



**BOARD OF SUPERVISORS  
AGENDA LETTER**

Agenda Number:

**Clerk of the Board of Supervisors**  
105 East Anapamu Street, Room 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Planning & Development  
**Department No.:** 053  
**For Agenda Of:** 12/13/2011  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Director: Glenn Russell, Ph.D. (805) 568-2085  
Contact Info: Jeff Hunt, AICP, Long Range Planning Director, 568-2072  
**SUBJECT:** Submittal to the California Coastal Commission for Certification of the Article II Coastal Zoning Ordinance Medical Marijuana Dispensary Amendment

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**County Counsel Concurrence**  
As to form: Yes

**Auditor-Controller Concurrence**  
As to form: N/A

**Other Concurrences:** N/A

**Recommended Actions:**

That the Board of Supervisors adopt the attached resolution and direct staff to submit the following Local Coastal Program amendment to the California Coastal Commission for certification:

- A. Case No. 11ORD-00000-00031, an ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code to prohibit medical marijuana dispensary storefronts.

**Summary Text:**

Case No. 11ORD-00000-00031 (Medical Marijuana Dispensary Amendment) was approved as Ordinance No. 4808 by the Board of Supervisors on November 1, 2011. Because the ordinance constitutes an amendment to the Santa Barbara County's certified Local Coastal Program, specifically the Article II Coastal Zoning Ordinance, it is required to be submitted to the California Coastal Commission for review and certification.

The attached resolution, which is required to submit the amendment for certification, follows the normal amendment process provided for in the Coastal Commission administrative regulations [Division 5.5 of Title 14, California Code of Regulations, Section 13551(b)(2)]. Therefore, following review by the Coastal Commission, the Board will have six months from the date of the Coastal Commission's action to evaluate any suggested modifications to the amendment approved by the Coastal Commission and decide whether or not to accept the modifications [Division 5.5 of Title 14, California Code of Regulations, Section 13537(b)]. If the Board decides to accept the modifications, then the Board must adopt a resolution agreeing to implement the ordinance as modified. This

resolution is then transmitted to the Executive Director of the Coastal Commission who will review the resolution and recommend to the Coastal Commission whether the action of the Board of Supervisors complies with regulations of the Coastal Act and the California Code of Regulations. If the Executive Director recommends that the County's actions are in compliance, and the Coastal Commission agrees with that recommendation, then the ordinance will become effective as of the date of that final action by the Coastal Commission.

Local jurisdictions may adopt a maximum of three resolutions per calendar year transmitting major amendments to the certified Local Coastal Program to the Coastal Commission for review and certification. This attached resolution, and the resolution submitting the Telecommunication and General Package Ordinances, constitute the first and second submittals for 2011. Also being submitted to the Coastal Commission in 2011 for review and certification as minor amendments are the Economic Hardship Time Extension amendments and the Oil/Gas Well Hydraulic Fracturing amendment. There is no limit on the number of minor amendments that can be submitted within a calendar year. Resolutions transmitting these ordinance amendments to the California Coastal Commission are also scheduled to be considered by the Board on the December 13, 2011 agenda.

**Performance Measures:**

N/A.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Funding for this ordinance amendment work effort is budgeted in the Planning and Development under the Long Range Planning Division, General Plan Amendments Program on page D-312 of the adopted Planning and Development Department's budget for fiscal year 2011-12. There are no facilities impacts.

**Special Instructions:**

The Planning and Development Department will satisfy all noticing requirements. The Clerk of the Board shall send a copy of the signed and numbered resolution order to the Planning and Development Department, attention Holly Bradbury.

**Attachment:**

1. Resolution Submitting Article II Coastal Zoning Ordinance Amendment to the California Coastal Commission

**Authored by:**

Holly Bradbury, Planner (805.568.3577)