

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
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SCH # 2019069095

Project Title: DRC2018-00036 13350 River Road LLC (previously Dayspring Pretty) Conditional Use Permit

Lead Agency: County of San Luis Obispo

Contact Person: Eric Hughes

Mailing Address: 976 Osos Street, Room 300

Phone: (805)781-1591

City: San Luis Obispo

Zip: 93408-2040

County: San Luis Obispo

Project Location: County: San Luis Obispo

City/Nearest Community: San Miguel

Cross Streets: Mission Lane xs. River Road

Zip Code: 93446

Lat. / Long.: 37.75083° ' " N/ 120.67942° ' " W Total Acres: 62.94

Assessor's Parcel No.: 027-271-041

Section: _____

Twp.: _____

Range: _____

Base: _____

Within 2 Miles: State Hwy #: 101

Waterways: Salinas River

Airports: _____ Railways: Union Pacifi Schools:

San Miguel Joint Union Elementary School District.

Document Type:

CEQA: NOP

Early Cons

Neg Dec

Mit Neg Dec

Draft EIR

Supplement/Subsequent EIR

(Prior SCH No.)

Other _____

NEPA: NOI

EA

Draft EIS

FONSI

Other: Joint Document

Final Document

Other _____

Local Action Type:

General Plan Update

General Plan Amendment

General Plan Element

Community Plan

Specific Plan

Master Plan

Planned Unit Development

Site Plan

Rezone

Prezone

Use Permit

Land Division (Subdivision, etc.)

Annexation

Redevelopment

Coastal Permit

Other _____

Development Type:

Residential: Units _____

Acres _____

Office: Sq.ft. _____

Acres _____

Employees _____

Commercial: Sq.ft. _____

Acres _____

Employees _____

Industrial: Sq.ft. _____

Acres _____

Employees _____

Educational _____

Recreational _____

Water Facilities: Type _____ MGD _____

Transportation: Type _____

Mining: Mineral _____

Power: Type _____ MW _____

Waste Treatment: Type _____ MGD _____

Hazardous Waste: Type _____

Other: Cannabis Activities

Project Issues Discussed in Document:

Aesthetic/Visual

Agricultural Land

Air Quality

Archeological/Historical

Biological Resources

Coastal Zone

Drainage/Absorption

Economic/Jobs

Other Energy and Greenhouse Gas Emissions

Fiscal

Flood Plain/Flooding

Forest Land/Fire Hazard

Geologic/Seismic

Minerals

Noise

Population/Housing Balance

Public Services/Facilities

Recreation/Parks

Schools/Universities

Septic Systems

Sewer Capacity

Soil Erosion/Compaction/Grading

Solid Waste

Toxic/Hazardous

Traffic/Circulation

Vegetation

Water Quality

Water Supply/Groundwater

Wetland/Riparian

Wildlife

Growth Inducing

Land Use

Cumulative Effects

Present Land Use/Zoning/General Plan Designation:

Agriculture

Project Description: (please use a separate page if necessary)

See Attached. This is a revised Draft Mitigated Negative Declaration

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|-----------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> CalFire | <input type="checkbox"/> Parks & Recreation |
| <input checked="" type="checkbox"/> Caltrans District # 5 | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Planning (Headquarters) | <input checked="" type="checkbox"/> Regional WQCB # 3 |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Commission |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers and Mtns Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mountains Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # 4 | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input checked="" type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Integrated Waste Management Board | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date December 29, 2020 Ending Date January 31, 2021

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: <u>976 Osos St Rm 300</u>	Address: _____
City/State/Zip: <u>San Luis Obispo, CA 93401</u>	City/State/Zip: _____
Contact: <u>Eric Hughes</u>	Phone: _____
Phone: <u>805-781-1591</u>	

Signature of Lead Agency Representative: _____ Date: 12/28/2020

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Project Description - 13350 River Road LLC (previously Dayspring Pretty) Conditional Use Permit (DRC2018-00036)

Hearing to consider a request by 13350 River Road LLC (previously Dayspring Pretty) for a Conditional Use Permit (DRC2018-00036) to authorize cannabis operations with up to three acres of outdoor cultivation in hoop structures, up to 22,000 square feet of indoor mixed-light cultivation, up to 27,570 square feet of ancillary cannabis nursery, and operation of a non-storefront dispensary. The dispensary, as well as ancillary processing, curing, drying and trimming, and ancillary nursery will occupy a 4,740 square foot existing winery building. The project will include the construction of one greenhouse building with a total combined floor area of 45,000 square feet and the installation of 20, 5,000-gallon water storage tanks. In addition, a new 5,000 sq.ft. metal building will be constructed to be used for drying and processing and the placement; one searain container will be used for the storage of agricultural equipment. Outdoor cultivation and nursery activities will occur within a total of 63 hoop structures. The project includes a request for an ordinance modification to reduce the required number of parking spaces from 95 to 24. The project will result in approximately 13.4 acres of site disturbance on an approximately 63-acre parcel located at 13350 River Road, east of the community of San Miguel. The project is within the Agricultural land use category and the Salinas River Sub Planning Area of the North County Planning Area.

The greenhouses will be 14 feet and 4 inches in height. The 20, 5,000-gallon water storage tanks will reach a maximum height of 6 feet 4 inches. The proposed 5,000 sq.ft. processing building will be 35 feet tall and will incorporate design features that resemble a barn.

With the exception of the one ordinance modification discussed below, the project would meet all the requirements of the County Land Use Ordinance (LUO), including:

- Required 1,000-foot setbacks from sensitive receptors for all operations,
- Required 300-foot setbacks from the property line for outdoor cultivation, and
- Required 100-foot setbacks from offsite residences for indoor cultivation.

The regional location of the project site is shown in Figure 1, and an aerial view is provided in Figure 2. Table 1 provides a summary of project components.

Table 1 – Project Components

Project Component	Structure Size	Count	Area (sf)	Canopy (sf)	Canopy (acres)
<i>Outdoor Cultivation</i>					
Hoop Houses – Mature/Flowering	100' x 24'	56	159,000	127,680	2.93
Hoop Houses – Ancillary Nursery	100' x 24'	7	20,400	16,320	0.38
<i>Total</i>			<i>179,400</i>	<i>144,000</i>	<i>3.30</i>
<i>Indoor Cultivation</i>					
Greenhouse – Mature/Flowering	45,000 sq.ft.	1	24,000	22,000	0.50
Greenhouse – Ancillary Nursery			21,000	11,250	0.25
<i>Total</i>			<i>45,000</i>	<i>33,250</i>	<i>0.76</i>
<i>Indoor Processing, Ancillary Nursery and Dispensary</i>					
Indoor Processing	New 5,000 sq.ft. processing building		5,000	n/a	n/a
<i>Total</i>			<i>5,000</i>	<i>0</i>	<i>0</i>
Indoor Drying/Curing/Ancillary Nursery	First floor of existing 4,750 sq.ft. former winery building		640	Max. 640 sq.ft.	Max. 0.01
Indoor Processing			1,080	n/a	n/a
Indoor Dispensary Operation			440	n/a	n/a
Indoor Storage			145	n/a	n/a
Indoor Bathroom			65	n/a	n/a
Indoor Processing	Upper floor of existing 4,750 sq.ft. former winery building		2,370	n/a	n/a
<i>Total</i>			<i>4,740</i>	<i>640</i>	<i>0.01</i>
Total:			234,140 (5.3 acres)	177,890	4.08

Operations

The project will require a total of 5 full time staff consisting of 4 laborers who will live in the home onsite and a manager, who will arrive at approximately 6:00 am and leave in the afternoon before 2:00 pm. Three times a year, in June, August and late October for harvest, 4 additional employees will be employed onsite for a total of 9. These harvest times are six days long where the cannabis is cut and hung inside each hoop house or in the existing processing building. Once dried, the onsite staff cut and trim the product.

Processing

The project proposes to construct a new, 5,000 sq.ft. metal building for processing activities for cannabis products grown on site. In addition, a 4,090 sq.ft. portion of an existing former winery building will be used for processing that would include drying, trimming and curing; no manufacturing or the use of processing machinery is proposed.). A 640 sq.ft. portion of the ground floor processing area will be used

cyclically for nursery then drying as the crops go through each grow cycle. The water use for this 640 sq. ft. of nursery space is included in the water estimate. This space will be equipped with an odor mitigation system.

Once cannabis products are processed, they would be transported off-site for testing, distribution, and sale. The building is served by eight paved parking spaces, including one space that is American Disability Act (ADA) compliant; the former winery building also includes a restroom and a secure storage area.

Non-storefront Dispensary

The project proposes to use a 440 sq.ft. portion of the existing winery building for a non-storefront dispensary. The dispensary would include a 145 sq.ft. secure storage area where cannabis products grown and processed on-site will be stored prior to delivery. The dispensary will receive orders over the phone and online and would make up to four delivery runs per day (8am, 11am, 2pm, and 6:30pm). Deliveries will occur via two drivers using two separate vehicles that will be kept onsite during non-delivery hours. Deliveries will be made to cities and counties within the State of California in which cannabis product deliveries are not prohibited. The applicant currently operates a dispensary in the City of Grover Beach with established employee safety protocols that will be applied to this operation.

Security

Access to the site would be directly from River Road by way of a paved driveway that will be gated and locked. While no road improvements are necessary, the applicant will be required to remove existing walls and gates from the County right-of-way (Public Works, September 2018) for which an encroachment permit will be required.

An existing six-foot high fence is located along the property lines fronting River Road and Mission Lane. The cannabis cultivation areas would be enclosed within a 6-foot tall secure chain-link fence with privacy slats along with an 11 foot tall polyethylene wind screen and vegetative screening for wind break and privacy (Figure 9). Locked gates and motion detection lights (downward facing to reduce light pollution) will be installed for secure access. Lighting associated with the greenhouses would be shielded with blackout screening to prevent views from offsite.

Odor Management

Odor associated with outdoor cultivation will be managed with the use of setbacks and barriers (hoop house materials and screened fencing) and by conducting processing activities within enclosed buildings. Each of the proposed outdoor cultivation areas will be located a minimum of 300 feet from all property lines. All structures utilized for indoor cannabis cultivation and processing will be equipped with sufficient ventilation controls (e.g. carbon scrubbers) and an odor neutralizing spray to eliminate nuisance odor emissions from being detected offsite. The proposed nursery operation is not anticipated to create any odor issues.

Water Management

Based on the Water Demand Analysis prepared for the project, project cultivation irrigation activities would result in approximately 6.44 acre-feet of water demand per year, including 1.64 acre-feet per year (AFY) for the proposed odor control systems. Domestic water use for 10 full-time employees has been estimated to result in about 0.1 acre-foot per year.

The project is located in the Paso Robles Groundwater Basin which is designated at Level of Severity III by the County's Resource Management System. However, the site is not located within an Area of Severe Decline. As such, the project will be required to offset the projected water use at a 1:1 ratio in compliance with the Countywide Water Conservation Program (CWWCP).

The project water demand would be served by an existing groundwater well. A total of 11 10,000-gallon water tanks would be installed on the property for seasonal storage of irrigation water.

Waste Management

All green waste consisting of dead and/or stripped-of-flower plants and soil will be composted onsite and reused. The compost area will be located in the northeast corner of the cultivation fenced area. Two commercial sized dumpsters will be located east of the existing residence for disposal of agricultural production materials and extraneous trash. This location is not visible from offsite due to intervening buildings and vegetation.

The existing on-site septic system would serve the project. Portable restrooms would also be located in the cultivation area. A permanent restroom facility is included within the existing former winery building which is served by an existing on-site septic system. Employees working within the proposed non-storefront dispensary would utilize the existing permanent restroom facilities.

Pesticides and Fertilizers

In accordance with LUO Section 22.40.050.C.3. all applications for cannabis cultivation must include a list of all pesticides, fertilizers and any other hazardous materials expected to be used, along with a storage and hazardous response plan. Products used onsite will be stored in two existing 320 sq. ft. searain containers within secondary containment in small containers within spill containment bins in the cultivation and nursery environments. Materials will consist of the following:

Pesticides			Fertilizers
Product	Type	Active Ingredient	
Azadirect	Liquid	Azadirachtin	Seaweed extract
Cueva	Liquid	Copper Octanoate	Mammoyh p
Dipel DF	Powder	Bacillus thurin gienses, su bsp.kurstaki	Azos Mykos
DoubleNickel LC	Liquid	Bacillus amyloliquefaciens strain D747	Potassium nitrate Calcium nitrate
Kaligreen	Powder	Potassium bicarbonate	Magnesium nitrate
M-Pede	Liquid	Potassium salts of fatty acids	Potassium thiosulfate
Mycotrol ESO	Liquid	Beauveria bassiana Strain GHA	Ammonium phosphate
Oxidate 2.0	Liquid	Hydrogen dioxide/Peroxyacetic acid	Mono potassium phosphate
Oxigreen	Liquid	Peroxyacetic acid/Hydrogen peroxide	An20
Pest Out	Liquid	Cottonseed, clove garlic oil	Ammonium sulphate
Regalia	Liquid	Reynoutria sachalinensis	Magnesium sulphate
Trilogy	Liquid	Clarified hydrophobic extract of neem oil	Iran chelate 13%
Xentari	Powder	Bacillus thurigniensis, subsp. aizawai	Magneseum chelate 13% Zinc chelate 14% Copper chelate 14%

Ordinance Modification. The project includes a modification from the parking provisions set forth in Section 22.18.050.C.1 of the County LUO. The type of commercial agricultural use that best matches the proposed cannabis cultivation is “Nursery Specialties” with a parking requirement of one parking space

per 500 square feet of floor area. The combined floor area of the proposed greenhouses and indoor operations is 47,370 square feet which, with the application of this parking standard, would require the applicant to provide 95 parking spaces. The project proposes a total of 24 parking spaces including one space designed to meet Americans With Disabilities standards. Up to ten employees may be on site at various times during the day. Therefore, 24 spaces are sufficient to meet the peak parking demand of the project.

Baseline Conditions. Existing development includes a single-family residence, agricultural accessory structures, a vineyard, and a 4,740 sq.ft. winery building that includes a second-floor vacation rental and a first-floor restroom. In order to comply with LUO Section 20.40.040.Q, Use of a Residence, the project will be conditioned to convert the existing vacation rental (2nd floor of winery building) to a non-residential use.

An existing paved parking area with eight spaces is located next to the winery building and would be used to serve cannabis activities.

The residential, agricultural and winery activities of the project site have historically been served by one existing well. Vineyards have not been cultivated since at least 2013, based on historic aerial photographs. A four-hour pump test performed in February 2018 indicates the existing well provides ample water to serve the proposed cannabis uses.

There has been no cannabis cultivation previously on the project site.