



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Submitted on:
(COB Stamp)

Department Name: CEO
Department No.: 012
Agenda Date: February 25, 2025
Placement: Set-Hearing
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s): Mona Miyasato, County Executive Officer
Contact Info: Brittany Odermann, Deputy County Executive Officer
Carmela Beck, Cannabis Program Manager
SUBJECT: Amend Chapter 50 of the County Code – Licensing of Cannabis Operations

Signed by:

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County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors on February 25, 2025, set a public hearing on the Departmental Agenda for March 18, 2025 to consider recommendations, as follows:

On March 18, 2025:

- a) Consider the introduction (First Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara amending Chapter 50 to the Santa Barbara County Code, Licensing of Cannabis Operations;
- b) Read the title and waive further reading of the Ordinance in full;
- c) Set a hearing on the Administrative Agenda of April 1, 2025 to consider recommendations, as follows:

On April 1, 2025:

- a) Consider adoption (Second Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara amending Chapter 50 to the Santa Barbara County Code, Licensing of Commercial Cannabis Operations; and
- b) Determine for the purposes of CEQA that:
 - i. Pursuant to CEQA Guidelines section 15168(c), these actions are within the scope of the Cannabis Land Use Ordinance and Licensing Program, and the Cannabis Land Use Ordinance and Licensing Program Final Programmatic Environmental Impact Report (PEIR) (17EIR-00000-00003, State Clearinghouse No. 2017071016) adequately describes this activity for the purposes of CEQA.

- ii. Pursuant to CEQA Guidelines section 15162(a), after considering the PEIR certified by the Board of Supervisors on February 6, 2018, that no subsequent EIR or Negative Declaration is required because: i) no substantial changes are proposed which require major revisions of the PEIR due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified significant effects; ii) no substantial changes have occurred with respect to the circumstances under which the ordinance is undertaken which require major revisions of the PEIR due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified significant effects; and iii) no new information of substantial importance concerning the ordinance's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the PEIR was certified, has been received that shows any of the elements of CEQA Guidelines Section 15162(a)(3) apply.

Summary Text:

This report recommends changes to Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations to address: 1) live scan background checks; and 2) odor abatement compliance. Both these actions were directed by the Board on June 6, 2023 and January 14, 2025 respectively. The Planning and Development Department plans to bring a corresponding amendment to Chapter 35 of the Santa Barbara County Land Use Development Code related to odor abatement on the same day this item is heard.

Since the effective date of the cannabis ordinances (June 2018 in the inland area, November 2018 in the coastal zone), cannabis operations have been applying for County cannabis land use permits and business licenses. Chapter 50 has since been amended in April, August, December of 2019, January 2020, February, November of 2021, February, March, November of 2022, and July 2023.

In June of 2023 the Board directed staff to review Live Scan background check requirements at cannabis cultivation sites and return with an ordinance amendment as needed. The proposed amendment will remove the live scan and criminal background check requirements for all direct and 3rd party laborers and seasonal employees or temporary workers in order to align code with the Department of Cannabis Control (DCC) requirements. The DCC only requires live scans for owners as defined by DCC §15003 including but not limited to a person with an aggregate ownership interest of 20 percent or more in the commercial cannabis business.

Additionally, at the January 14, 2025 Board hearing, staff was directed to return with an ordinance amendment to incorporate odor abatement requirements in compliance with proposed Land Use Development Code amendments. The proposed amendment will tie cannabis business licensing to the requirement to install Multi-Technology Carbon Filtration, or an equivalent odor technology, for indoor growing and/or processing operations.

A more detailed Board Letter with all necessary attachments and details of proposed changes will be prepared and provided prior to the March 18, 2025 hearing.

Special Instructions:

The Clerk of the Board shall publish the ordinance in accordance with Government Code section 25124.

Authored by:

Carmela Beck, Cannabis Program Manager, 805-705-3237