

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



Th19a

DATE: June 21, 2012

TO: Commissioners and Interested Parties

FROM: Charles Lester, Executive Director
John Ainsworth, Senior Deputy Director

SUBJECT: County of Santa Barbara LCP Amendment MAJ-2-11 (Medical Marijuana Storefront Dispensaries): Executive Director's determination that the County's acknowledgement of receipt, acceptance, and agreement with the Commission's certification with no suggested modifications is legally adequate. This determination will be reported to the Commission at the Thursday July 12, 2012 hearing in Chula Vista.

On March 8, 2012, the Commission approved Local Coastal Program Amendment No. MAJ-2-11 submitted by the County of Santa Barbara with no suggested modifications. This amendment modifies the Coastal Zoning Ordinance/Implementation Plan (CZO/IP) portion of the certified Local Coastal Program (LCP) to prohibit medical marijuana storefront dispensaries.

On May 1, 2012 the County Board of Supervisors adopted Resolution No. 12-004 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. MAJ-2-11 with no suggested modifications.

Pursuant to Section 13544 of the California Code of Regulations, Title 14, Division 5.5, the Executive Director must determine that the action taken by the County of Santa Barbara acknowledging receipt and acceptance of, and agreement with the Commission's certification of the above referenced LCP amendment with no suggested modifications is legally adequate and report that determination to the Commission. The certification shall become effective unless a majority of the Commissioners present object to the Executive Director's determination.

I have reviewed the County's acknowledgement and acceptance of, and agreement with the terms of LCP Amendment MAJ-2-11, as certified by the Commission on March 8, 2012, as contained in the adopted Resolution of May 1, 2012 and find that the County's action is legally adequate to satisfy the terms and requirements of the Commission's certification. I therefore recommend that the Commission concur in this determination.

RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF APPROVING AN AMENDMENT)
TO THE SANTA BARBARA COUNTY LOCAL)
COASTAL PROGRAM TO AMEND THE COASTAL)
ZONING ORDINANCE, ARTICLE II OF CHAPTER 35)
OF THE SANTA BARBARA COUNTY CODE, TO)
ACKNOWLEDGE RECEIPT, ACCEPT, AND AGREE)
TO CERTIFICATION OF AN ORDINANCE)
AMENDMENT AS APPROVED BY THE)
CALIFORNIA COASTAL COMMISSION)
_____)

RESOLUTION NO: 12-104

County Case No.:
11ORD-00000-00031

WITH REFERENCE TO THE FOLLOWING:

- A. Whereas on November 1, 2011, the Board of Supervisors of the County of Santa Barbara approved an amendment to the County's Local Coastal Program by amending the Coastal Zoning Ordinance, Article II of Chapter 35 of the County Code, to prohibit medical marijuana dispensary storefronts (Medical Marijuana Dispensary Amendment, County Ordinance No. 4808, County Case No. 11ORD-00000-00031); and
- B. Whereas on December 13, 2011, the Board of Supervisors of the County of Santa Barbara, by Resolution No. 11-414, submitted the amendment for consideration and certification to the California Coastal Commission; and
- C. Whereas on March 8, 2012 the California Coastal Commission certified the amendment without suggested modifications (California Coastal Commission Case No. STB-MAJ-2-11); and
- D. Whereas the Board of Supervisors acknowledges, accepts, and agrees to the California Coastal Commission's certification.

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

- 1. The above recitations are true and correct.
- 2. The Board of Supervisors acknowledges receipt of the California Coastal Commission's certification of the Medical Marijuana Dispensary Amendment, accepts and agrees to the certification of the amendment, and agrees to issue Coastal Development Permits for the total area included in the County's Local Coastal Program consistent with the amendment, pursuant to Title 14, California Code of Regulations Section 13544(a), the California Coastal Commission's Administrative Regulations.
- 3. The Board of Supervisors will submit this resolution to the California Coastal Commission that acknowledges, accepts, and agrees to the California Coastal Commission's certification of the Medical Marijuana Dispensary Amendment, pursuant to Title 14, California Code of Regulations Section 13544(a), the California Coastal Commission's Administrative Regulations.

5. The Chair of the Board of Supervisors is hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution to reflect the above mentioned action by the Board of Supervisors.

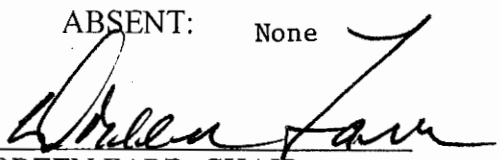
PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 1st day of May, 2012, by the following vote:

AYES: Supervisors Carbajal, Wolf, Farr, Gray & Lavagnino

NOES: None

ABSTAIN: None

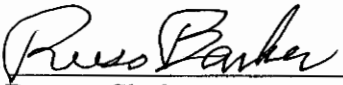
ABSENT: None



DOREEN FARR, CHAIR
Board of Supervisors, County of Santa Barbara

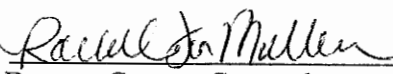
ATTEST:

CHANDRA L. WALLAR
Clerk of the Board of Supervisors

By: 
Deputy Clerk

APPROVED AS TO FORM:

DENNIS A. MARSHALL
County Counsel

By: 
Deputy County Counsel