



Legislation Details (With Text)

File #:	20-00387	Version:	2
Type:	Departmental Agenda	Status:	Agenda Ready
File created:	5/22/2020	In control:	BOARD OF SUPERVISORS
On agenda:	6/2/2020	Final action:	6/11/2020
Title:	<p>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.)</p> <p>a) Consider recommendations regarding LUDC Amendment (Case No. 19ORD-00000-00009), as follows:</p> <p>i) Make the required findings for approval, including California Environmental Quality Act (CEQA) findings;</p> <p>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</p> <p>iii) Consider the adoption of an Ordinance (Case No. 19ORD-00000-00009) to amend the LUDC;</p> <p>b) Consider recommendations regarding the Article II Amendment (Case No. 19ORD-00000-00011), as follows:</p> <p>i) Make the required findings for approval, including CEQA findings;</p> <p>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);</p> <p>iii) Adopt the Ordinance (Case No. 19ORD-00000-00011) to amend Article II;</p> <p>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</p> <p>v) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the Coastal Commission; and</p> <p>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.</p> <p>COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY</p>		
Sponsors:	PLANNING AND DEVELOPMENT DEPARTMENT		

Indexes:**Code sections:**

Attachments: 1. Board Letter, 2. ATTACHMENT 1 - FINDINGS, 3. ATTACHMENT 2 - LINK TO PEIR, 4. ATTACHMENT 3 - LUDC ORDINANCE, 5. ATTACHMENT 4 - ARTICLE II ORDINANCE, 6. ATTACHMENT 5 - COASTAL COMMISSION RESOLUTION, 7. ATTACHMENT 6 - PC RESOLUTION, 8. ATTACHMENT 7 - PLANNING COMMISSION STAFF REPORTS, 9. ATTACHMENT 8 - PLANING COMMISSION PUBLIC COMMENT LETTERS, 10. ATTACHMENT 9 - AG COMMISSIONER PRESENTATION, 11. ATTACHMENT 10 - ASSISTANT CEO PRESENTATION, 12. Public Comment - Group 1, 13. Public Comment - Letter from TW Planning and Development, LLC, 14. Public Comment - Group 2, 15. Public Comment - Group 3, 16. Public Comment - Shryne Group Inc, 17. Public Comment - Group 4, 18. Public Comment - Letter from the Law Office of Marc Chytilo, 19. Public Comment - Letter from WE Watch, 20. Public Comment - Letter from SCS Engineers, 21. Public Comment - Group 5, 22. Public Comment - Group 6, 23. Public Comment - City of Carpinteria, 24. Public Comment - Former Supervisor Firestone, 25. Public Comment - Cappello and Noel, 26. Public Comment - City of Goleta, 27. Public Comment - Brownstein Hyatt Farber Schreck, 28. Public Comment - Hollister and Brace, 29. Public Comment - Group 7, 30. Public Comment - Cate School, 31. Public Comment - Group 8, 32. Public Comment - Group 9, 33. Public Comment - Osborne, 34. Public Comment - Group 10, 35. Public Comment - O'Neill, 36. Public Comment - Peterson, 37. Public Comment - Group 11, 38. Public Comment - Wiedmann, 39. Presentation, 40. Minute Order 6/2/2020, 41. Public Comment - Wiedmann 2, 42. Public Comment Group 12, 43. Public Comment - Duca, 44. Public Comment - Letter from Mayor Sierra, 45. Public Comment - Group 13, 46. Public Comment - Oneill 6-11, 47. Public Comment - Sim, 48. Public Comment - Dr. Miles, 49. REVISED Presentation, 50. Minute Order 6/11/2020, 51. Public Comment - Tom Stull

Date	Ver.	Action By	Action	Result
6/11/2020	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
6/11/2020	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
6/11/2020	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
6/11/2020	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
6/11/2020	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
6/11/2020	2	BOARD OF SUPERVISORS	Acted on as follows:	Fail
6/11/2020	2	BOARD OF SUPERVISORS	Acted on as follows:	Fail
6/2/2020	1	BOARD OF SUPERVISORS	Continued, as follows:	Pass

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