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COUNTY
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FUTURE

Planning and Development Department
Long Range Planning Division

ZONING ORDINANCE AMENDMENTS OPTIONS

Board of Supervisors Hearing
September 14, 2021

Purpose / Background



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- Board direction on zoning ordinance amendments for FY 21-22
 - Planner III position – budget expansion
- Zoning ordinance amendments packages
 - Amendments that are low to moderate in complexity and potential controversy
 - CEQA exempt or Negative Declaration

Scope of Work



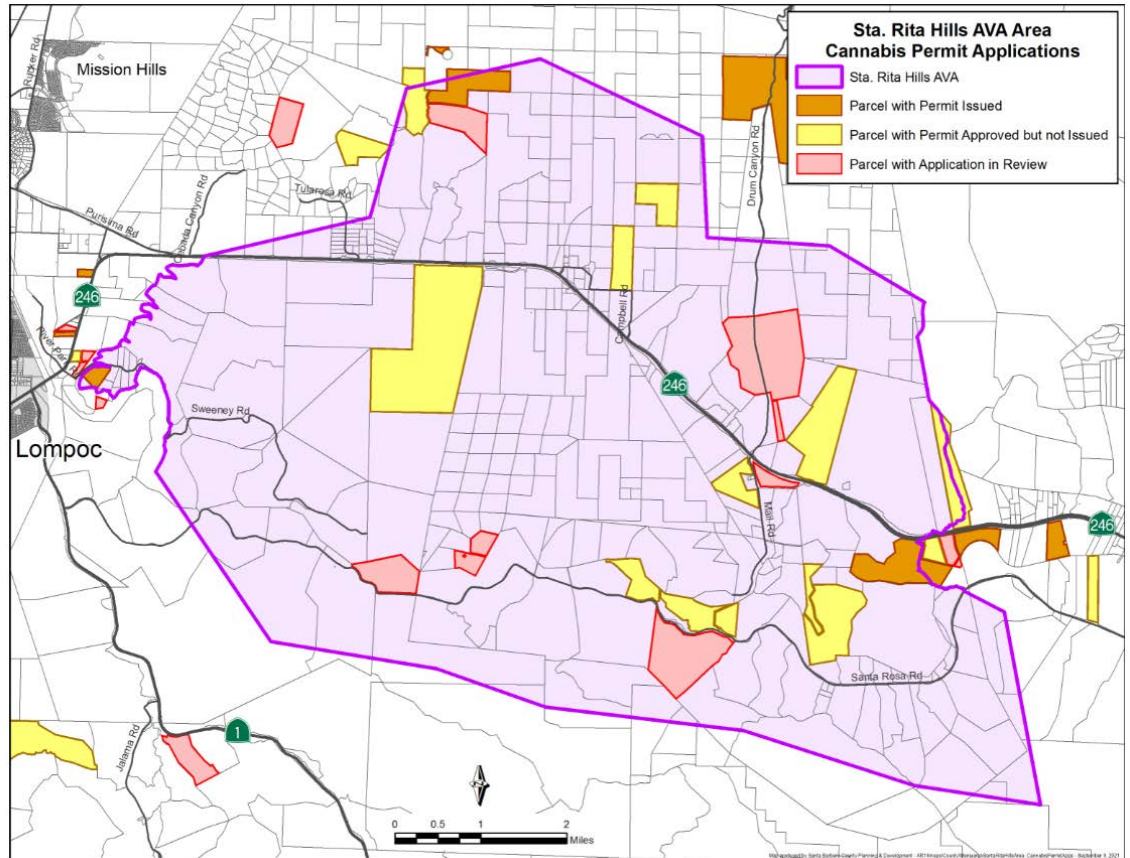
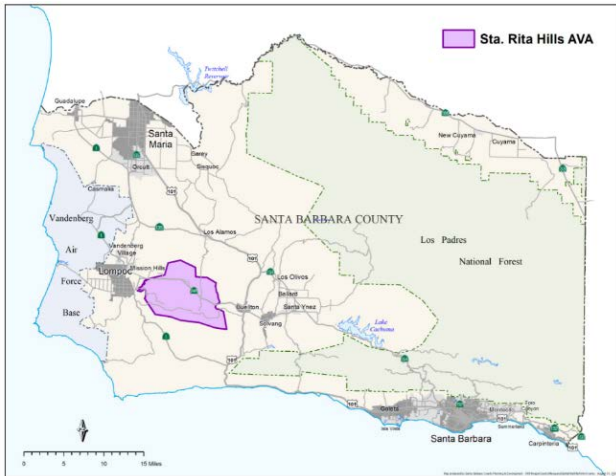
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- Staff Capacity: ≤ 0.8 FTE available FY 21-22
- Numerous moderately complex and low complexity ordinance amendment requests
- Select moderately complex amendments
- For those not selected, identify priorities for future fiscal years
- Low complexity amendments will be included

Ordinance Amendment Options

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□ Cannabis Ordinance - Santa Rita Hills Agricultural Viticultural Area (AVA)



Ordinance Amendment Options



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- Cannabis Ordinance - Santa Rita Hills AVA
 - New Zoning Overlay
 - ❖ Conditional Use Permit (CUP) for cultivation
 - > 20 acres, > 30 acres, or regardless of size
 - ❖ Limit cultivation area (per lot) to 20 acres + 10%, 5%, or 2.5% of lot size
 - \approx 0.6 Full Time Equivalents (FTEs) of staff time

Ordinance Amendment Options



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□ Current Cannabis Cultivation (acres)

Application Status	Countywide	Santa Rita Hills AVA
Land Use Entitlements (09.09.21)		
Proposed	3,140.58	599.43
Approved (but not Issued)	1,395.59	352.13
Issued	505.80	48.01
Business Licenses (08.30.21)		
Eligible Applicants*	985.38	144.25
Pending	314.81	158.34
Cap	1,575	--

*Eligible Applicant = Approved Land Use Entitlement + "Complete" Business License Application + Payment of Application Fee

Ordinance Amendment Options



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- Cannabis Ordinance – Notice of Harvests
 - Provide notice of cannabis harvests to residents and/or owners of property
 - Current Odor Abatement Plan notification distance = 1,000'
 - 0.1 FTE of staff time

Ordinance Amendment Options



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- Provisions & Incentives for Childcare Facilities
 - Revise/relax permitting requirements and development standards to facilitate the development of childcare facilities
 - Senate Bill 234, Chapter 244, Statutes of 2019; Health and Safety Code § 1596.72 et al
 - \approx 0.2 FTEs of staff time

Ordinance Amendment Options



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□ Oil & Gas Regulations

- Environmental Defense Center's letter to the Board, dated March 5, 2021 (Board letter, Attachment 1)
 - ❖ Amend the Change of Owner or Operator Ordinance under Chapter 25B of the County Code to apply to onshore oil and gas development
 - ❖ Mandate that onshore oil-and-gas operators retain liability upon a transfer of assets

Ordinance Amendment Options



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□ Oil & Gas Regulations

- ❖ Amend the Land Use and Development Code (Chapter 35.53) to require a termination date in Oil Drilling and Production Plans
- ❖ Revise the definition for “high risk operation” (Petroleum Code, § 25-4)
- ≈ 0.5 FTEs of staff time

Ordinance Amendment Options



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□ Wireless Communication Facilities

- Provide clarity regarding:
 - ❖ Recent FCC rule regarding small wireless facilities
 - BARs to develop aesthetic standards
 - ❖ A new State law requiring emergency standby generators for macro cell towers
- \approx 0.4 FTEs of staff time

Ordinance Amendment Options



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- Summary of Moderately Complex Ordinance Amendment Options; ≤ 0.8 FTE available

Amendments	FTEs
Cannabis:	
Santa Rita Hills	0.6
Harvest Noticing	0.1
Childcare Facilities	0.2
Oil and Gas	0.5
Wireless Communication Facilities	0.4

Recommended Actions



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- Receive a report on zoning ordinance amendment requests that staff has received, to date, for the Long Range Planning Division FY 2021-2024 Work Program;
- Prioritize, and provide any other direction to staff regarding, zoning ordinance amendments to be processed in the Long Range Planning Division FY 2021-2024 Work Program; and
- Determine that the Board's action is not a "project" that is subject to environmental review pursuant to the State California Environmental Quality Act (CEQA) Guidelines § 15378(b)(5).

Back-Up Slide



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Amendments	FTEs*	D1	D2	D3	D4	D5
Cannabis:						
Santa Rita Hills	0.6					
Harvest Noticing	0.1					
Childcare Facilities	0.2					
Oil and Gas	0.5					
Wireless Communication Facilities	0.4					

*Approximately ≤ 8 FTEs (total) available