



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

### RESOLUTION NO. 019-15

#### CITY WIDE

#### RECOMMENDATION TO CITY COUNCIL

DECEMBER 3, 2015

### AMENDMENT TO ADD SANTA BARBARA MUNICIPAL CODE SECTION 28.87.300 TO REGULATE CANNABIS CULTIVATION.

The City Council has initiated a zoning ordinance amendment to permit the cultivation of cannabis for personal medical use in the City.

The purpose of this hearing was for the Planning Commission, at the recommendation of the City Council, to review the parameters for permitting the cultivation of cannabis for personal medical use and prohibiting commercial cannabis cultivation in all zones, and to forward their recommendations to the City Council. Subsequently, the Council would introduce and adopt the ordinance to add section 28.87.300 to the Santa Barbara Municipal Code to regulate cannabis cultivation. The Planning Commission recommendations will be forwarded to the City Council for adoption in early 2016.

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

**WHEREAS**, no one appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 25, 2015.

**NOW, THEREFORE BE IT RESOLVED** that the City Planning Commission recommends as follows:

- I. City Council introduce and adopt the ordinance to add section 28.87.300 to the Santa Barbara Municipal Code to regulate cannabis cultivation, subject to the inclusion of clearer and consistent language throughout the ordinance when referencing 100 horizontal square feet to reflect 100 "contiguous" square feet for both indoor or outdoor cultivation.

This motion was passed and adopted on the 3rd day of December, 2015 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 1 (Jordan) ABSTAIN: 0 ABSENT: 0

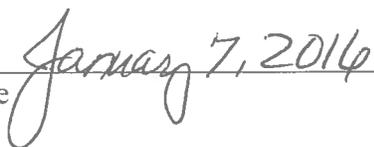
- II. The City Attorney forward to City Council the Planning Commission's following list of concerns regarding the proposed ordinance:
  - A. Absence of a hardship clause for people that are unable to physically cultivate their own.
  - B. Jurisdictional issues in future deliveries, truck trips, etc. outside the boundaries of the City.
  - C. Impact the proposed cultivation ordinance will have upon current Dispensary Ordinance.

This motion carried by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 1 (Jordan) ABSENT: 0

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