



# County of Santa Barbara

## BOARD OF SUPERVISORS

### Minute Order

March 18, 2025

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**Present:** 5 - Supervisor Lee, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

PLANNING AND DEVELOPMENT DEPARTMENT

File Reference No. 25-00216

**RE:** HEARING - Consider recommendations regarding the County Planning Commission (CPC) recommended ordinance amendments to the County Land Use and Development Code (LUDC) and Article II, Coastal Zoning Ordinance (CZO) to clarify existing cannabis odor control regulations by revising development standards and Odor Abatement Plan (OAP) procedures, implementing a 12-month compliance period, and establishing an odor threshold in the Coastal Zone to more efficiently identify, evaluate, and enforce cannabis-related nuisance odors, as follows:

(EST. TIME: 1 HR.)

- a) Make the required findings for approval of the zoning code amendments, including California Environmental Quality Act (CEQA) findings;
- b) Determine that adoption of the CZO (24ORD-00012) amendments are exempt from CEQA pursuant to CEQA Guidelines Sections 15265;
- c) After considering the Final Program Environmental Impact Report (PEIR) adopted for the Cannabis Land Use Ordinance and Licensing Program (Cannabis Program) (17EIR-00000-00003), determine that, as reflected in the CEQA findings, no subsequent environmental document shall be prepared for this project pursuant to CEQA Guidelines Section 15162; and adoption of the LUDC Amendment (Case No. 24ORD-00011) is within the scope of the program approved earlier, and the Final Program EIR adopted for the Cannabis Program (17EIR-00000-00003) adequately describes the activity for the purposes of CEQA pursuant to CEQA Guidelines Section 15168(c)(2);
- d) Adopt the Ordinances to amend to the CZO (Case No. 24ORD-00012) and LUDC (Case No. 24ORD-00011);
- e) Adopt a Resolution authorizing Planning and Development to submit the amendment (Case No. 24ORD-00011) revisions to existing cannabis ordinance to the Santa Barbara County Local Coastal Program (LCP) to the California Coastal Commission (CCC) for review and certification; and
- f) Direct the Planning and Development Department to transmit the adopted resolution to the Executive Director of the CCC.



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#### COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

*HEARING TIME: 1:00 PM - 4:04 PM (3 HR. 4 MIN.)*

Lorraine McIntire, Anna Carrillo, Marc Byers, Autum Shelton, Collin Dvorak, Eric Edwards, Whitney Collie, Paul Roberts, Tadd McKenzie, Jared Ficker and Lionel Neff addressed the Board.

A motion was made by Supervisor Lee, seconded by Supervisor Nelson, that this matter be acted on as follows:

- a) Made the required findings for approval of the zoning code amendments, including California Environmental Quality Act findings;
- b) and c) Approved;
- d) Adopted with direction to staff to post odor abatement plan revisions on the Planning and Development website and modify the Ordinances, as follows:
  - (1) Establish a cannabis odor threshold in the coastal zone, as follows: i) Cannabis odor from commercial cannabis activities shall not exceed a threshold of 4 D/T for the duration of a consecutive three-minute period measured at the property line of a commercial cannabis facility; and
  - (2) In the inland area and coastal zone, allow one extension to the 12-month implementation time period for up to 12 months. The request for an extension shall be heard by the Board of Supervisors with a recommendation by the Director and the request must be submitted 90 days prior to the expiration of the 12-month implementation time period;

Coastal Zoning Ordinance (Case No. 24ORD-00012): ORDINANCE NO. 5244

Land Use and Development Code (Case No. 24ORD-00011): ORDINANCE NO. 5245

- e) Adopted; and

RESOLUTION NO. 25-46

- f) Directed.

The motion carried by the following vote:

**Ayes:** 5 - Supervisor Lee, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino