

Medical Marijuana Collective/Cooperative Storefront Ordinance County Planning Commission September 7, 2011

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

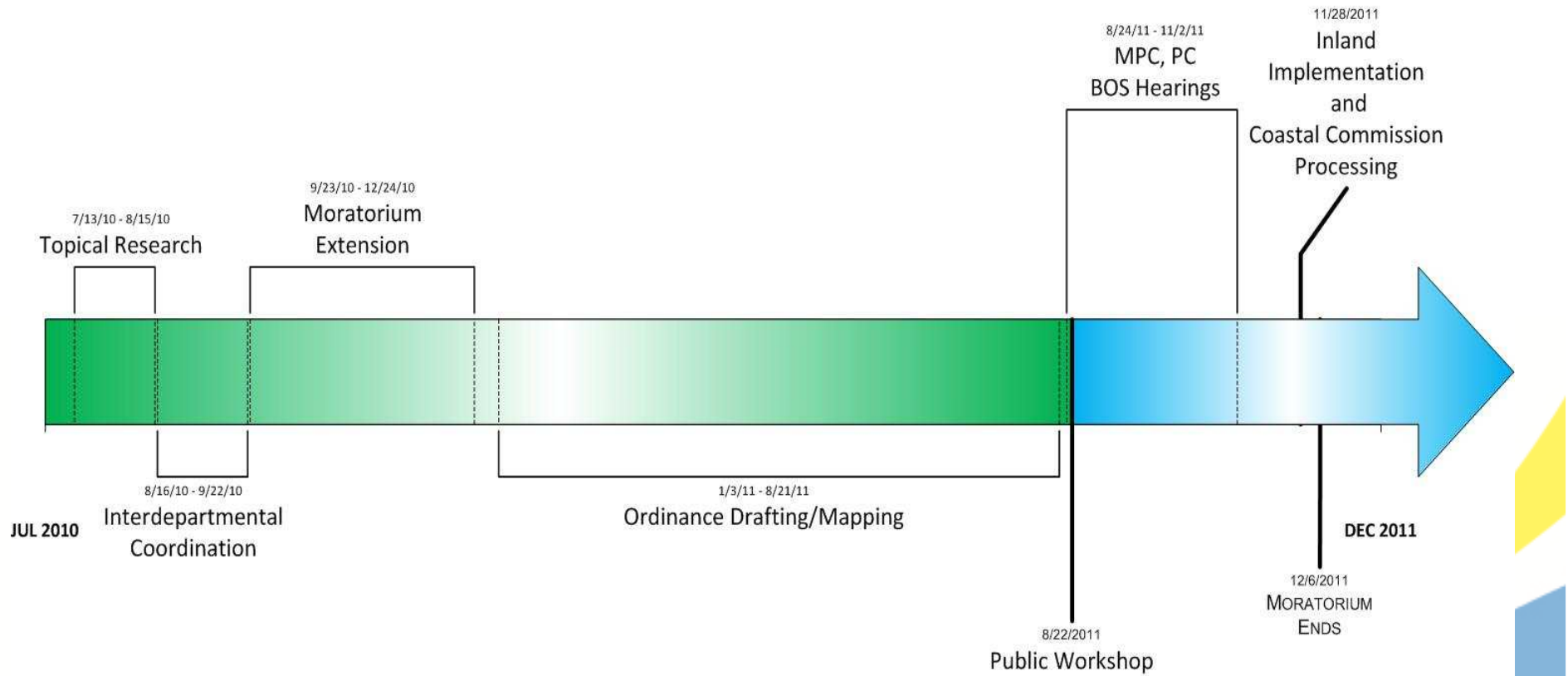
Website:

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

Recommendation

- Recommend that the BOS make the findings for approval
- Determine the Ordinance Amendments are exempt from CEQA pursuant to Section 15061(b)(3)
- Adopt a resolution recommending the project to the Board of Supervisors

Timeline



PC September 7, 2011

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

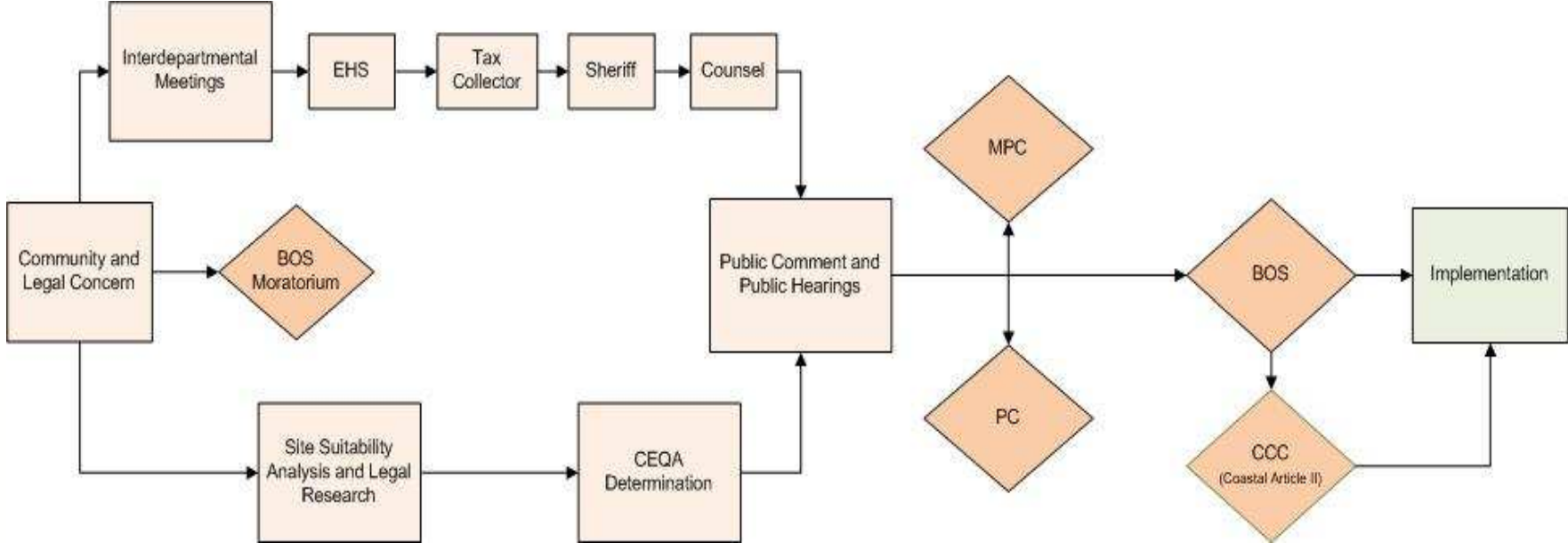
Santa Barbara County Urgency Ordinance Background

- 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

DEFINITIONS

Medical Marijuana Collective/Cooperative (MMC) Storefront.

- Storefront or location
- Organized and operated by a Collective or Cooperative,
- Provides, exchanges, or gives away Medical Marijuana, to its members.

Medical Marijuana Cooperative.

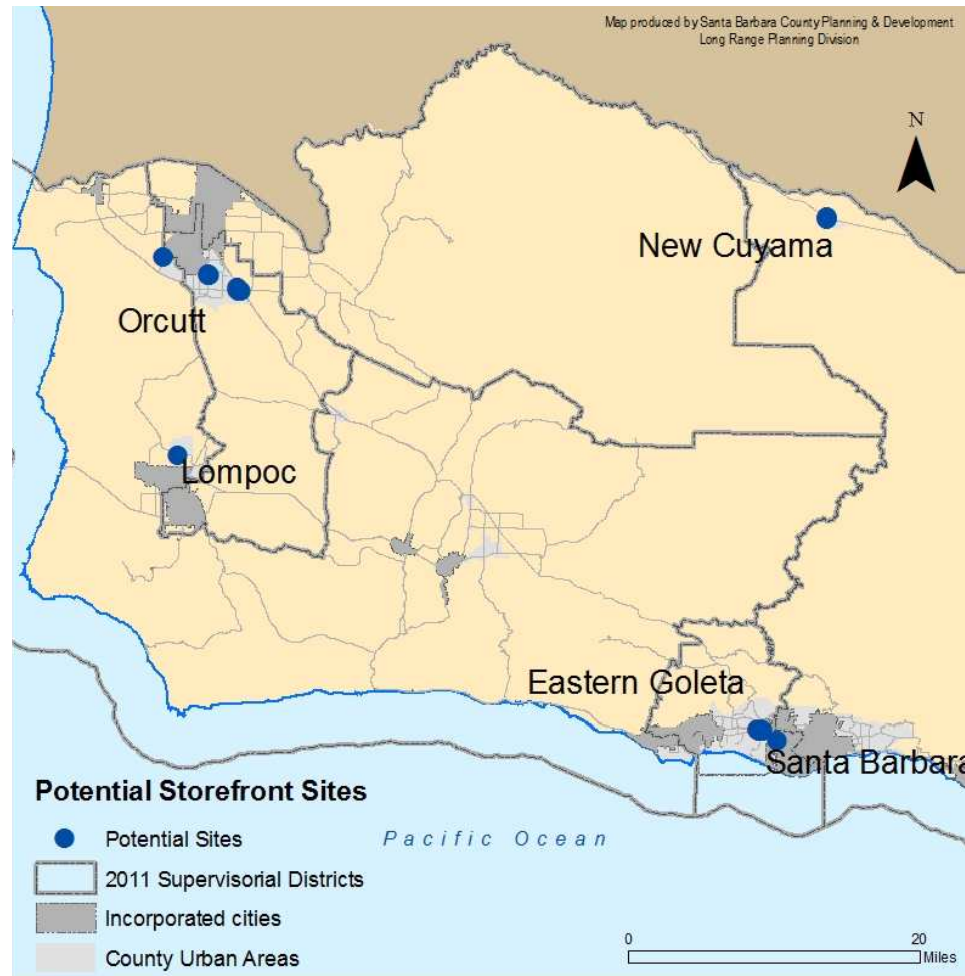
- Non-profit
- Mutual benefit of its members
- Must file articles of incorporation
- Subject to legal requirements of a statutory Cooperative

Medical Marijuana Collective.

- Non-profit
- Five or more members
- Exists to facilitate the collaborative and to coordinate transactions between members

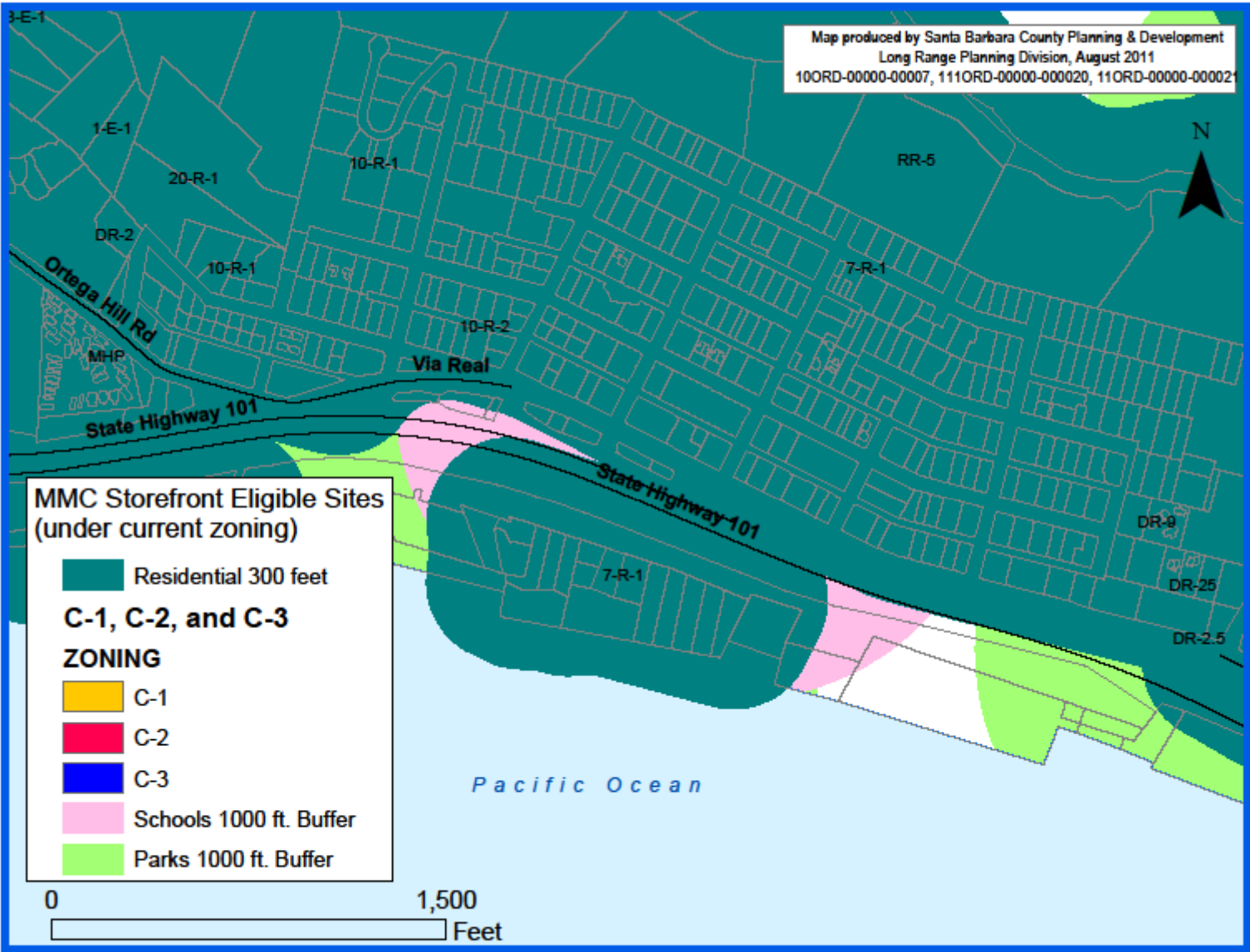
Proposed Location and Buffer Criteria

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

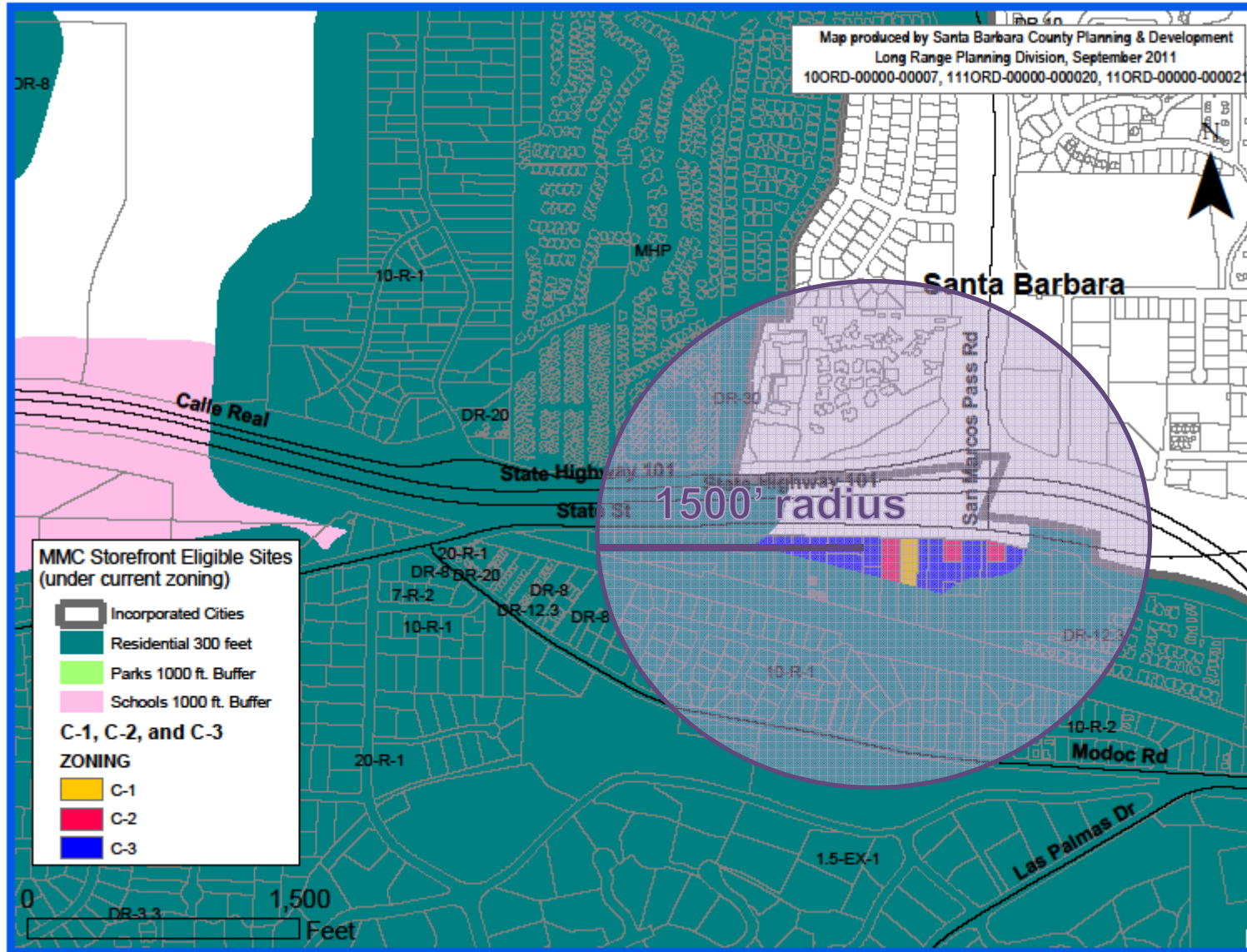


Unincorporated Region	Approximate Total (C-1, C-2, C-3)	Approximate Potential with MMC Buffers
Montecito, Summerland, Carpinteria, Isla Vista,	0	0
Eastern Goleta Valley	19	1
Santa Barbara	1	1
Lompoc	1	1
Orcutt	8	3
Cuyama	5	1
Total	34	7

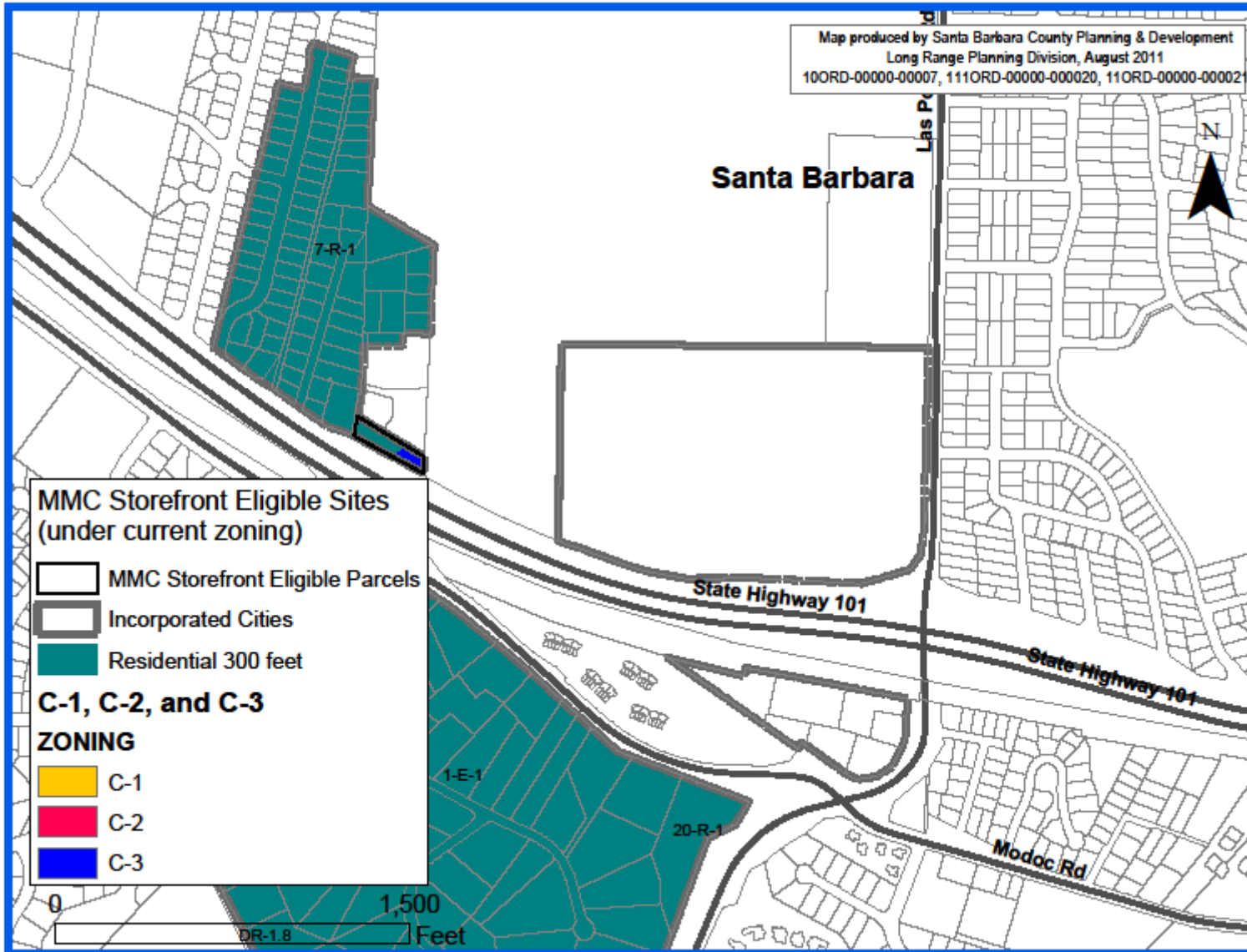
Summerland



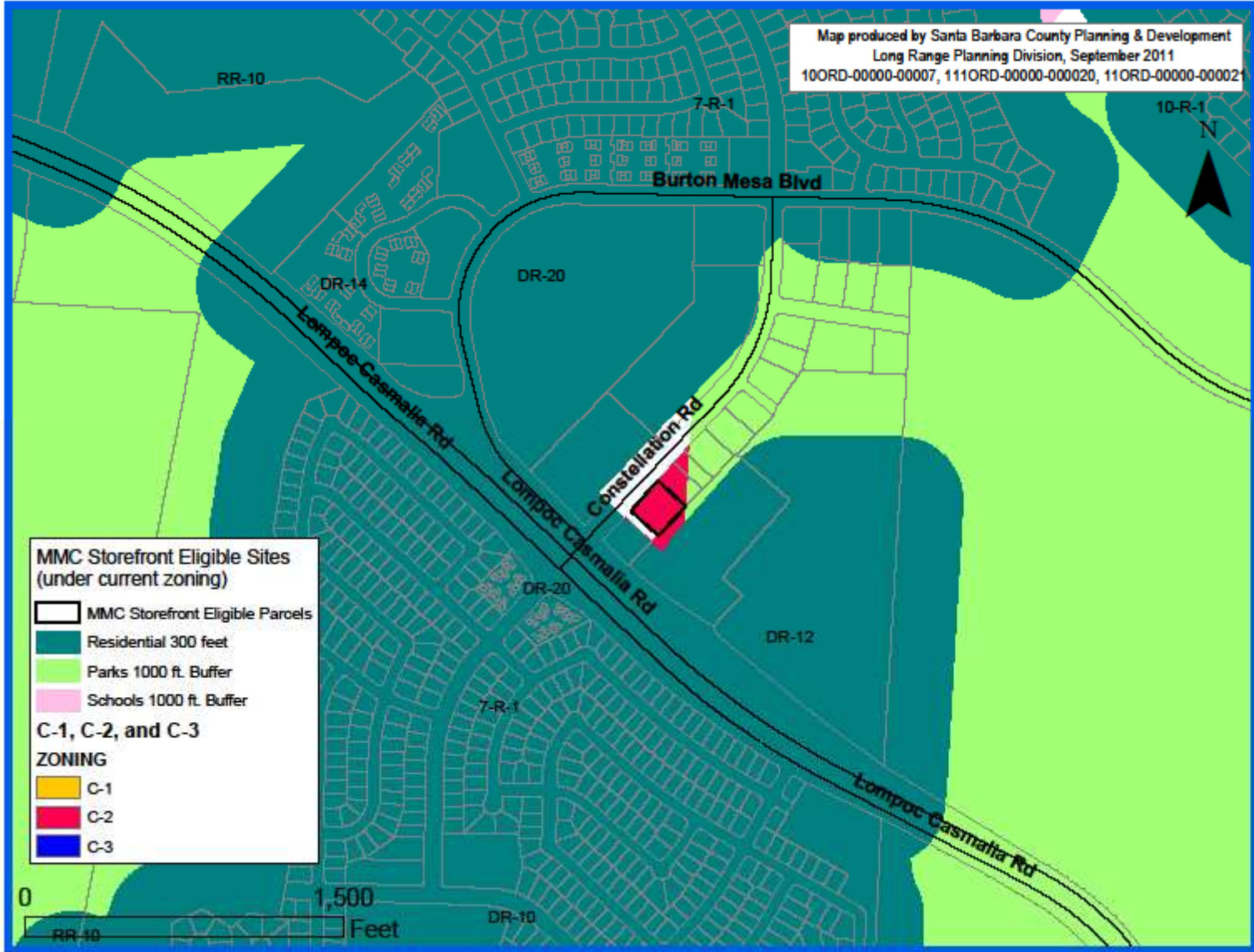
Unincorporated Region	Approximate Total Sites (C-1, C-2, C-3)	Approximate Potential Sites with MMC Buffers Applied
Eastern Goleta Valley	19	1



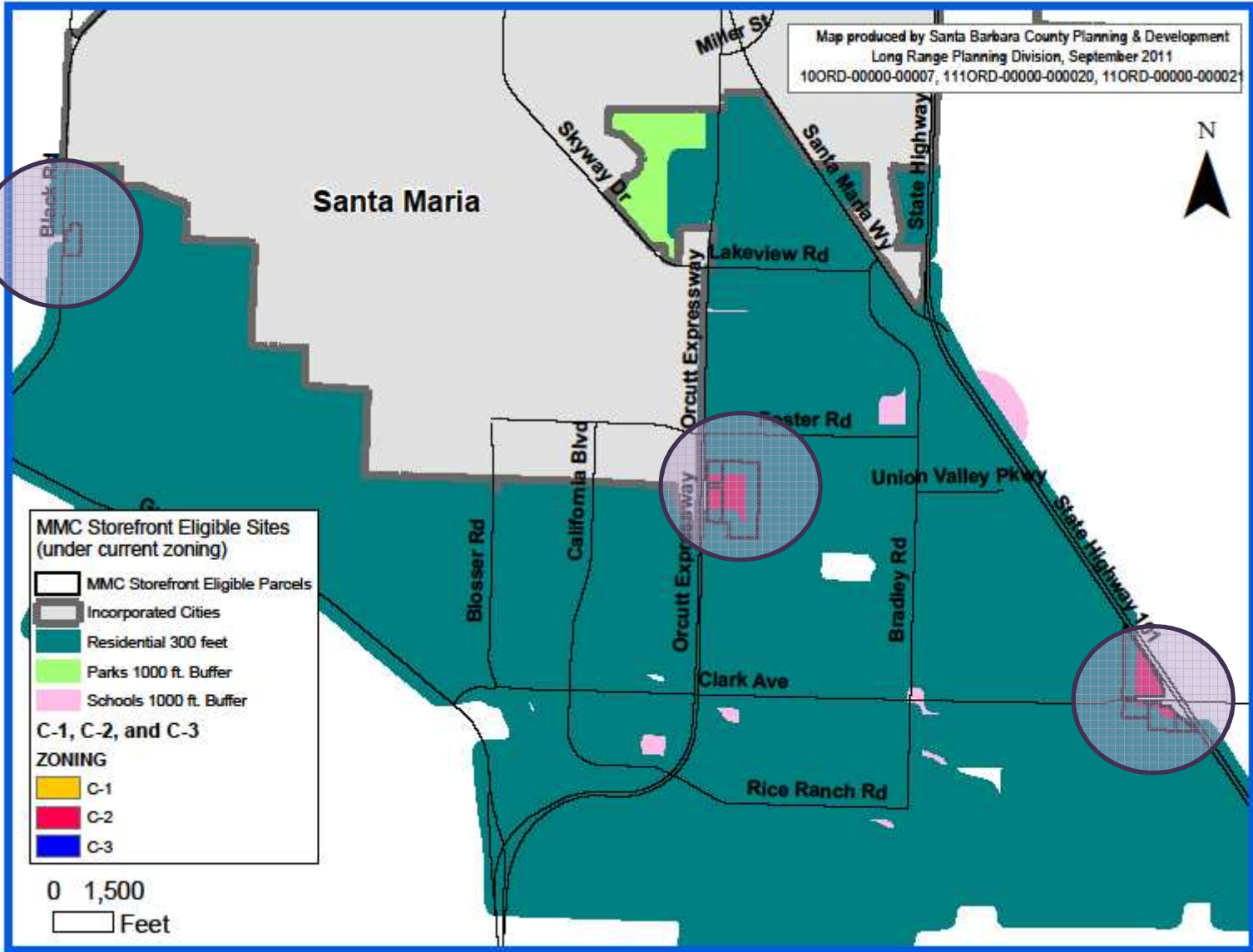
Unincorporated Region	Approximate Total Sites (C-1, C-2, C-3)	Approximate Potential Sites with MMC Buffers Applied
Santa Barbara	1	1



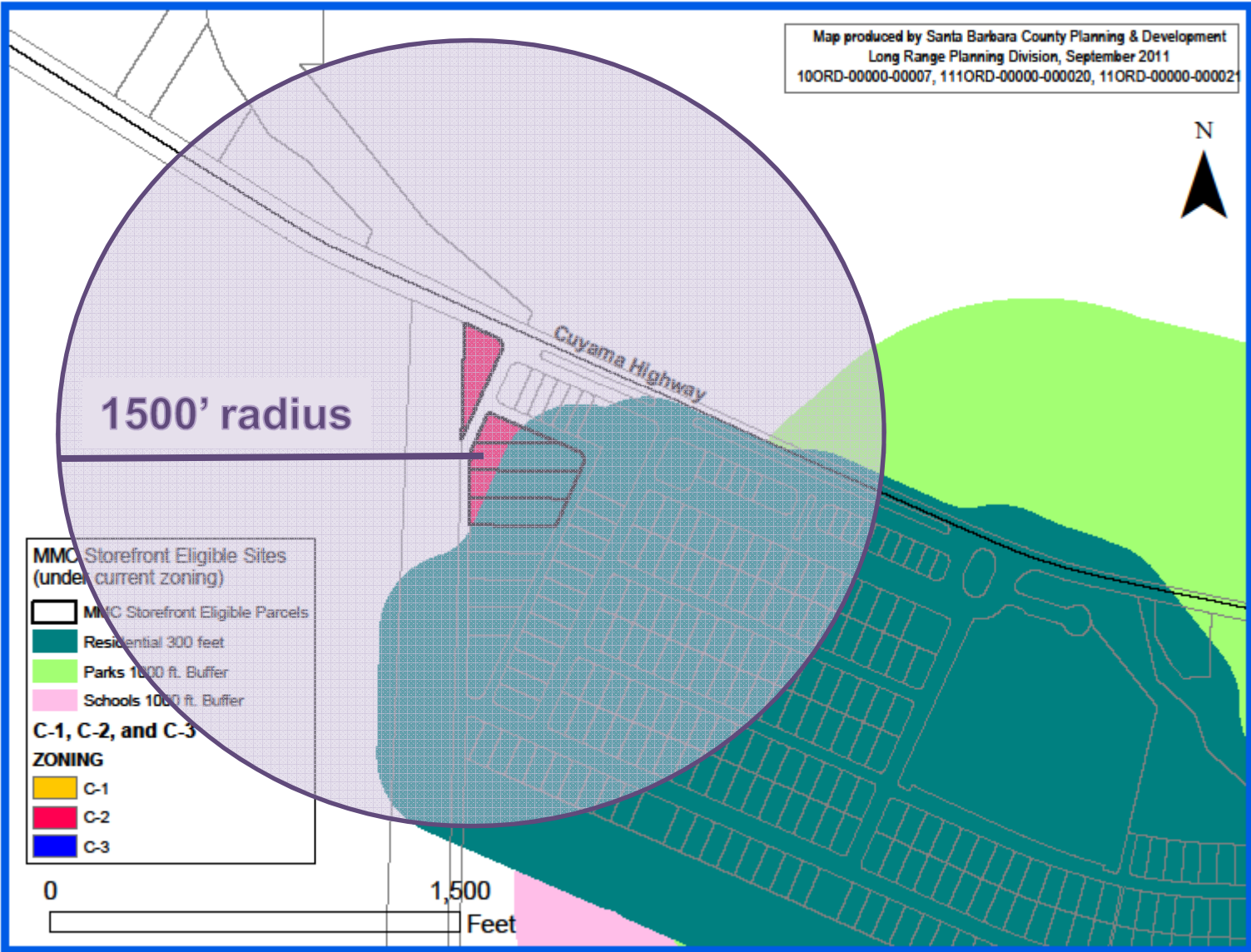
Unincorporated Region	Approximate Total Sites (C-1, C-2, C-3)	Approximate Potential Sites with MMC Buffers Applied
Lompoc	1	1



Unincorporated Region	Approximate Total Sites (C-1, C-2, C-3)	Approximate Potential Sites with MMC Buffers Applied
Orcutt	8	3



Unincorporated Region	Approximate Total Sites (C-1, C-2, C-3)	Approximate Potential Sites with MMC Buffers Applied
Cuyama	5	1



OTHER OPTIONS CONSIDERED

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

Zones: C-1, C-2

Minimum Buffers:

- 2000' buffer between MMC Storefronts
- 600' buffer from schools and parks
- 100' buffer from residential and mixed use zone districts
- 100' buffer from legal dwellings

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

Zones: C-1, C-2, C-3

Minimum Buffers:

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

Proposed Location and Buffer Criteria

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

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
- Modifying One Criteria Often Affects the Intent of the Ordinances

PREVIOUS HEARINGS/MEETINGS

- **Public Workshop: August 22, 2011**
 - Three attendees
 - No comments
- **MPC: August 24, 2011**
 - Motion passed unanimously to
 - Adopt a resolution recommending BOS adopt the MLUDC amendments
 - Recommend the PC adopt a resolution recommending the Article II amendments
 - Find the project exempt from CEQA

COUNTY PC JURISDICTION

- LUDC (Inland)
- Article II (Coastal)
- County PC does not have jurisdiction over the MLUDC
- Ordinance Structure
 - Allowable Zones
 - Definitions
 - Permit Requirements and Criteria

NEXT STEPS

- Board of Supervisors tentatively set for October 4, 2011
- Implementation (Inland)
- Certification by the California Coastal Commission (Coastal)

Recommendation

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

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