



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 030-09
500 N. MILPAS STREET
MEDICAL CANNABIS DISPENSARY PERMIT
AUGUST 20, 2009

APPEAL OF BRITTA BARTELS AND DANNY MORENO ET. AL ON THE STAFF HEARING OFFICER'S APPROVAL OF THE APPLICATION OF GIL GARCIA, ARCHITECT FOR THE SANTA BARBARA PATIENTS' COLLECTIVE HEALTH COOPERATIVE, (SBPCHC) MEDICAL CANNABIS DISPENSARY, 500 N. MILPAS STREET, 031-241-031 C-2 ZONE, GENERAL PLAN DESIGNATION: INDUSTRIAL (MST2009-00155)

This was an appeal of the June 17, 2009 approval of a Medical Cannabis Dispensary Permit by the Staff Hearing Officer. The project consists of establishment of a medical cannabis dispensary within an existing 1,110 square foot tenant space at 500 N. Milpas Street. The discretionary application required for this project is a Medical Cannabis Dispensary Permit (SBMC §28.80.030).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301, Existing Structures.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, 11 people appeared to speak in favor of the appeal, and 7 people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 13, 2009
2. Site Plans
3. Correspondence received in support of the appeal:
 - a. Britta Bartels, et al, Eastside Neighborhood, via email
 - b. Alan and Maria Cunningham, via email
 - c. Sebastian Aldana, Jr, Franklin Center Advisory Committee, via email
 - d. Kenneth Rivas, via email
 - e. Julie Stark, via email
 - f. Paula Westbury, Santa Barbara, CA

4. Correspondence received in opposition to the appeal:
 - a. John Shakespeare, Santa Barbara, CA
 - b. Illegible signature, Santa Barbara, CA
 - c. Isabel Castaneda, Santa Barbara, CA
 - d. D. Lane, Santa Barbara, CA
 - e. Helen L. Caldwell, Santa Barbara, CA
 - f. Thomas Rain, Santa Barbara, CA
 - g. Marilyn Converd, Santa Barbara, CA
 - h. Ken Foraker, Santa Barbara, CA
 - i. Alfonso Delgado, Santa Barbara, CA
 - j. Eliberto Larios, Santa Barbara, CA
 - k. Juan Inasio Garsia, Santa Barbara, CA
 - l. Galano Calel Gonzalez, Santa Barbara, CA
 - m. Barbara Ellis, SBPCHC, petition with 68 signatures
 - n. Sherry Tanner, via email
 - o. Theresa A. Pena, via email
 - p. Alexis Williams, via email
 - q. Kevin Coffman, via email

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

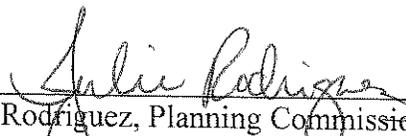
Denied the appeal and upheld the decision of the Staff Hearing Officer to approve the Medical Marijuana Dispensary Permit, making the findings as outlined in the Staff Report, subject to the Conditions of Approval in Staff Hearing Officer Resolution 051-09.

This motion was passed and adopted on the 20th day of August, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

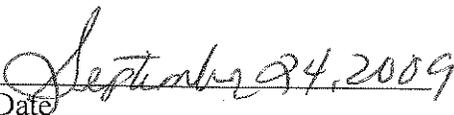
AYES: 4 NOES: 1 (White) ABSTAIN: 0 ABSENT: 2 (Jacobs, Jostes)

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I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.



Julie Rodriguez, Planning Commission Secretary



Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

