



County of Santa Barbara BOARD OF SUPERVISORS

Minute Order

July 9, 2019

Present: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

PLANNING AND DEVELOPMENT

File Reference No. 19-00536

RE: HEARING - Consider recommendations regarding the County Planning Commission's recommended Ordinances amending the County Land Use and Development Code (LUDC), the Coastal Zoning Ordinance (Article II), to: (1) provide additional noticing requirements for certain commercial cannabis activities within the unincorporated inland areas and Coastal Zone of Santa Barbara County; and (2) further regulate commercial cannabis activities in the Agriculture I (AG-I) zone in the unincorporated inland areas of Santa Barbara County, as follows: (EST. TIME: 2 HR.)

a) Consider recommendations regarding LUDC Amendment (Case No. 19ORD-00000-00001), as follows:

i) Make the required findings for approval, including California Environmental Quality Act (CEQA) findings;

ii) After considering the Final Program Environmental Impact Report (EIR) adopted for the Cannabis Land Use Ordinance and Licensing 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. 19ORD-00000-00001) is within the scope of the program approved earlier, and the Final Program EIR adopted for the Cannabis Land Use Ordinance and Licensing Program (17EIR-00000-00003) adequately describes the activity for the purposes of CEQA pursuant to CEQA Guidelines Section 15168(c)(2); and

iii) Adopt the Ordinance (Case No. 19ORD-00000-00001) to amend the LUDC;

b) Consider recommendations regarding Article II Amendment (Case No. 19ORD-00000-00002), as follows:

i) Make the required findings for approval, including CEQA findings;

ii) Find, pursuant to CEQA Guidelines Section 15265 the preparation, approval, and certification of a LCP Amendment is exempt from the requirements of CEQA because the California Coastal Commission's review and approval process has been certified by the Secretary of Resources as being the functional equivalent of the environmental review process required by CEQA in Sections 21080.5 and 21080.9 of the Public Resources Code;



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- iii) Adopt the Ordinance (Case No. 19ORD-00000-00002) to amend Article II;
- iv) Adopt a Resolution authorizing submittal of the Cannabis Ordinance Amendment to the California Coastal Commission (Coastal Commission) for certification as an amendment to the Santa Barbara County Local Coastal Program; and
- v) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the Coastal Commission; and
- c) Provide any other direction to staff to amend the County's Land Use and Development Code and/or Article II - Coastal Zoning Ordinance in regards to cannabis.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 9:35 AM - 1:15 PM & 3:15 PM - 3:45 PM (4 HR.)

Receive and filed staff presentation and conducted public hearing.

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

Conceptually approved LUDC amendment Option 3 (prohibits commercial cannabis cultivation on all inland area AG-I zoned parcels that are 20 acres or less in size) and to require a CUP on lots zoned AG-I greater than 20 acres in size as presented to the Board of Supervisors at the hearing of July 9, 2019.

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Adam

Noes: 1 - Supervisor Lavagnino



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iii) Adopt the Ordinance (Case No. 19ORD-00000-00001) to amend the LUDC;

b) Consider recommendations regarding Article II Amendment (Case No. 19ORD-00000-00002), as follows:

i) Make the required findings for approval, including CEQA findings;

ii) Find, pursuant to CEQA Guidelines Section 15265 the preparation, approval, and certification of a LCP Amendment is exempt from the requirements of CEQA because the California Coastal Commission's review and approval process has been certified by the Secretary of Resources as being the functional equivalent of the environmental review process required by CEQA in Sections 21080.5 and 21080.9 of the Public Resources Code;



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- v) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the Coastal Commission; and

- c) Provide any other direction to staff to amend the County's Land Use and Development Code and/or Article II - Coastal Zoning Ordinance in regards to cannabis.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

A motion was made by Supervisor Hartmann, seconded by Supervisor Adam, that this matter be Acted on as follows:

Conceptually approved amendments to the LUDC and Coastal Zoning Ordinance (Article II), to require noticing of all property owners in an EDRN or RN for commercial cannabis permit applications in an EDRN or RN, or that require the use of a roadway in an EDRN or RN.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino



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iii) Adopt the Ordinance (Case No. 19ORD-00000-00001) to amend the LUDC;

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- c) Provide any other direction to staff to amend the County's Land Use and Development Code and/or Article II - Coastal Zoning Ordinance in regards to cannabis.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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

- a) i through iii) Approved and adopted amended as follows:**

Approved LUDC amendment Option 3 (prohibits commercial cannabis cultivation on all inland area AG-I zoned parcels that are 20 acres or less in size) and to require a CUP on lots zoned AG-I greater than 20 acres in size as presented to the Board of Supervisors at the hearing of July 9, 2019.

ORDINANCE NO. 5084

- b) i through iv) Approved and adopted.**

ORDINANCE NO. 5085

RESOLUTION NO. 19-194

- b) v) Directed.**

c) No further action taken

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Adam

Noes: 1 - Supervisor Lavagnino



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iii) Adopt the Ordinance (Case No. 19ORD-00000-00001) to amend the LUDC;

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The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino