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Planning and Development Department (P&D)
Long Range Planning Division

PROPOSED CANNABIS LAND USE ORDINANCE AMENDMENTS

Board of Supervisors
Hearing on May 24, 2022

Background



- September 14, 2021 - Board-requested ordinance amendment
 - CUP (instead of an LUP) for all commercial cannabis cultivation
 - Inland Area, Agricultural and Industrial Zones
 - Afford County decision-makers greater discretion when considering cannabis cultivation projects

LUDC Amendments



□ CUP for all commercial cannabis cultivation activities:

- Outdoor, mixed-light, indoor, and nursery
- Inland Area (not the Coastal Zone)

Agricultural II (AG-II)

Industrial Research Park (M-RP)

Light Industry (M-1)

General Industry (M-2)

CUP vs LUP Application Process



- ❑ Increased application submittal costs
- ❑ Additional processing time
- ❑ Additional findings for approval; greater discretion
- ❑ PC, not staff, is decision-maker

Applicability



□ CUP required for:

- Proposed, new operations: applications without final approval prior to the effective date of the ordinance
 - Convert existing LUP applications without final approval, to CUP applications
- Non-minor changes to existing operations approved with LUPs:
 - New adverse environmental effects
 - Additional mitigation measures
 - Substantially deviates from approved operations

Applicability (Cont.)



- Existing commercial cannabis cultivation operations with an approved LUP:
 - Considered lawfully existing and allowed by the LUDC in their current locations
 - Minor beneficial changes allowed

Applications on Appeal



Applications on Appeal to Planning Commission

Winchester, 222 Winchester Canyon Road, District 3
17.23 acres of outdoor cannabis cultivation, with an on-site processing structure.

Old College Ranch, 365 N. Refugio Road, District 3
8 acres of outdoor cannabis cultivation.

Nojoqui Farms, 1889 US Highway 101, District 3
25.7 acres of outdoor cultivation and a 10,000 square foot cannabis processing structure.

G&B, 6975 Cat Canyon Road, District 4
6.52 acres of outdoor cannabis cultivation.

Big Bend Ranch, 3151 San Julian Road, District 3
9.19 acres of outdoor cannabis cultivation.

Terra Firma, 5665 Campbell Road, District 3
42.12 acres of outdoor cannabis cultivation.

Moriarty, 7015 Long Canyon Road, District 4
17.40 acres of outdoor cannabis cultivation and 19,000 square feet of cannabis processing in two new processing buildings.

Cuyama Greens, 501 Harvey Road, District 1
6.17 acres of outdoor cannabis cultivation (no cannabis processing).

Odor Abatement Plan (OAP)



- ❑ OAP required if cannabis cultivation:
 - Is adjacent to an Existing Developed Rural Neighborhood (EDRN) or Urban Rural Boundary
 - Cumulatively exceeds 51% of gross lot area on AG-II lots
 - Is within the Santa Ynez Valley (Santa Ynez Valley Community Plan Policy LUG-SYV-8)

Design Review



- Design review will continue to be required for projects located within:
 - Critical Viewshed Corridor (CVC)
 - Design Control (D) Overlay Zones

Environmental Review



- ❑ Previously certified Program EIR analyzed cannabis uses in AG and Industrial Zones
 - Ordinance amendments = similar or reduced scope
 - Consistent with CEQA Guidelines Section 15162 & 15168
 - No subsequent CEQA required

May 11th Planning Commission Hearing



- ❑ On May 11, 2022, the Planning Commission voted 5-0 on the proposed amendments staff presented, and provided options for consideration.
 - Three options for the Board's consideration:
 - Exempt projects with an approved LUP, but are on appeal, from the CUP requirement
 - Require OAPs for all commercial cannabis cultivation
 - Do not require a CUP for indoor commercial cannabis cultivation and indoor nurseries in the industrial zones (M-RP, M-1, and M-2)



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RECOMMENDED ACTIONS

Board of Supervisors
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Recommend Actions



- Board letter, pages 1-2:
 - Make the required findings for approval, including CEQA findings (Attachment 1)
 - Determine that no subsequent environmental document is required, the amendments are within the scope of the program, and the PEIR adequately describes the activity for the purposes of CEQA
 - Adopt the ordinance (Attachment 3)



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THANK YOU

QUESTIONS ?

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EXTRA SLIDES

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