

ORDINANCE AMENDING SANTA BARBARA COUNTY CODE

CHAPTER 18 – HEALTH AND SANITATION, ARTICLE X, ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA DISPENSARIES

ORDINANCE NO. 14-_____

An ordinance of the County of Santa Barbara repealing Chapter 18, *Health and Sanitation, Article X, Establishment and Operation of Medical Marijuana Dispensaries*, of the Santa Barbara County Code.

WHEREAS, periodically, an administrative clean-up of current Santa Barbara County Code is required to ensure that both County staff and the public have easy and logical access to current code regulations; and

WHEREAS, code has been discovered in Chapter 18, Article X, §18-75 through 18-83 of the County Code which provided an interim urgency ordinance to extend, for a period of one year, the existing moratorium on the approval of any use permits, variances, building permits or other applicable entitlements for the establishment or operation of medical marijuana dispensaries; and

WHEREAS, the one year period expired on December 7, 2011, thereby making the interim urgency ordinance null and void, and its removal from code being a logical step; and

WHEREAS, medical marijuana dispensaries are addressed in the Land Use and Development Code, section 35.42.195 and are not allowed in any zone in the County; and

WHEREAS, the Board of Supervisors finds that the amendments set forth in this ordinance are exempt from the California Environmental Quality Act (CEQA) review pursuant to 14 CCR §15061(b)(3); and

WHEREAS, the County of Santa Barbara has, in connection with proposed changes to Chapter 18 held a public hearing as part of a regularly scheduled meeting and published notice of the meeting, including a general description of the matter to be considered, in accordance with Government Code §6062a;

NOW THEREFORE, the Board of Supervisors of the County of Santa Barbara ordains as follows:

Chapter 18 – HEALTH AND SANITATION, ARTICLE X

Article X entitled “*Establishment and Operation of Medical Marijuana Dispensaries*” of Chapter 18, sections 18-75 through 18-83, is hereby repealed.

The repeal of said Article X of Chapter 18, sections 18-75 through 18-83 of the Santa Barbara County Code shall not have any effect on any criminal or civil litigation or claims, including claims for fees, arising under said Article and shall not operate as an abatement of any criminal or civil action or proceeding arising under said Article X, whether pending before or filed after the effective date of this ordinance.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____ 2014 by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

COUNTY OF SANTA BARBARA

Chair, Board of Supervisors

Date: _____

ATTEST:
MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Deputy Clerk

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: _____
Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:
ROBERT W GEIS, CPA
AUDITOR-CONTROLLER

By: _____
Deputy

APPROVED
TAKASHI WADA, MD, MPH
DIRECTOR
PUBLIC HEALTH DEPARTMENT

By: _____
Director