposed project or use is inconsistent with the San Luis Obispo County General Plan and does not satisfy all applicable provisions of Title 22 of the County Code because the site is not currently in compliance with all laws, rules and regulations pertaining to the proposed use and the applicant's history of cannabis related and other violations on the site demonstrates that approval of the applicant's operation may contribute to repeat violations on the site.
- C. The establishment and subsequent operation or conduct of the use would, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the applicant's history of cannabis related and other violations on the site demonstrates that approval of the applicant's operation may contribute to repeat violations on the site and may generate activity that presents a potential threat to the surrounding property and buildings.
- D. The proposed project or use will be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the applicant's history of cannabis related and other violations on the site demonstrates that approval of the applicant's operation may contribute to repeat violations on the site in a manner that would conflict with the surrounding lands and uses.

Verified Cannabis-Related Violations

- E. Based on the applicant's recent cannabis related violations on the site, the proposed project or use may contribute to repeat violation(s) on the site and as such, the findings contained in Sections 22.40.050(E)(6) and 22.40.060(E)(6) of the County's Land Use Ordinance cannot be made. The subject site is not in compliance with all laws, rules, and regulations pertaining to land uses, building and construction, health and safety, and any other applicable provisions of County Code. Specifically, in October 2018, cannabis cultivation occurred at 445 and 457 Green Gate Road without an approved land use permit or state license and within structures that did not have required building permits. In February 2019, after the property was previously informed during the enforcement action for the 2018 cannabis related violation that cannabis activities were prohibited on the parcels until the required permits and licenses were obtained, cannabis activity, specifically the processing and storage of cannabis, recommenced on 445 Green Gate Road without required State or local permits. In March 2019, the applicant was informed the project was being elevated to a Conditional Use Permit and the required findings of Sections 22.40.050(E)(6) and 22.40.060(E)(6) had been triggered because of the cannabis related violations. In June 2019, the applicant used unpermitted structures and unpermitted electrical and lighting (previously cited in October 2018) to grow hemp. These activities are inconsistent with State and local

laws and raise concerns regarding public health and safety. The Planning Commission hereby finds that those violations are verified. The applicant agreed to remedy previous violations through stipulated orders. The stipulated order expressly warned that any use and occupancy of unpermitted structures was prohibited under County Code and would be subject to further enforcement action. The Planning Commission finds that the subject violations are an egregious failure to adhere to the County's rules and regulations and not the result of excusable mistake, inadvertence or neglect. Based on the nature and extent of the recent violations, the level of public concerns over cannabis facilities and the findings that are required by the Land Use Ordinance for such facilities, the Planning Commission cannot find that the proposed use will not contribute to repeat violations at the site.