



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: Planning and Development  
Department No.: 053  
For Agenda Of: May 1, 2012  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors

**FROM:** Department Director: Glenn Russell, Ph.D., (805) 568-2085  
Contact Info: Jeff Hunt, AICP, Long Range Planning Director,  
(805) 568-2072

**SUBJECT:** California Coastal Commission's Certification of the Article II Coastal Zoning Ordinance Medical Marijuana Dispensary Amendment

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrences:**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- A. Receive notice of the California Coastal Commission's certification without any suggested modifications of the Article II Coastal Zoning Ordinance Medical Marijuana Dispensary Amendment, County Case No. 11ORD-00000-00031, Coastal Commission Case No. STB-MAJ-2-11 (Attachment A);
- B. Adopt a resolution that acknowledges receipt, accepts, and agrees to the California Coastal Commission's certification of the Medical Marijuana Dispensary Amendment and agrees to issue Coastal Development Permits for the total area included in the County's Local Coastal Program (Attachment B); and
- C. Authorize the Chair of the Board of Supervisors to sign a letter transmitting the resolution to the California Coastal Commission (Attachment C).

**Summary Text:**

The Medical Marijuana Dispensary Amendment, Case No. 11ORD-00000-00031, was approved as Ordinance No. 4808 by the Board of Supervisors on November 1, 2011. This action constitutes an amendment to Santa Barbara County's certified Local Coastal Program, specifically, the Article II Coastal Zoning Ordinance. As a result, the amendment is not effective until certified by the Coastal Commission.

The Board of Supervisors transmitted the amendment to the Coastal Commission on December 13, 2011 (Resolution No. 11-414). The Coastal Commission certified the amendment without modifications on March 8, 2012 (Attachment A).

In order to complete the certification process, the Board of Supervisors must adopt a resolution that acknowledges, accepts, and agrees to the Coastal Commission's certification of the amendment. The attached resolution satisfies this step in the process (Attachment B). The attached letter will then be used to transmit the resolution to the Coastal Commission (Attachment C).

Following receipt of the Board's resolution, the Coastal Commission's Executive Director will determine whether the County's action is legally adequate to satisfy any specific requirements set forth in the Coastal Commission's certification order.

The Executive Director will then report his determination to the Coastal Commission at its next regularly scheduled public meeting. If the Executive Director finds that the County's action conforms to the Commission's certification order, and the Coastal Commission accepts that determination, the amendment will become effective when the Coastal Commission files a Notice of Certification with the Secretary of Resources pursuant to Public Resources Code Section 21080.5(d)(2)(E).

**Fiscal Analysis:**

Preparation of the Medical Marijuana Dispensary Ordinance Amendment is budgeted in the Long Range Planning Division of the Planning and Development Department on page D-312 of the County of Santa Barbara Fiscal Year 2011-2012 Operating Plan. There are no facilities impacts.

**Special Instructions:**

The Clerk of the Board shall send a copy of the signed and numbered resolution and signed transmittal letter to the Planning and Development Department, attention Holly Bradbury. The Planning and Development Department will send the resolution to the Coastal Commission.

**Attachments:**

- A. Coastal Commission Action Letter, Santa Barbara Local Coastal Program Amendment 2-11, Case No. STB-MAJ-2-11(dated March 29, 2012)
- B. Board of Supervisors Resolution to accept the Coastal Commission's certification of the Local Coastal Program Amendment
- C. Letter from the Board of Supervisors transmitting the resolution to the Coastal Commission

**Authored by:**

Holly Bradbury, Planner (805) 568-3577