

**PLANNING COMMISSION RESOLUTION NO. 21-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GROVER BEACH  
APPROVING DEVELOPMENT APPLICATION 21-16  
FOR A USE PERMIT LOCATED AT 800 FARROLL ROAD  
(Applicant: Morrocco Method International, Inc.)**

**WHEREAS**, an application has been received from Morrocco Method International Inc (applicant) and Angle Land Use Entitlement (representative), for consideration of Development Application 21-16 requesting approval for a Use Permit for commercial cannabis manufacturing, indoor cultivation, and distribution uses within an existing 14,500 square foot building located at 800 Farroll Road (APN 060-544-012) in the Industrial (I) Zone; and

**WHEREAS**, the notice of Public Hearing for the Planning Commission meeting was sent to adjoining property owners and residents and advertised in the manner required by law; and

**WHEREAS**, the proposed project qualifies under Categorically Exempt consistent with CEQA Guidelines, Class 1: Existing Structures and Facilities; and

**NOW, THEREFORE, BE IT RESOLVED** the Planning Commission of the City of Grover Beach **HEREBY** makes the following findings and determinations with respect to Development Application 21-16 for a Use Permit:

**SECTION 1. Findings of Environmental Exemption.** The Planning Commission finds as follows:

1. The project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.), as the project consists of minor interior alterations only including the construction of non-structural walls, corridors, and rooms connected to the indoor cultivation, manufacturing, and distribution of commercial cannabis.
2. The project is not located in an environmentally sensitive area and will not impact an environmental resource as reviewed by city staff.
3. The project will not have a cumulative impact of successive projects of the same type, in the same place, over a period of time. The project is located within a industrial zone with similar types of uses and does not exceed the intensity for the type of industrial uses within the underlying zone.
4. The project will not have a significant effect on the environment based on the project record, which is on file at the City of Grover Beach Community Development Department.
5. The project is not located on a designated scenic highway or scenic resource.
6. The project is not located on any hazardous list pursuant to Section 65962.5 of the Government Code.

7. The project is not a designated historical resource as the existing residence is not a designated historic resource, nor is it located within a resource protection zone.

**SECTION 2. Findings for approval of Use Permit.** The Planning Commission finds as follows in accordance with Grover Beach Municipal Code (GBMC) Article IX, Section 6.20.060(F):

1. The proposed development is consistent with the General Plan, this Development Code, and other City goals, policies, and standards, as applicable.

**Fact.** The project is consistent with all applicable General Plan policies and Development Code requirements for both the Industrial Zone and commercial cannabis standards (Development Code Section 4.10.045). The project is consistent with the Council's adopted 2021-23 Major City Goals for economic development and the Economic Development Strategy.

2. The subject site is physically suitable in terms of design, operating characteristics, shape, size, and topography.

**Fact.** The site is a 36,748 square foot parcel has been developed with an existing 14,500 square foot building that can accommodate the proposed commercial cannabis manufacturing, distribution, and indoor cultivation. The project site is located in the Industrial Zone and the uses are specifically included in the purpose of the Zone. The hours of operation and deliveries are prescribed by the Development Code but are typical of uses in an industrial area. As this is an existing building with no proposed modifications, the existing topography will not be affected. There existing site is appropriate size and shape to accommodate the uses because it meets all development standards for the Industrial ZONE.

3. The type and intensity of use being proposed will not constitute a hazard to the public health, safety, or welfare.

**Fact.** As discussed in the staff report, the Industrial Zone allows a variety of industrial and non-industrial uses. The proposed project meets all City adopted minimum setbacks and the uses are typical uses within industrial areas. A preliminary safety and operations plan has been reviewed and approved by the Police Department to further assure the public safety. The applicant proposes to either sell or lease the site to a commercial cannabis entity. When that entity applies for a commercial cannabis permit and building permit, the project has been conditioned to review and refine the safety plan.

The commercial cannabis uses and intensity are consistent with the Industrial Land Use Element designation and the purpose of the Industrial Zone. The existing building size, height, lot coverage and other development standards do not exceed the maximum Development Code requirements. The project has been conditioned to meet all applicable California Building Codes and the Council adopted Fire and Life Safety Requirements for cannabis cultivation, distribution, and manufacturing to ensure the project will not constitute a hazard to the public health, safety, or welfare. There is no evidence in the public record that indicates the proposed commercial cannabis uses will constitute a hazard to the public health, safety, or welfare.

**SECTION 3. Use Permit Approval.** The Planning Commission of the City of Grover Beach, at a Regular Meeting of the Planning Commission on June 1, 2021 resolved to approve Development Application 21-16 for a Use Permit subject to the following:

**CONDITIONS OF APPROVAL:**

**GENERAL**

- G-1. The approval granted by this Resolution shall be valid for twenty-four (24) months of the approval date, and shall expire on **June 1, 2023** unless a valid building permit is issued and construction commenced. A request for a time extension shall be submitted to the Community Development Department as provided in GBMC Article IX, Section 6.30.060.
- G-2. The Applicant agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Applicant's expense, City and City's agents, officers and employees from and against any loss, liability, costs, damages, claims, action or proceeding of any kind including also any proceeding commenced to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify Applicant of any such loss, liability, costs, damages, claims, action or proceeding to which City receives notice, and City will cooperate fully with Applicant in the defense thereof. Applicant shall reimburse the City for any court costs and attorney's fees that the City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Applicant of the obligations of this condition. Applicant's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions contained in this resolution.

The Applicant further agrees, the conditional approval of this Use Permit or any condition contained therein, does not guarantee nor does the City represent the State will issue a State Cannabis license for the uses defined herein or consistent with this Use Permit. The Applicant agrees to indemnify, defend and hold harmless, at Applicant's expense, City and City's agents, officers and employees from and against any claim, action or proceeding or any liability to the City arising from any action by the State of California or the refusal of the State of California to issue a State Cannabis License under the Medicinal and Adult Use Cannabis Regulation and Safety Act, as amended, or any other State statutory or regulations controlling cannabis uses.

- G-3. All Conditions of Approval shall be provided on a full size drawing sheet as part of the construction plan set. All notes and specifications as shown on the plans shall be considered Conditions of Approval. If there is a conflict between the approved plans and the Conditions of Approval, the Conditions of Approval shall prevail. The project shall comply with all State and City codes, regulations, and standards. Construction plans shall comply with applicable California Building Codes in effect at the time of submittal.
- G-4. Prior to commencement of construction, construction plans shall be approved and applicable permits obtained. All construction traffic shall access the site utilizing the truck route(s) closest to the site as defined in the City Circulation Element and as approved by the City's Police Department.

- G-5. All operations shall comply with the City's Noise Ordinance including mechanical equipment.

#### COMMUNITY DEVELOPMENT DEPARTMENT

- CDD-1. This approval authorizes establishment of a commercial cannabis facility consisting of indoor cultivation, manufacturing, processing and distribution of adult and medical cannabis uses, and the building and site improvements in substantial conformance with the approved project plans attached as Exhibit A and as amended herein. The project shall comply with all requirements of GBMC Article III Chapter 18 and Article IX Section 4.10.045 at all times.
- CDD-2. Prior to issuance of a final occupancy permit, the applicant shall obtain a valid City Commercial Cannabis Permit, consistent with GBMC Article III Chapter 18. The applicant shall adhere to all conditions established as a part of Development Application 21-16 and all applicable regulations set for in GBMC Article IX and Article III Chapter 18.
- CDD-3. Prior to occupancy, an odor control system report shall be submitted by a mechanical engineer licensed in the State of California certifying the system is properly sized, installed and operational to comply with the City's odor control standards. An annual re-certification shall be submitted to the Community Development Department indicating the odor control system is operating in compliance with the City's odor control standards.
- CDD-4. To the extent required by State law, Permittee shall obtain a valid state license(s) from the following State agencies: California Department of Agriculture, Bureau of Cannabis Control and Department of Public Health, or the newly formed Department of Cannabis Control as of July 1, 2021 for all aspects of their business that includes the cultivation, manufacturing, and distribution, of cannabis. Applicant shall also be required to obtain any permits required by the San Luis Obispo County Air Pollution Control District, San Luis Obispo County Public Health Department, and any other local agency that has jurisdiction over operational permits. Applicant shall not commence operations until such time as they have received the applicable State license for cannabis uses to the extent required by State law.
- CDD-5. Prior to issuance of a building permit, the applicant shall submit a landscape plan in compliance with GBMC Article IX Section 3.30 Landscaping Standards and the State's Model Landscape Ordinance to replace any dead or dying landscaping or replace ground cover as necessary. The landscaping plan shall include a fencing plan with the following modifications to existing fencing:
- Removal of razor wire from all fences.
  - Replacement of fencing that complies with the Industrial Design guidelines and Development Code section 4.10.045 for external screening where applicable.
- CDD-6. All roof and ground mounted equipment shall be screened in compliance with Development Code Section 3.10.020.G and consistent with Exhibit A.
- CDD-7. Prior to the issuance of a final building permit, all on-site cargo containers shall be removed.
- CDD-8. Outdoor storage is prohibited for any raw, or finished materials / goods.
- CDD-9. At the time of building permit submittal, a trash enclosure detail shall be submitted for

consistency with the Development Code and adopted Industrial Design Guidelines.

CDD-10. Prior to issuance of certificate of occupancy, a bicycle rack shall be provided. Rack shall be architectural grade and be consistent with existing architecture.

#### POLICE DEPARTMENT

- PD-1. At the time of building permit issuance, a security and operations plan shall be submitted for review and approval by the Police Department. If a permittee proposes any revisions to the security and/or operations after final approval by the Police Department, the Permittee shall submit a revised plan to be approved by the Police Department prior to implementing the revisions.
- PD-2. Cannabis business owners shall obtain background checks consistent with GBMC Article III Chapter 18.
- PD-3. All security measures shall be adhered to and implemented consistent with GBMC Article III Chapter 18 Section 4000.50 at all times during operation of businesses.
- PD-4. Prior to issuance of certificate of occupancy, the Police Department shall inspect the facility and security systems to confirm it is consistent with the approved security and operations plan.
- PD-5. All employees shall obtain a work permit issued by the City and be renewed annually consistent with GBMC Article III, Chapter 18, Section 4000.60.
- PD-6. Prior to issuance of a Commercial Cannabis Permit, permittee shall submit a final floor plan and security diagram to the Police Department and the Community Development Department.

#### FIRE DEPARTMENT

- FD-1. At the time of building permit submittal, the applicant shall submit a preliminary Certified Industrial Hygienist Report (CIH) to determine requirements that meet the Council adopted Fire and Life Safety Requirements for manufacturing and/or cultivation uses.
- FD-2. Prior to occupancy, a Certified Industrial Hygienist shall submit a final report demonstrating compliance with the Council adopted Fire and Life Safety Requirements for the manufacturing and/or cultivation uses.
- FD-3. All submitted building plans shall meet all California Building and Fire Codes, including erratas, in effect at the time of building permit submittal and shall be reviewed and approved by the Five Cities Fire Authority prior to building permit issuance.
- FD-4. Prior to final occupancy, the Five Cities Fire Authority shall perform a final inspection to ensure consistency with local adopted California Building and Fire Codes.
- FD-5. The applicant shall operate at all times in compliance with the approved Certified Industrial Hygienist Report. Any proposed changes to the approved manufacturing and/or cultivation operations shall be submitted to the Fire Chief for review to

determine if an amendment to the Certified Industrial Hygienist Report is required and building modifications are necessary.

PUBLIC WORKS DEPARTMENT/CITY ENGINEER

- PW/CE-1. An applicant's operations may require the applicant to apply directly to the Regional Water Quality Control Board for an Industrial or Commercial discharge permit for storm water. Prior to occupancy, the applicant shall provide details of all solid, liquid and other waste discharges that include operations that result in possible discharges into the sewer, solid waste facility, ground, or storm water system. All cannabis businesses are required to obtain all permits required by applicable governing agencies for disposal of solid and liquid industrial wastes prior to operation.
- PW/CE-2. Prior to occupancy, the applicant shall submit a final Certified Industrial Hygienist Report indicating the proper methodology for disposal of on-site waste and shall track and log the amount of waste created and disposed of in accordance with applicable laws. The records shall be available for inspection upon demand by the City.
- PW/CE-4 Prior to approval of the improvement plans, the Applicant shall submit clearances from all applicable agencies and signatures from applicable public utilities and pay all outstanding plan check fees.
- a) Provide evidence that the project is connected to the City's sanitary sewer system through camera verification and flush test.
  - b) Describe the size and disposition of each of the (2) water meters servicing the building.

On motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and on the following roll-call vote, to wit:

AYES: Commissioners-  
NOES: Commissioners-  
ABSENT: Commissioners-  
ABSTAIN: Commissioners-  
RECUSED: Commissioners-

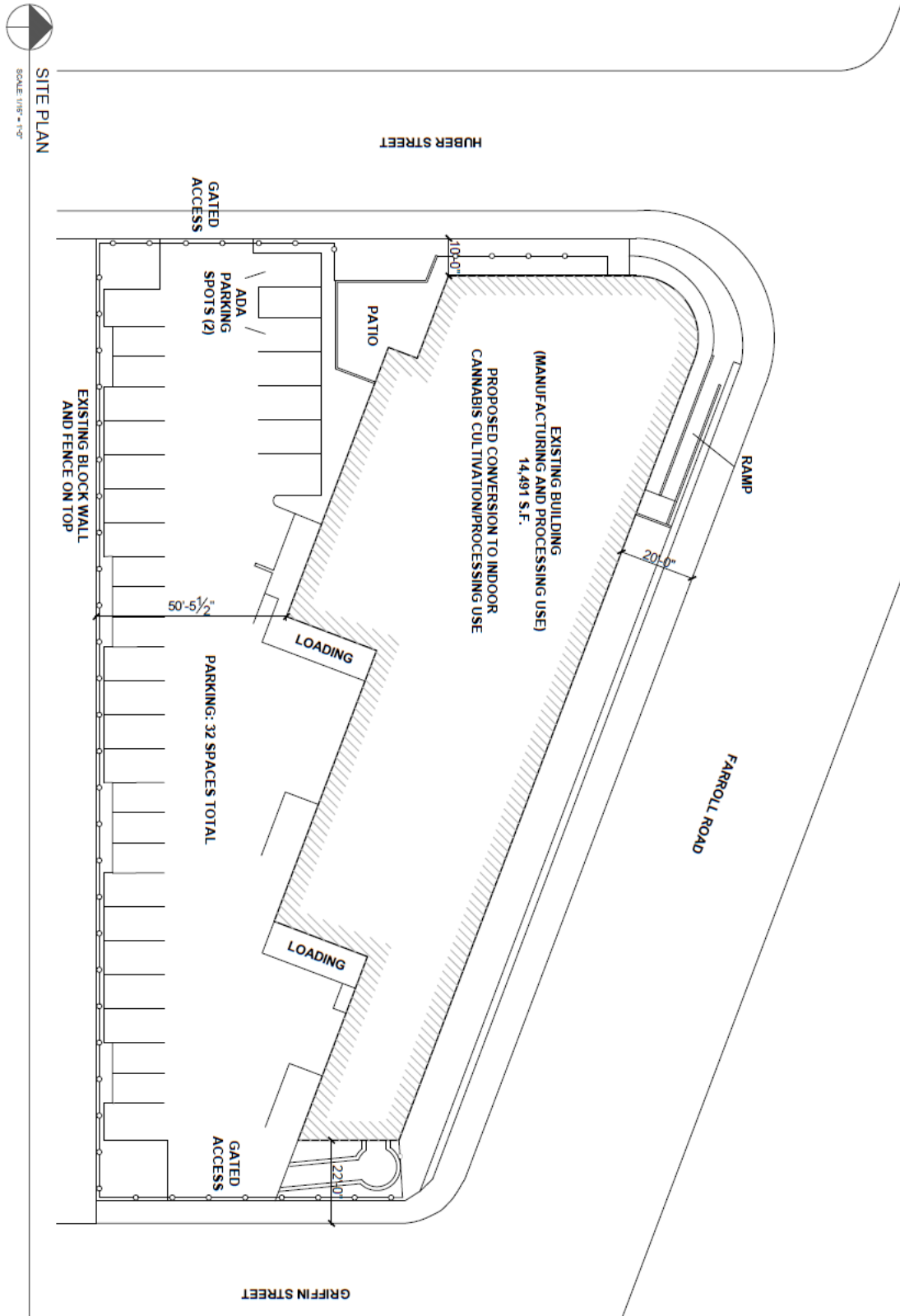
the foregoing RESOLUTION NO. 21-\_\_ was **PASSED, APPROVED**, and **ADOPTED** at a Meeting of the Planning Commission of the City of Grover Beach, California this 1<sup>st</sup> day of June 2021.

\_\_\_\_\_  
RON RODMAN, CHAIR

Attest:

\_\_\_\_\_  
NICOLE RETANA, SECRETARY TO THE PLANNING COMMISSION

### Exhibit A Site Plan

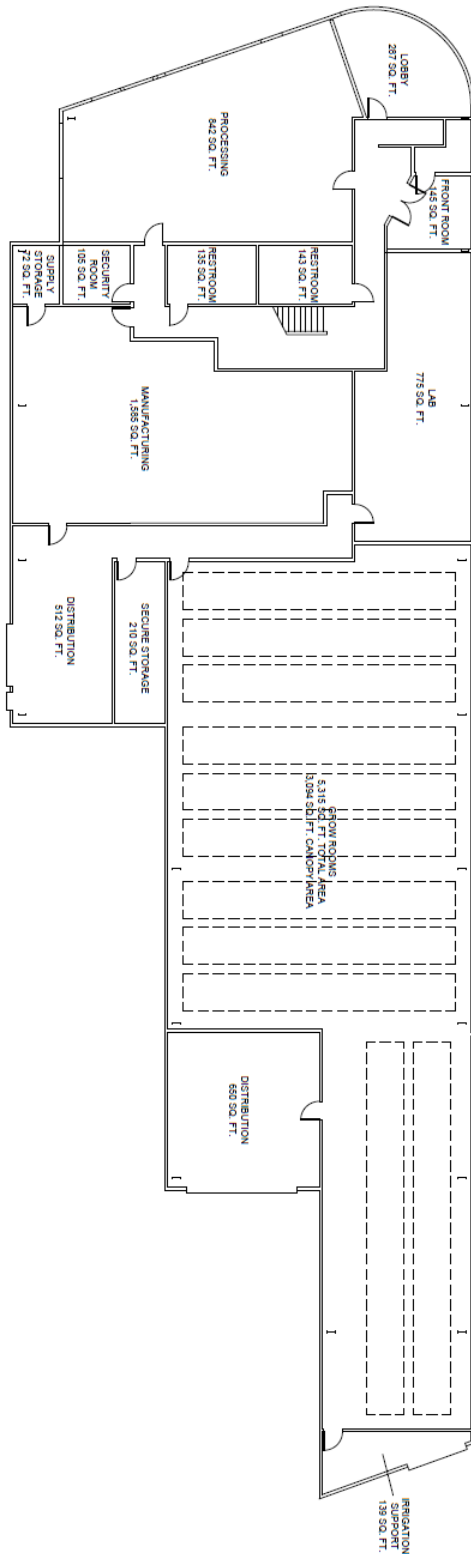




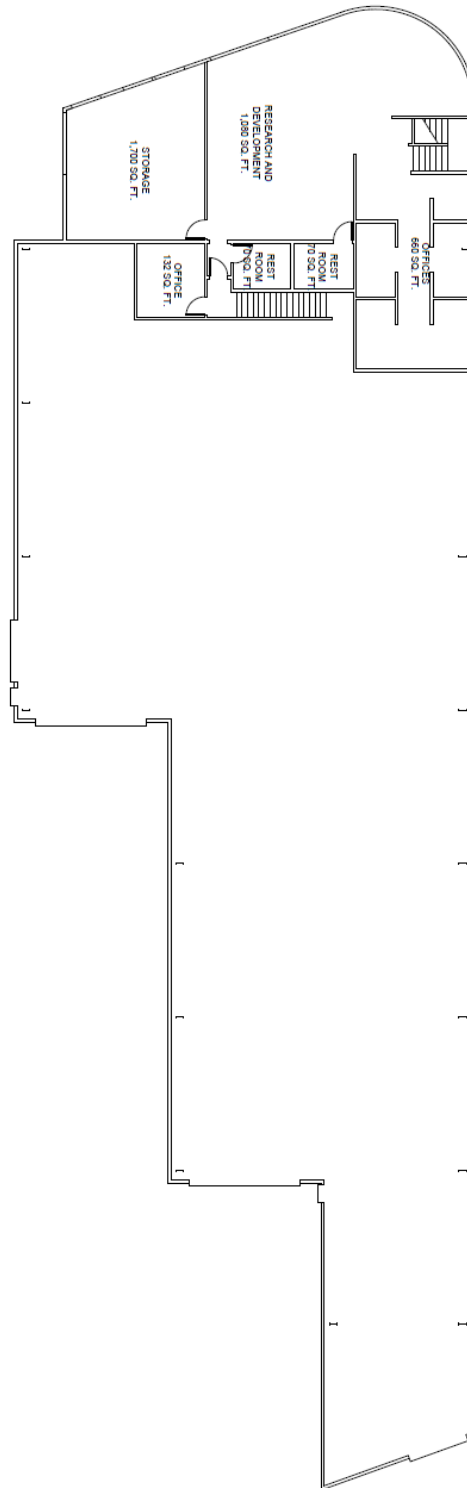
### Conceptual Floor Plan



PROPOSED FLOOR PLAN - 1ST FLOOR  
SCALE: 3/32" = 1'-0"



PROPOSED FLOOR PLAN - 2ND FLOOR  
SCALE: 3/32" = 1'-0"



### Elevations

