



County of Santa Barbara BOARD OF SUPERVISORS

Minute Order

July 14, 2020

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

PLANNING AND DEVELOPMENT

File Reference No. 20-00560

RE: HEARING - Consider recommendations regarding the County Planning Commission's recommended Ordinance amendments to the County Land Use and Development Code (LUDC) and the Article II Coastal Zoning Ordinance (Article II), to implement new development standards and permit requirements regarding certain commercial cannabis activities, which the Board previously considered on June 2, 2020, and June 11, 2020, as follows: (EST. TIME: 2 HR.)

a) Consider recommendations regarding LUDC Amendment (Case No. 19ORD-00000-00009), 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-00000-00009) 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-00000-00009) to amend the LUDC; and

b) Provide direction to staff regarding any other amendments to the County's cannabis regulations, which the Board would like to consider in the future.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:15 PM - 5:55 PM (2 HR. 40 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) i), ii), iii) and b) Conceptually approved staff recommendations except for the prohibition of commercial cannabis activities within Existing Developed Rural Neighborhoods (EDRN's).

The motion carried by the following vote:



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

Noes: 1 - Supervisor Hartmann



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a) Consider recommendations regarding LUDC Amendment (Case No. 19ORD-00000-00009), 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-00000-00009) 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-00000-00009) to amend the LUDC; and

b) Provide direction to staff regarding any other amendments to the County's cannabis regulations, which the Board would like to consider in the future.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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

Conceptually prohibited commercial cannabis activities within Existing Developed Rural Neighborhoods (EDRN's).

The motion carried by the following vote:

Ayes: 3 - Supervisor Hart, Supervisor Hartmann, and Supervisor Adam

Noes: 2 - Supervisor Williams, and Supervisor Lavagnino



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a) Consider recommendations regarding LUDC Amendment (Case No. 19ORD-00000-00009), 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-00000-00009) 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-00000-00009) to amend the LUDC; and

b) Provide direction to staff regarding any other amendments to the County's cannabis regulations, which the Board would like to consider in the future.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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

a) i), ii), and iii) Approved and Adopted;

ORDINANCE NO. 5114

The motion carried by the following vote:

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



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Noes: 1 - Supervisor Hartmann



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a) Consider recommendations regarding LUDC Amendment (Case No. 19ORD-00000-00009), 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-00000-00009) 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-00000-00009) to amend the LUDC; and

b) Provide direction to staff regarding any other amendments to the County's cannabis regulations, which the Board would like to consider in the future.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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

b) Directed staff to return to the Board with revisions to the Business License Ordinance regarding requirements of odor control monitoring data and illegal non-conforming uses.

The motion carried by the following vote:

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