

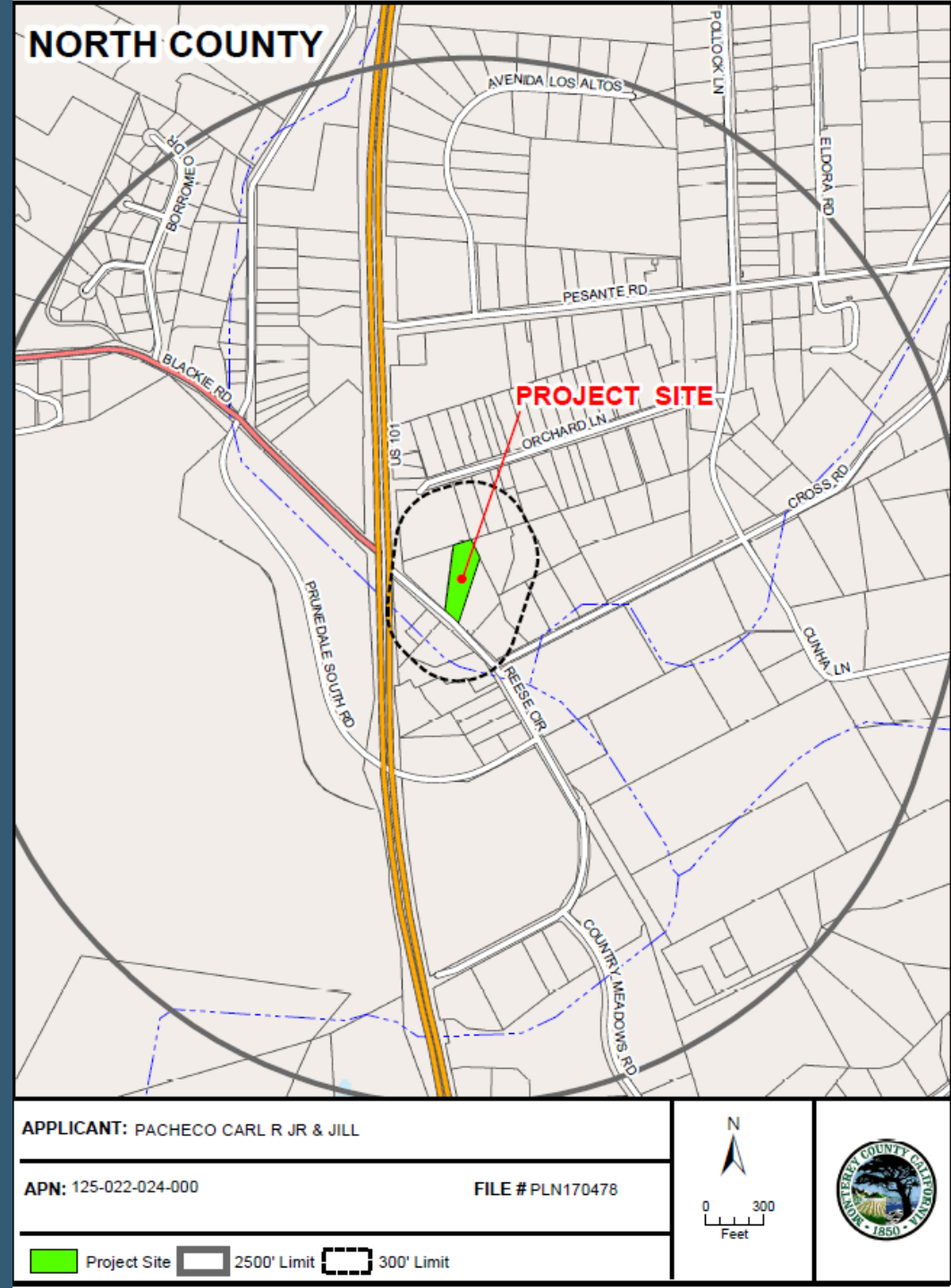
# PACHECO/HIGHWAYS DISPENSARY PLN170478



Board of Supervisors  
August 28, 2018

## Use Permit to allow a Commercial Cannabis Dispensary

- Location:  
10031 Reese Circle, Salinas
- Zoning:  
Light Commercial



# USE PERMIT STANDARDS

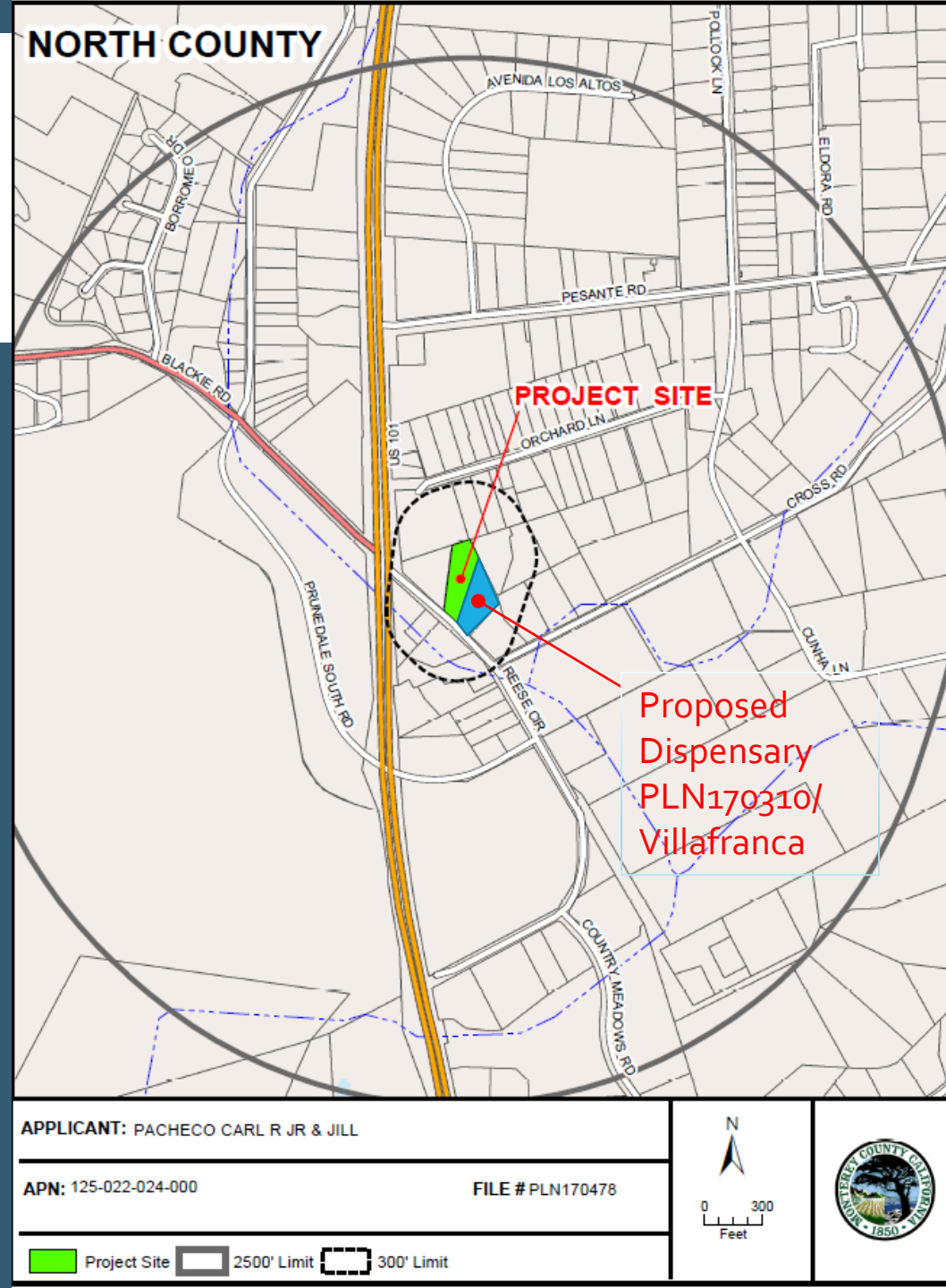
- Location:
  - Within Commercial Zone
  - Not within 600 feet of a school, playground, youth center, or child-care center
- Records Keeping and Non-Diversion
  - Track and Trace
- Security
  - Cameras, Safes, Guards, Protocols
- Packaging and consumer safety
  - Tested products, Permitted supply chain
- Nuisances
  - Odor, loitering, on-site consumption
- Federal Enforcement Priorities
  - Restrict Access to Youth
  - Prevent diversion

# OTHER PERMITS REQUIRED

- Use of property to include commercial medical cannabis dispensary (Land Use)
  - Dispensary Business
    - Commercial Cannabis Business Permit (Section 7.90);
    - Business License (Section 7.02); and
    - State licenses.
- Businesses will be regularly inspected and audited pursuant to required licenses/entitlements.
- Property owner responsible for evicting cannabis business that does not comply (grounds for revocation of Use Permit)

# SETBACK

- 1,500 feet from another Dispensary
  - No Use Permits have been approved within 1,500 feet of the site.
  - Two applications pending
- Implementation
  - Applications considered based on “application date” and “complete date”
  - Setback measured from dispensary with an approved Use Permit



# APPEAL

- June 27, 2018 - Planning Commission approves Use Permit (4-3)
- Appeal filed by Natalia Thurston on behalf of Bayside Dispensary, LLC (applicant on the neighboring property)
  - Contentions
    - County violated the Permit Streamlining Act for PLN170310/Villafranca
    - Unequal treatment of PLN170310/Villafranca (neighboring application) and PLN170478/Pacheco (subject application)
      - Standards for employee counts and septic system improvements
  - Responses
    - County has corrected completeness dates and has treated both applications equally
      - Difference stems from individual site conditions

# CORRESPONDENCE - DATE OF COMPLETION

Event	PLN170478 - Pacheco	PLN170310 - Villafranca
DRC application	April 23, 2017	March 31, 2017
DRC meeting	October 3, 2017	November 28, 2017
Checklist	December 22, 2017	December 21, 2017
Development Application	January 17, 2018	January 31, 2018
Deemed Incomplete - Letter	February 16, 2018	March 2, 2018
Re-submitted Materials	March 8, 2018	March 20, 2018
Operation of law complete	April 7, 2018	April 19, 2018
Deemed Complete - letter	April 19, 2018	May 8, 2018

# STAFF RECOMMENDATION

- Find the project categorically exempt from CEQA pursuant to 15301 of the Guidelines; and
- Deny the appeal of the Planning Commission's approval; and
- Approve the Use Permit for a commercial cannabis dispensary based on the recommended Findings and Evidence as amended and subject to the conditions of approval.