

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Das Williams
Second District - Gregg Hart, Chair
Third District - Joan Hartmann
Fourth District - Peter Adam, Vice Chair
Fifth District - Steve Lavagnino

Mona Miyasato, County Executive Officer

Action Summary

Thursday, June 11, 2020

9:00 AM

BUDGET HEARINGS

COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org.

9:00 A.M. Convened to Regular Session

Roll Call

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

Pledge of Allegiance

County Executive Officer's Report

[20-0001](#)

No report from the County Executive Officer.

Public Comment Period

Please refer to the Important Notice Regarding Public Participation on page two (2) of this Agenda for details regarding current methods of participation. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES.

(Resolution No. 09-368) (20-00004)

WHEN TESTIFYING BEFORE THE BOARD OF SUPERVISORS, PERSONAL ATTACKS AND OTHER DISRUPTIVE BEHAVIOR ARE NOT APPROPRIATE.

Re: Rise Guide/Re-Opening Obstacles - Tom Becker addressed the Board

Departmental Agenda
Planning Items and Public Hearings

3) **PLANNING AND DEVELOPMENT**

[20-00387](#)

HEARING - Consider recommendations regarding the County Planning Commission-recommended Ordinances to amend 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, as follows: (EST. TIME: 3 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) Consider the adoption of an Ordinance (Case No. 19ORD-00000-00009) to amend the LUDC;

b) Consider recommendations regarding the Article II Amendment (Case No. 19ORD-00000-00011), as follows:

i) Make the required findings for approval, including CEQA findings;

ii) Pursuant to CEQA Guidelines Section 15265, find that the preparation, approval, and certification of a Local Coastal Program Amendment (LCPA) is exempt from the requirements of CEQA because the California Coastal Commission's (Coastal Commission's) review and approval process has been certified by the Secretary of Resources as being the functional equivalent of the environmental review process required by CEQA (Public Resources Code Sections 21080.5 and 21080.9);

iii) Adopt the Ordinance (Case No. 19ORD-00000-00011) to amend Article II;

iv) Adopt a Resolution authorizing submittal of the Cannabis Ordinance Amendment to the Coastal Commission for certification as an amendment to the Santa Barbara County Local Coastal Program; and

- v) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the Coastal Commission; and
- c) Provide direction to staff regarding any other amendments to the County's cannabis regulations, which the Board of Supervisors would like to consider in the future.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 9:05 AM - 11:55 AM (2 HR. 50 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) and b) No action taken; and

c) Conceptually directed staff to ban cannabis cultivation in Existing Developed Rural Neighborhoods (EDRNs).

The motion carried by the following vote:

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

Noes: 2 - Supervisor Williams, and Supervisor Lavagnino

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

c) Conceptually directed staff to require a Conditional Use Permit (CUP) if cultivation is on greater than 51% of the lot.

The motion carried by the following vote:

Ayes: 3 - Supervisor Williams, Supervisor Hart, and Supervisor Lavagnino

Noes: 2 - Supervisor Hartmann, and Supervisor Adam

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

c) Conceptually directed staff to require all processing and drying of cannabis to occur indoors with best available technology on odor control.

The motion carried by the following vote:

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

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

c) Conceptually directed staff to require a 50 foot set back of cannabis cultivation from the property line.

The motion carried by the following vote:

- Ayes:** 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino
- Noes:** 1 - Supervisor Adam

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

c) Conceptually directed staff to use the language as seen on slide 22 of the revised June 11, 2020 PowerPoint Presentation entitled: Options for existing Land Use Permit (LUP)/Coastal Development Permit (CDP) Applications.

The motion carried by the following vote:

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

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

c) Conceptually directed staff to require odor abatement at the property line.

The motion failed by the following vote:

- Ayes:** 2 - Supervisor Hartmann, and Supervisor Adam
- Noes:** 3 - Supervisor Williams, Supervisor Hart, and Supervisor Lavagnino

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

c) Conceptually directed staff to require a CUP in the Santa Rita Hills AVA.

The motion failed by the following vote:

- Ayes:** 2 - Supervisor Hartmann, and Supervisor Adam
- Noes:** 3 - Supervisor Williams, Supervisor Hart, and Supervisor Lavagnino

4) SUPERVISOR HART, SUPERVISOR WILLIAMS

20-00473

HEARING - Consider recommendations regarding holding a hearing on Racial Equity and the Criminal Justice System, as follows: (EST. TIME: 3 HR.)

a) Provide an opportunity for public input on racial equity and criminal justice issues in the wake of the tragic death of George Floyd;

b) Provide direction to staff as appropriate; and

c) Determine that the action is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15378(b)(5) because the hearing is an administrative activity that will not result in a direct or indirect physical change to the environment.

HEARING TIME: 1:00 PM - 7:02 PM (6 HR. 2 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Provided an opportunity for public input on racial equity and criminal justice issues in the wake of the tragic death of George Floyd;

b) Directed staff to collaborate with justice partners and return to the Board with a report on what is being done now to reduce the jail population, data, and what progress is occurring to keep the numbers permanently low; and

c) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

Adjourned at 7:03 PM

Adjourned to

Tuesday, June 16, 2020

Challenges

IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

Announcements

The meeting of Thursday June 11, 2020 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Saturday, June 13, 2020, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>