



Planning and Development Department  
**LONG RANGE PLANNING DIVISION**



# CANNABIS ZONING ORDINANCE AMENDMENTS

CASE NOS. 19ORD-00000-00009 & -00011

Dan Klemann, Deputy Director  
Santa Barbara County Board of Supervisors Hearing on July 14, 2020



# Presentation Outline

2

- Recap of June 11, 2020, Board direction
- Effect of Land Use and Development Code (LUDC) Amendments
- Recommended Actions





# Recap of June 11, 2020, Board Direction



# June 11, 2020, Board Direction



4

- Return to the Board with amendments to the LUDC to:
  - ▣ Prohibit commercial cannabis activities within Existing Developed Rural Neighborhoods (EDRNs)



# June 11, 2020, Board Direction



5

- Return to the Board with amendments to the LUDC to:
  - ▣ On AG-II lots, require a Conditional Use Permit (CUP) for projects that include a proposed cultivation area that exceeds 51% of the subject lot area



# June 11, 2020, Board Direction



6

- Return to the Board with amendments to the LUDC to:
  - ▣ Require cannabis cultivation areas to be located a minimum of 50-feet from all lot lines



# June 11, 2020, Board Direction



7

- Return to the Board with amendments to the LUDC to:
  - ▣ Require on-site drying and processing activities to be located within an enclosed building that utilizes best available technology to control cannabis odors



# June 11, 2020, Board Direction



8

- Regulations do not apply to “final approved permits:”
  - ▣ Approved and the appeal period has expired without an appeal
  - ▣ Approved on appeal with a final decision rendered by the County on the permit application by the effective date of the LUDC amendments





# June 11, 2020, Board Direction



9

- Regulations do not apply to “final approved permits:”
  - ▣ Approved and subject to litigation, which if upheld by the Court would be exempt from the LUDC amendments, but if not upheld by the Court would be subject to the LUDC amendments
- Regulations do not apply to issued permits



# LUDC Ordinance Amendments



10

- Ordinance to amend LUDC (Board letter, Attachments 2 and 3):
  - ▣ Implement Board-direction from June 2, 2020, Board hearing
  - ▣ Include provision regarding inapplicability of new regulations to “final approved permits”





# Effect of LUDC Amendments



# Effect of LUDC Amendments



12

- Only apply to Inland Area
- Prohibition on activities within EDRNs
  - ▣ 25,047 ac/39 mi<sup>2</sup> of land area removed
  - ▣ Multiple zones within EDRNs (agricultural, residential, commercial)
  - ▣ 12 applications for cultivation and accessory processing



# Effect of LUDC Amendments



13

- On AG-II lots, CUP for cultivation on  $>51\%$  of lot area
  - ▣ Use of “gross” lot area
  - ▣ “Cultivation area” = measure to perimeter of planted area, excluding roads
  - ▣ 11 project applications
  - ▣ Possible reduction in currently proposed cultivation by  $\geq 73$  ac



# Effect of LUDC Amendments



14

- Cultivation areas setback 50' from property lines
  - ▣ 48 applications with cultivation within 50' of property lines



# Effect of LUDC Amendments



15

- Accessory processing within an enclosed building with best available odor control technology
  - ▣ Option for use of technology/techniques that achieve equivalent level of odor control
  - ▣ 4 applications with outdoor drying and processing





# Recommended Actions







# Recommended Actions

- Board letter, pages 1-2:
  - ▣ Make the required findings for approval, including CEQA findings (Attachment 1)
  - ▣ Determine that no subsequent environmental documents is required, the amendments are within the scope of the program, and the PEIR adequately describes the activity for the purposes of CEQA (Attachment 1)



# Recommended Actions



18

- Board letter pages 1-2:
  - ▣ Adopt the ordinance (Attachments 3)
  - ▣ Provide direction to staff regarding any other amendments to the County's cannabis regulations, which the Board would like to consider in the future

