



Legislation Details (With Text)

File #:	18-00066	Version:	2
Type:	Agenda Item	Status:	Passed
File created:		In control:	BOARD OF SUPERVISORS
On agenda:	2/6/2018	Final action:	2/6/2018
Title:	<p>HEARING - Consider the recommendations of the County and Montecito Planning Commissions regarding Case Nos. 17ORD-00000-00004, 17ORD-00000-00009, and 17ORD-00000-00010 which would amend, respectively the County Land Use and Development Code (LUDC), the Montecito Land Use and Development Code (MLUDC), and the Article II Coastal Zoning Ordinance (CZO), to establish regulations for cannabis; to consider the recommendation of the County Planning Commission to approve Case No. 18ORD-00000-00001 amending and partially rescinding Article X, Medical Marijuana Regulations; to consider the recommendation of the Agricultural Advisory Preserve Committee to approve Case No. 17ORD-00000-00019 for amendments to the Uniform Rules for Agricultural Preserves and Farmland Security Zones; and to submit a Resolution transmitting Case No. 17ORD-00000-00010 (CZO) to the Coastal Commission, as follows: (EST. TIME: 3 HR.)</p> <p>a) California Environmental Quality Act (CEQA):</p> <p>i) Determine that the adoption of the Coastal Zoning Ordinance amendments, Case No. 17ORD-00000-00010, is exempt from CEQA pursuant to CEQA Guideline section 15265;</p> <p>ii) Make the required findings for approval for the proposed Ordinances and Resolutions, including CEQA findings and the statement of overriding considerations; and</p> <p>iii) Certify the Cannabis Land Use Ordinance and Licensing Program Final Programmatic Environmental Impact Report (Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016) and the associated revision letter for Case Nos. 17ORD-00000-00004, 17ORD-00000-00009, 17ORD-00000-00019, and 18ORD-00000-00001, and adopt the mitigation monitoring and reporting program as incorporated in the above referenced Ordinances pursuant to the State CEQA Guidelines;</p> <p>b) Santa Barbara County Code Amendments:</p> <p>i) Adopt an Ordinance (Case No. 17ORD-00000-00004) amending Section 35-1 of the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code;</p> <p>ii) Adopt an Ordinance (Case No. 17ORD-00000-00010) amending Section 35 of the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code;</p> <p>iii) Adopt an Ordinance (Case No. 17ORD-00000-00009) amending Section 35-2 of the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code; and</p> <p>iv) Adopt a Resolution and an Ordinance (Case No. 17ORD-00000-00019) amending the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones;</p> <p>c) Article X Amendment and Partial Rescission:</p> <p>i) Adopt an Ordinance (Case No. 18ORD-00000-00001) amending and partially rescinding Article X, Medical Marijuana Regulations, of Chapter 35, Zoning, of the County Code;</p> <p>d) Resolution Transmitting Case No. 17ORD-00000-00010 Coastal Zoning Ordinance to the Coastal Commission:</p>		

- i) Adopt a Resolution transmitting Case No. 17ORD-00000-00010 Coastal Zoning Ordinance to the Coastal Commission for certification by the California Coastal Commission as an amendment to Santa Barbara County’s certified Local Coastal Program;
- ii) Find that transmittal of the Resolution is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5); and
- iii) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the Coastal Commission.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

Sponsors: PLANNING AND DEVELOPMENT DEPARTMENT

Indexes:

Code sections:

Attachments: 1. Board Letter, 2. BOS Attachment 1 - Findings, 3. BOS Attachment 2 - LUDC and Exhibit1, 4. BOS Attachment 3 - Art II Resolution and Exhibit1, 5. BOS Attachment 4 - MLUDC Resolution and Exhibit1, 6. BOS Attachment 5a - Uniform Rules BOS Resolution, 7. BOS Attachment 5b - UNIFORM RULES Cannabis related amendments APAC Recommendation 12.01.17-, 8. BOS Attachment 6 - Article Xa, 9. BOS Attachment 7 - DFPEIR link, 10. BOS Attachment 8 - EIR Revision Letter RV01, 11. BOS Attachment 9 - Coastal Commission Reso, 12. BOS Attachment 10 - Link to PC reports, 13. BOS Attachment 11 - County Land Use Plans and Policies Consistency Summary, 14. BOS Attachment 12 - Public Meetings and Hearings, 15. Public Comment - City of Carpinteria, 16. Public Comment - Brownstein Hyatt Farber Schreck, 17. Memorandum dated 1-31-2018, 18. BOS Amended Attachment 1 - Findings, 19. BOS Amended Attachment 2 - LUDC and Exhibit1, 20. BOS Amended Attachment 3 - Art II Resolution and Exhibit1, 21. BOS Amended Attachment 8 - EIR Revision Letter RV01, 22. BOS Attachment 13 - PC Action Letter, 23. BOS Attachment 14 - CEQA NOE, 24. BOS Attachment 15 - Blough odor submittal, 25. Supervisor Adam - Cannabis Position - Amended LUDC & Exhibit, 26. Public Comment - Group 1, 27. Public Comment - Group 2, 28. Public Comment - Group 3, 29. Public Comment - Group 4, 30. Public Comment - Group 5, 31. Public Comment - Brownstein Hyatt Farber Schreck Supplement Dated 2-2-2018, 32. Public comment - Citizens Planning Association, 33. Public Comment - Olson Hagel & Fishburn LLP, 34. Public Comment - Carpinteria Unified School District, 35. Public Comment - Carpinteria Valley Association, 36. Public Comment - City of Goleta, 37. Public Comment - Hollister & Brace, 38. Public Comment - McKee response to Hollister & Brace Letter, 39. Public Comment - UFCW Local 770, 40. Public Comment - Keeler, 41. Public Comment - City of Carpinteria, 42. Public Comment - Claffey, 43. Supervisor Adam - Proposed Changes to the Cannabis Ordinance, 44. Supervisor Wolf - Proposed Changes/Slides, 45. Presentation, 46. BOS Amended Attachment 2 - LUDC and Exhibit1 (REVISED), 47. BOS Amended Attachment 3 - Art II Resolution and Exhibit1 (REVISED), 48. FINAL hearing motion for adoption of Cannabis Ordinances, 49. Adopted Resolution

Date	Ver.	Action By	Action	Result
2/6/2018	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
2/6/2018	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
1/23/2018	1	BOARD OF SUPERVISORS	Set for a hearing, as follows:	Pass

HEARING - Consider the recommendations of the County and Montecito Planning Commissions regarding Case Nos. 17ORD-00000-00004, 17ORD-00000-00009, and 17ORD-00000-00010 which would amend, respectively the County Land Use and Development Code (LUDC), the Montecito Land Use and Development Code (MLUDC), and the Article II Coastal Zoning Ordinance (CZO), to establish regulations for cannabis; to consider the recommendation of the County Planning Commission to approve Case No. 18ORD-00000-00001 amending and partially rescinding Article X, Medical Marijuana Regulations; to consider the recommendation of the Agricultural Advisory Preserve Committee to approve Case No. 17ORD-00000-00019 for amendments

to the Uniform Rules for Agricultural Preserves and Farmland Security Zones; and to submit a Resolution transmitting Case No. 17ORD-00000-00010 (CZO) to the Coastal Commission, as follows: (EST. TIME: 3 HR.)

a) California Environmental Quality Act (CEQA):

i) Determine that the adoption of the Coastal Zoning Ordinance amendments, Case No. 17ORD-00000-00010, is exempt from CEQA pursuant to CEQA Guideline section 15265;

ii) Make the required findings for approval for the proposed Ordinances and Resolutions, including CEQA findings and the statement of overriding considerations; and

iii) Certify the Cannabis Land Use Ordinance and Licensing Program Final Programmatic Environmental Impact Report (Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016) and the associated revision letter for Case Nos. 17ORD-00000-00004, 17ORD-00000-00009, 17ORD-00000-00019, and 18ORD-00000-00001, and adopt the mitigation monitoring and reporting program as incorporated in the above referenced Ordinances pursuant to the State CEQA Guidelines;

b) Santa Barbara County Code Amendments:

i) Adopt an Ordinance (Case No. 17ORD-00000-00004) amending Section 35-1 of the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code;

ii) Adopt an Ordinance (Case No. 17ORD-00000-00010) amending Section 35 of the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code;

iii) Adopt an Ordinance (Case No. 17ORD-00000-00009) amending Section 35-2 of the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code; and

iv) Adopt a Resolution and an Ordinance (Case No. 17ORD-00000-00019) amending the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones;

c) Article X Amendment and Partial Rescission:

i) Adopt an Ordinance (Case No. 18ORD-00000-00001) amending and partially rescinding Article X, Medical Marijuana Regulations, of Chapter 35, Zoning, of the County Code;

d) Resolution Transmitting Case No. 17ORD-00000-00010 Coastal Zoning Ordinance to the Coastal Commission:

i) Adopt a Resolution transmitting Case No. 17ORD-00000-00010 Coastal Zoning Ordinance to the Coastal Commission for certification by the California Coastal Commission as an amendment to Santa Barbara County's certified Local Coastal Program;

ii) Find that transmittal of the Resolution is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5); and

iii) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the Coastal Commission.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY