

Medical Marijuana Collective/Cooperative Storefront Ordinance Montecito Planning Commission August 24, 2011

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|---------------------------------|----------|
| Holly Bradbury, Project Manager | 568-3577 |
| June Pujo, Supervising Planner | 568-2056 |
| Jeff Hunt, AICP, Director | 568-2072 |

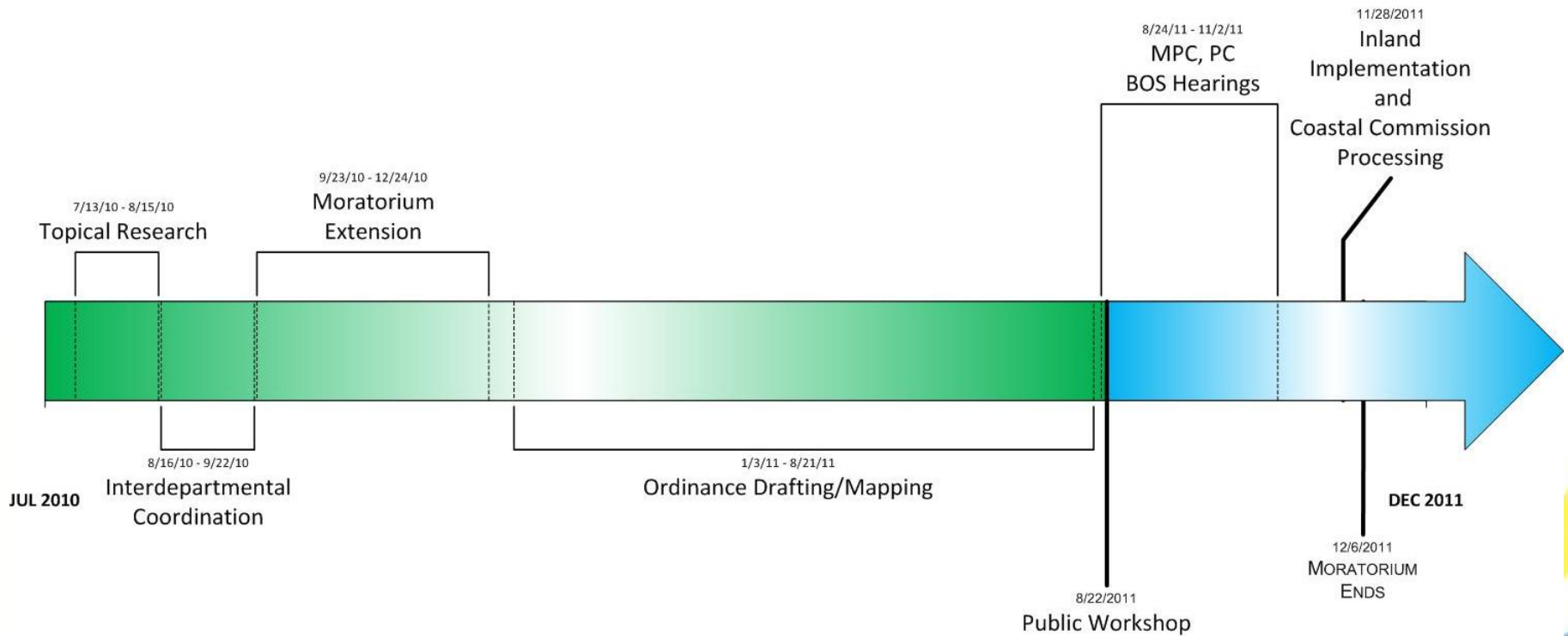
Website:

<http://longrange.sbcountyplanning.org/programs/medicalmarijuana/medicalmarijuana.php>

Staff Recommendation

- Recommend that the BOS (Inland) and County PC (Coastal) make the findings for approval
- Determine the Ordinance Amendments are exempt from CEQA pursuant to Section 15061(b)(3)
- Adopt a resolution (Inland) and recommend the PC adopt a resolution (Coastal) recommending adoption by Board of Supervisors

Timeline



California State Legislative Background

- Compassionate Use Act (CUA) of 1996 - Prop 215
 - Safe access w/doctor's recommendation
- Medical Marijuana Program (MMP) in 2003 - SB420
 - Cooperatives/Collectives
 - ID card program
- Attorney General's (AG) Guidelines in 2008
 - Provide law enforcement with guidance
 - Generally defines terms
 - Guidance for Cooperative and Collective operations

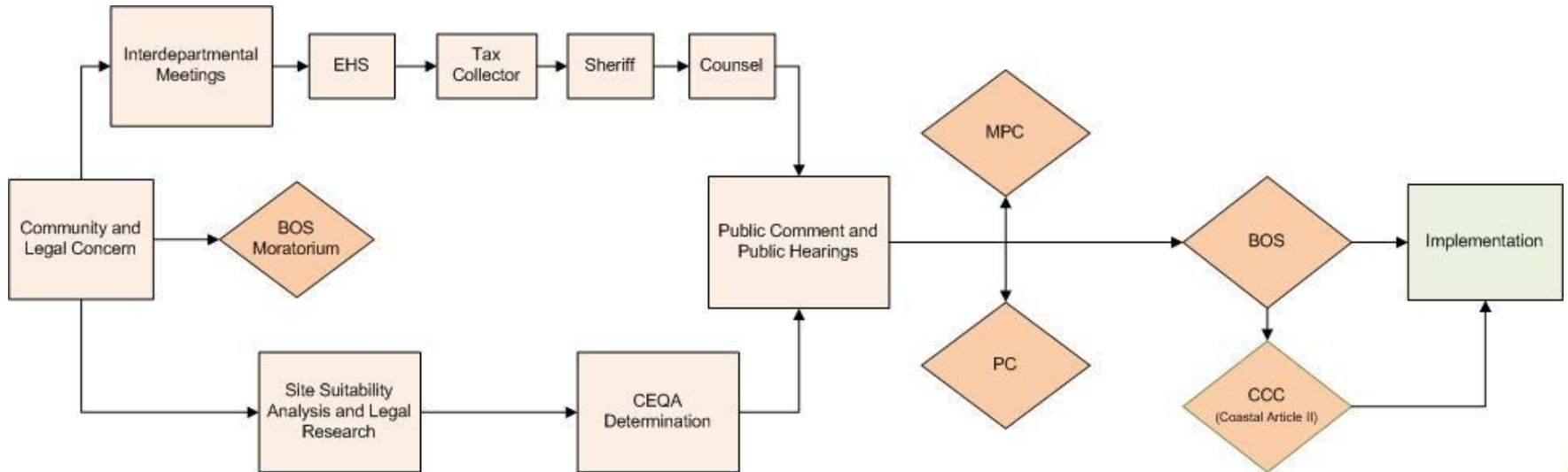
Santa Barbara County Urgency Ordinance Background

- Govt Code §65858 – Urgency Ordinance
 - Jan 2010 – County Moratorium enacted (45 days)
 - Feb 2010 – Extended (10 mos. & 15 days)
 - December 2010 – Extended (1 year)
- Expires Dec 6, 2011
- Two-year limit on Moratoriums

Existing MMC Storefronts

- Jan 2010: Four operating County-wide
- No new MMC Storefronts allowed during moratorium
- Two operating in Summerland

Ordinance Development Process

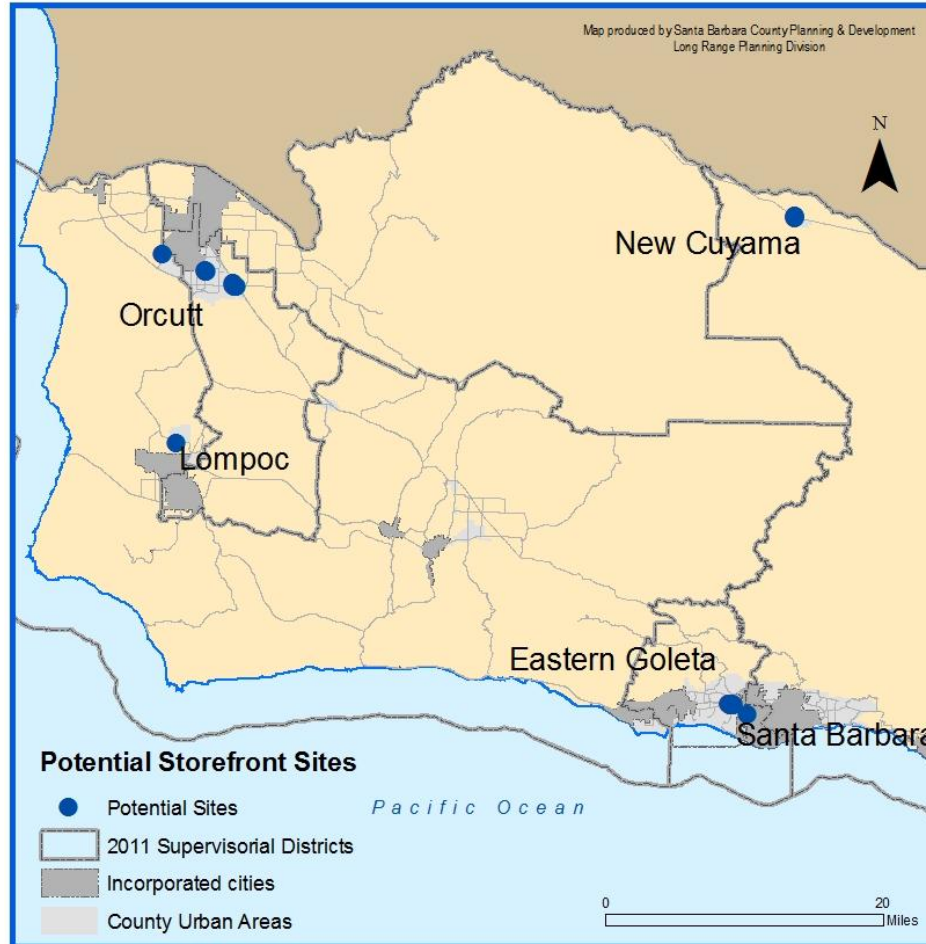


Scope of Project

- Zoning Only
- Would not regulate:
 - Cultivation
 - Transportation
 - Operators
 - Non Storefront Collectives/Cooperatives

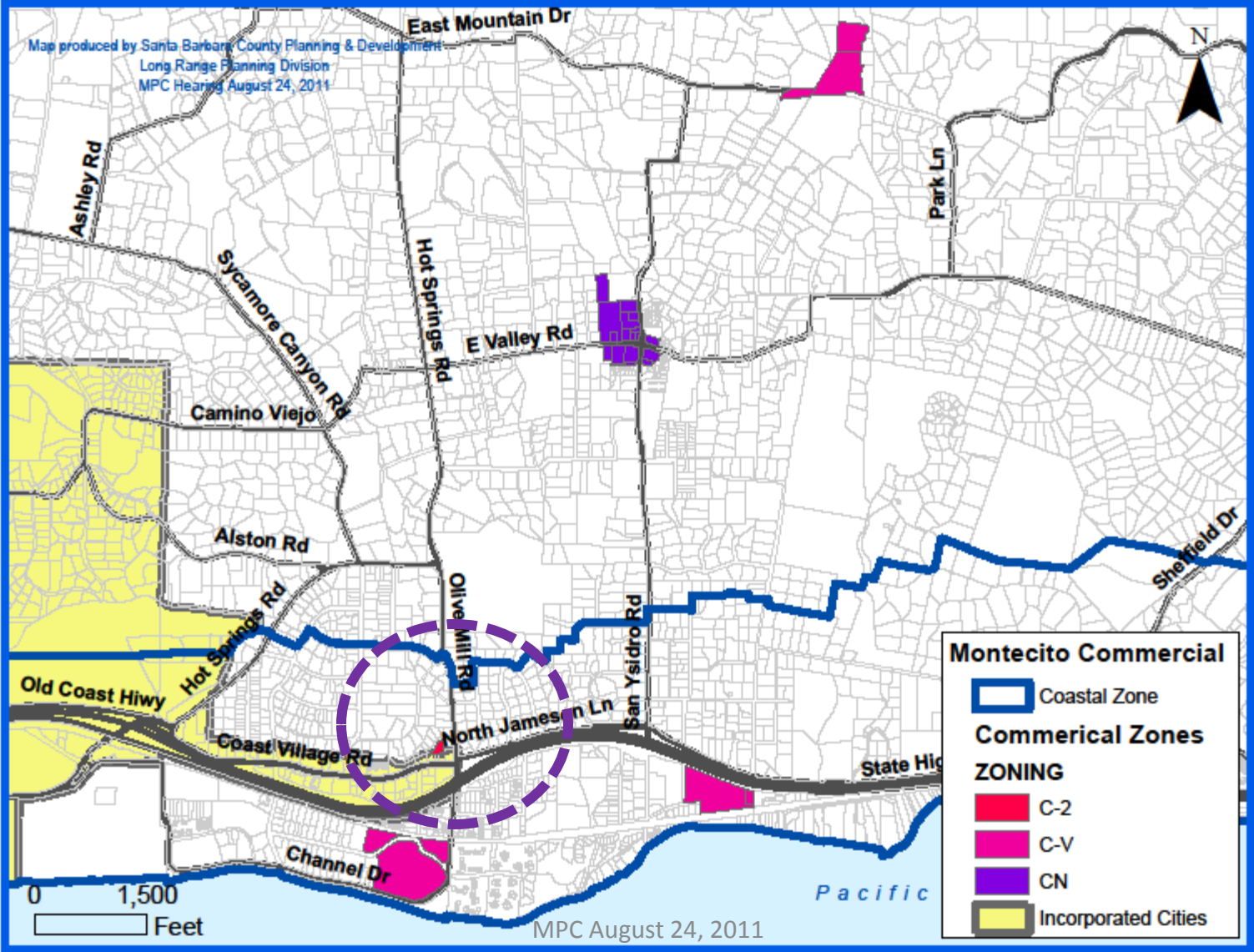
Proposed Location and Buffer Criteria

- Commercial Zone Districts: C-1, C-2, C-3
- Minimum Buffers:
 - 1500 feet between other MMC Storefronts
 - 1000 feet from schools, parks, and daycare
 - 300 feet from residential and mixed use zones
 - 100 feet from legal dwellings
- Conditional Use Permit Processing Requirements
 - Planning Commission Jurisdiction
 - Subject to CEQA

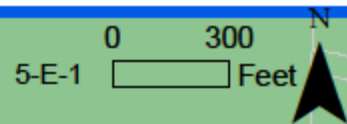


| Unincorporated Region | Approximate Total Sites (C-1, C-2, C-3) | Approximate Potential Sites with MMC Buffers Applied |
|--|---|--|
| Montecito, Summerland, Carpinteria, Isla Vista | 0 | 0 |
| Eastern Goleta Valley | 19 | 1 |
| Santa Barbara | 1 | 1 |
| Lompoc | 1 | 1 |
| Orcutt | 8 | 3 |
| Cuyama | 5 | 1 |
| Total | 34 | 7 |

MONTECITO COMMERCIAL



Map produced by Santa Barbara County Planning & Development
Long Range Planning Division
MPC Hearing August 24, 2011



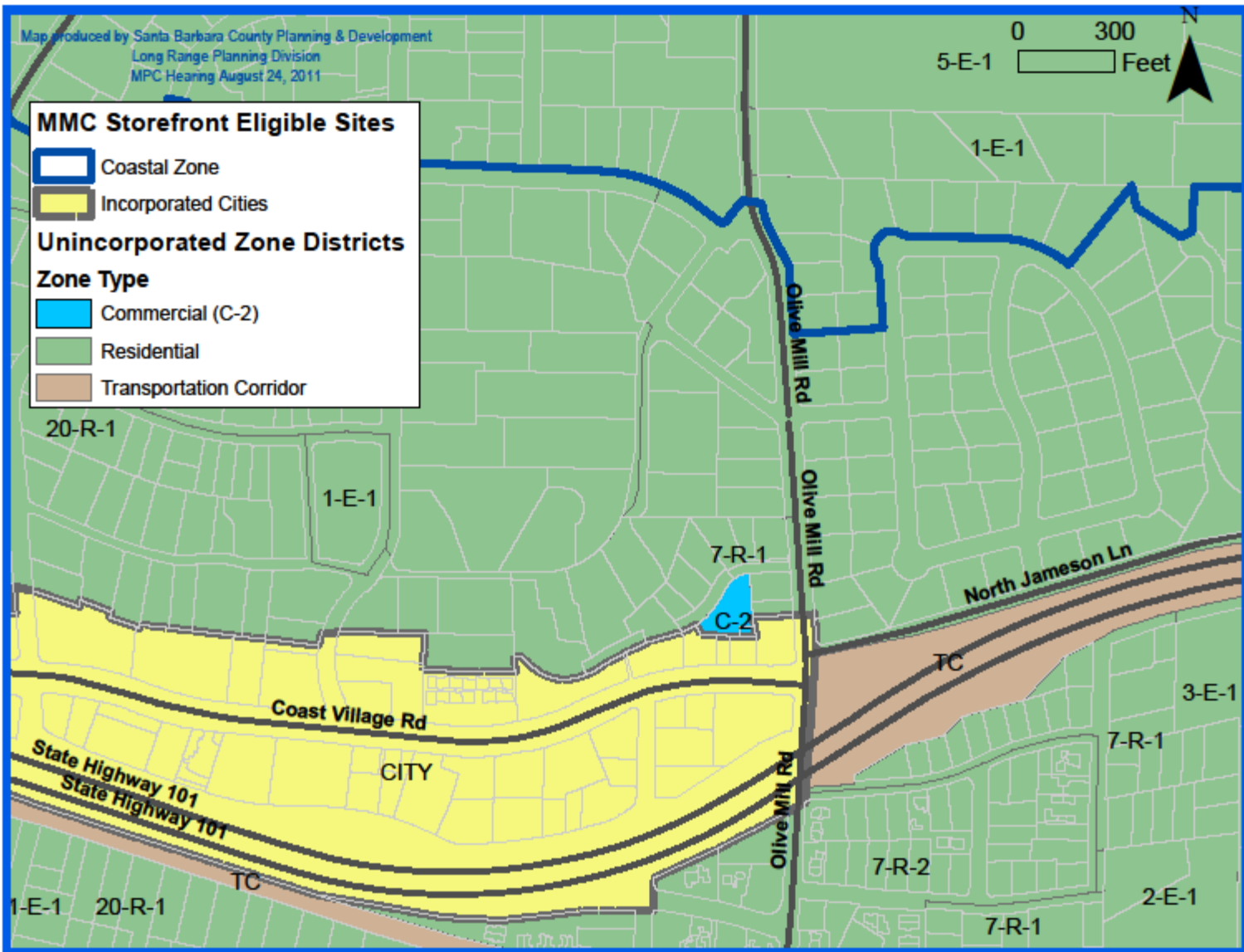
MMC Storefront Eligible Sites

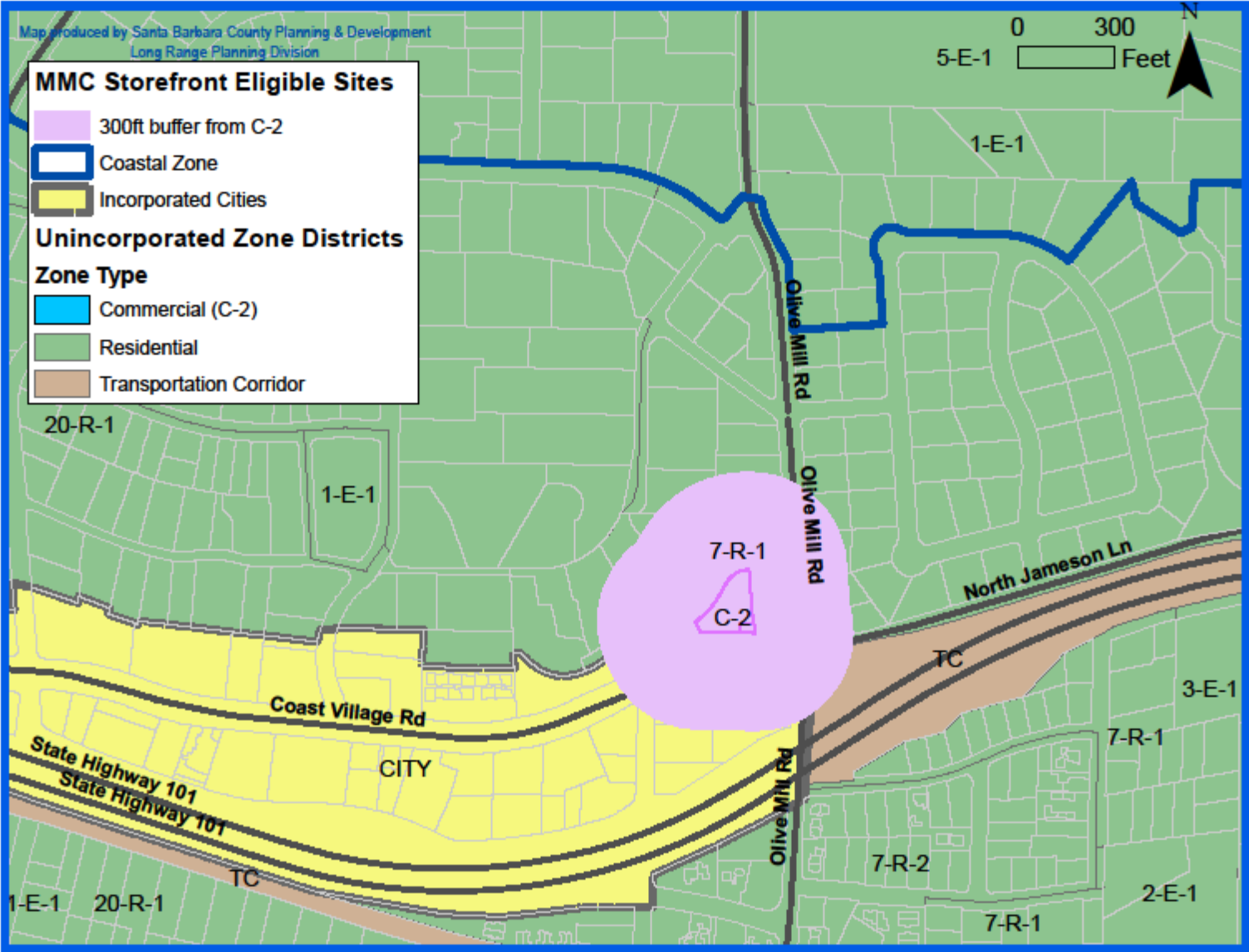
- Coastal Zone
- Incorporated Cities

Unincorporated Zone Districts

Zone Type

- Commercial (C-2)
- Residential
- Transportation Corridor





OPTIONS CONSIDERED

Option #2: Total Sites: 86, Potential Sites: 15

C-1, C-2

Minimum Buffers:

- 2000' buffer between MMC Storefronts
- 600-foot schools and parks buffer
- 100' residential zone setback
- 100' buffer from legal dwellings

Option #3: Total Sites: 7, Potential Sites: 4

C-1, C-2, C-3

Minimum Buffers:

- 1500' buffer between MMC Storefronts
- 1000' schools and parks buffer
- 300' residential zone buffer (parcel to parcel)
- 100' buffer from legal dwellings

INTENT OF ORDINANCES

- **Protect Sensitive Uses**
 - Schools, Parks, & Daycares
 - Residences
- **Provide Reasonable & Realistic Access**
 - For Those in Need of Medical Marijuana

NUMBER OF SITES

- Is Determined by Location and Buffer Criteria
- Cannot Designate an Exact Number
- Modifying One Criteria Often Affects the Intent of the Ordinances

MONTECITO PC JURISDICTION

- MLUDC (Montecito Inland)
- Article II (Coastal)
- Ordinance Structure
 - Allowable Zones
 - Definitions
 - Permit Requirements and Criteria

NEXT STEPS

- County Planning Commission September 7, 2011
- Board of Supervisors October 2011
- Implementation/Certification by the California Coastal Commission

Recommendation

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