

CALIFORNIA COASTAL COMMISSION

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



W15a

DATE: October 23, 2018

TO: Commissioners and Interested Parties

FROM: Jack Ainsworth, Executive Director

SUBJECT: **County of Santa Barbara LCP Amendment LCP-4-STB-18-0039-1-Part C (Cannabis Regulations):** Executive Director's determination that the County's acknowledgement of receipt, acceptance, and agreement with the Commission's certification with four suggested modifications is legally adequate. This determination will be reported to the Commission at the Wednesday, November 7, 2018 hearing in San Francisco.

On October 10, 2018, the Commission approved Local Coastal Program Amendment No. LCP-4-STB-18-0039-1-Part C, submitted by the County of Santa Barbara, with four suggested modifications. This amendment amends the Implementation Program/Coastal Zoning Ordinance component of the County's certified Local Coastal Program (LCP) to allow for and regulate cannabis-related activities in the unincorporated areas of the County. The proposed amendment would regulate the various subtypes of cannabis activities (i.e., cultivation, distribution, manufacturing, testing, and retail) in a manner similar to other types of agricultural cultivation and processing uses and would also add additional requirements to address the unique issues related to cannabis activities.

On October 22, 2018, the County Board of Supervisors adopted Resolution No. 18-272 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. LCP-4-STB-18-0039-1-Part C and accepting and agreeing to the four modifications suggested by the Commission.

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 four 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, acceptance of, and agreement with the terms and four suggested modifications to LCP Amendment LCP-4-STB-18-0039-1-Part C, as certified by the Commission on October 10, 2018, as contained in the adopted Board Resolution of October 22, 2018, and find that the County's action and notification procedures for appealable development are legally adequate to satisfy the terms and requirements of the Commission's certification. I therefore recommend that the Commission concur in this determination.

ATTACHMENT 2

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

IN THE MATTER OF APPROVING AN AMENDMENT)
TO THE SANTA BARBARA COUNTY LOCAL COASTAL) RESOLUTION NO. 18-~~272~~
PROGRAM TO AMEND THE COASTAL ZONING)
ORDINANCE, ARTICLE II OF CHAPTER 35, ZONING, OF) Case No:
THE SANTA BARBARA COUNTY CODE, REGARDING) 17ORD-00000-00010
THE CANNABIS LAND USE ORDINANCE AS)
MODIFIED BY THE CALIFORNIA COASTAL)
COMMISSION.)

WITH REFERENCE TO THE FOLLOWING:

- A. Whereas on January 7, 1980, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Land Use Plan (Resolution No. 80-12); and
- B. Whereas on July 19, 1982, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code (Ordinance 3312); and
- C. Whereas on February 6, 2018, and February 27, 2018, 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, Zoning, of the County Code [Ordinance No. 5028 (Case No. 17ORD-00000-00010)], regarding the Cannabis Land Use Ordinance; and
- D. Whereas on May 15, 2018, the Board of Supervisors of the County of Santa Barbara, by Resolution No. 18-115, authorized staff to submit, and on May 21, 2018, staff submitted, said amendment for consideration and certification to the California Coastal Commission; and
- E. Whereas on October 10, 2018, the California Coastal Commission approved a resolution of certification with suggested modifications for this amendment to the County's Local Coastal Program (Coastal Commission Case No. LCP-4-STB-18-0039-1-Part C); and
- F. Whereas the Board of Supervisors finds the suggested modifications to be acceptable.

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 resolution of certification with suggested modifications and accepts and agrees to the modifications through amendment of the Implementation Program (Coastal Zoning Ordinance) as required in Section 13544(a) of the California Coastal Commission's Administrative Regulations, and agrees to issue Coastal Development Permits for the total area included in the certified Local Coastal Program consistent with the modification of Ordinance No. 5028 that the California Coastal Commission certified.
- 3. The Board of Supervisors will submit this acknowledgment to the California Coastal Commission to demonstrate conformity with the provisions of the California Coastal

Commission's action to certify the amendment to the Local Coastal Program, in compliance with Section 13544(b) of the California Coastal Commission's Administrative Regulations.

4. 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.
5. The Board of Supervisors directs the Planning and Development Department to submit this Resolution to the Executive Director of the California Coastal Commission.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 22 day of October, 2018, by the following vote:

AYES: Supervisors Williams, Wolf, Hartmann, and Lavagnino

NOES: None

ABSTAIN: None

ABSENT: Supervisor Adam



DAS WILLIAMS, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA


ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: 
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: 
Deputy County Counsel

This is a true certified copy of the original document on file or of record in my office. It bears the seal and signature, imprinted in purple ink, of the Clerk of the Board of Supervisors.


Clerk of the Board, Santa Barbara County, California
Date 10.22.18 by Deputy: 

