



COUNTY OF SANTA BARBARA

PLANNING COMMISSION MARKED AGENDA

Hearing of September 13, 2017
9:00 a.m.

C. MICHAEL COONEY 1st District, Chair
CECILIA BROWN 2nd District
CERENE ST. JOHN 3rd District
LARRY FERINI 4th District
DANIEL BLOUGH 5th District, Vice-Chair

County of Santa Barbara
Betteravia Government Center
511 East Lakeside Parkway
Santa Maria, CA 93455
(805) 568-2000 (Planning & Development)

TV COVERAGE ANNOUNCEMENT: *Planning Commission Hearings are televised live on County Santa Barbara Television (CSBTv) Channel 20 at 9:00 A.M. in the South Coast, Lompoc, Santa Ynez Valley, Santa Maria and Orcutt areas. Rebroadcast of Planning Commission Hearings are on Fridays at 5:00 P.M. on CSBTv Channel 20. This hearing will also be streamed live on CSBTv's website at <https://www.countyofsb.org/ceo/csbtv/livestream.sbc> and digitally archived at <http://www.countyofsb.org/ceo/csbtv/archives.sbc>*

ADMINISTRATIVE AGENDA:

- I. **PLEDGE OF ALLEGIANCE**
- II. **TV COVERAGE ANNOUNCEMENT:** by David Villalobos.
- III. **ROLL CALL:** All Commissioners were present.
- IV. **AGENDA STATUS REPORT:** by Dianne M. Black.
- V. **PROJECTION REPORT:** by Dianne M. Black.
- VI. **PUBLIC COMMENT:** None.
- VII. **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:**
- VIII. **MINUTES:** The Minutes of August 30, 2017 was considered as follows:

 ACTION: **Approved the Minutes of August 30, 2017 (Item #3 only).**

 Blough/Ferini Vote: 4-0-1 (St. John abstained)

 ACTION: **Approved the Minutes of August 30, 2017 (everything but Item #3).**

 Blough/Brown Vote: 5-0
- IX. **DIRECTOR'S REPORT AND BOARD OF SUPERVISORS HEARING SUMMARY:** by Glenn Russell, Director.

X. CONSENT AGENDA ITEMS AND PROCEDURE:

- C-1. 17TEX-00000-00013 Santa Ynez Airport Time Extension Santa Ynez
12NGD-00000-00011 John Zorovich, Supervising Planner (805) 934-6297
Shannon Reese, Planner (805) 934-6261**

Hearing on the request of Jason Tamura of Urban Planning Concepts, agent for Santa Ynez Valley Airport Authority, owner, to consider Case No. 17TEX-00000-000013 [application filed on June 30, 2017] for a one year time extension to September 24, 2018 (from the date of September 24, 2017), for Case No. 10CUP-00000-00036 in compliance with Section 35.84.030 of the County Land Use and Development Code, on property zoned AG-I-5; and to accept the previously adopted Mitigated Negative Declaration (MND) (Case No. 12NGD-00000-00011) as adequate Environmental Review for Case No. 17TEX-00000-00013 pursuant to Section 15162 of the State Guidelines for Implementation of the California Environmental Quality Act. There are no new significant environmental impacts as a result of this time extension request. The original MND identified significant but mitigable effects on the environment in the following categories: Aesthetic / Visual Resources, Air Quality, Biological Resources, Geologic Processes, and Hazardous Materials / Risk of Upset. The MND and all documents referenced therein may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara, CA 93101, or online at <http://www.sbcountyplanning.org/PDF/boards/CntyPC/09-12-2012/10CUP-00000-00036/Attachment%20C%20-%20MND.pdf>. The application involves Assessor Parcel No. 141-440-002, located at 900 Airport Road in the Santa Ynez area, Third Supervisorial District.

ACTION: Approved the time extension.

**St. John/Blough Vote: 5-0
10 day appeal period; fee required.**

XI. STANDARD AGENDA:

- 1. Cannabis Land Use Ordinance
Amendments and Licensing Program Update Countywide
Dan Klemann, Deputy Director, Planner (805) 568-2072**

The Planning Commission will receive an update on the Cannabis Land Use Ordinance Amendments and Licensing Program, which would amend the Santa Barbara County Land Use and Development Code, Santa Barbara County Montecito Land Use and Development Code, and Santa Barbara County Coastal Zoning Ordinance to allow certain types of cannabis activities by zone district. The Project also involves other amendments to the County Code, in order to establish a County licensing program for cannabis-related activities.

ACTION: The Planning Commission received a report on the Cannabis Land Use Ordinance Amendments and Licensing Program from Long Range Planning and the County Executive Office. No action was taken.

- 2. Medical Marijuana Nonconforming
Status Determination and Termination
of Exemption Ordinance Amendment Countywide
Exempt, CEQA Guidelines Section 15061(b)(3) Dan Klemann, Deputy Director (805) 568-2072
Noel Langle, Planner (805) 568-2067**

Hearing on the request of the Planning and Development Department that the County Planning Commission recommend to the Board of Supervisors that the Board of Supervisors adopt an ordinance (Case No. 17ORD-00000-00007) amending Article X, Medical Marijuana

Regulations, of Chapter 35, Zoning, of the Santa Barbara County Code, and to recommend that the Board of Supervisors determine that this ordinance is categorically exempt from CEQA pursuant to Section 15061(b)(3) of the Guidelines for Implementation of the California Environmental Quality Act.

The proposed ordinance will amend Article X to:

1. Provide that the current exemption from the prohibition of medical marijuana cultivation for medical marijuana cultivation locations that existed as of January 19, 2016, if they were legal under California state law as of that date, shall terminate on:

- a. January 1, 2020, for locations that are located within the Coastal Zone, and
- b. January 1, 2019, for locations that are not located within the Coastal Zone.

Note: The dates shown above are subject to change depending on whether County Counsel determines it is appropriate to have a different date for the Coastal Zone.

2. Include a process by which the operator of a medical marijuana cultivation location that existed as of January 19, 2016, may seek a determination from the County that the medical marijuana cultivation location is considered legal, nonconforming.

ACTION: Made the required findings for approval, including CEQA findings and recommended that the Board of Supervisors make the findings for approval of the proposed amendment; Recommended that the Board of Supervisors determine that the ordinance is categorically exempt from CEQA; Adopted a Resolution recommending that the Board of Supervisors approve Case No. 17ORD-00000-00007, with a revision to Subsection A.2.a of Section 35-1003; Recommended that the Board of Supervisors include in the ordinance language that would allow the operator of a nonconforming cultivation location to make minor modifications that may be required to comply with State regulations without jeopardizing their nonconforming status, provided the modification would not result in an expansion of the operation.

Blough/Ferini **Vote: 4-1 (Brown no)**
Appeal process not applicable.

ACTION: Recommend that the noticing radius be increased from 300 feet to 1,000 feet by revising Section 35-1005.F.1.b of the staff report dated September 6, 2017.

Ferini/Blough **Vote: 4-1 (Brown no)**
Appeal process not applicable.

3. CEQA Training

The Planning Commission will receive training on the California Environmental Quality Act (CEQA) from County Counsel staff. (Continued from 2/22/17, 3/08/17, 3/29/17, 4/26/17, and 6/07/17)

ACTION: Continue the item to a future hearing.

Dianne M. Black
Secretary to the Planning Commission