



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

**Department Name:** County Executive Office  
**Department No.:** 012  
**For Agenda Of:** February 1, 2022 Set Hearing  
February 15, 2022: 1<sup>st</sup> Reading  
March 1, 2022: 2<sup>nd</sup> Reading  
**Placement:** Set Hearing  
**Estimated Time:** 1 hour on February 15, 2022 Adoption on March 1, 2022  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

---

**TO:** Board of Supervisors  
**FROM:** Department: Mona Miyasato, County Executive Officer  
Director(s)  
Contact Info: Jeff Frapwell, Assistant County Executive Officer  
Brittany Heaton, Principal Analyst

**SUBJECT:** Amend Chapter 50 of the County Code - Licensing of Cannabis Operations

**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Risk Management:**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors on February 1, 2022, set a public hearing on the Departmental Agenda for February 15, 2022 to consider recommendations, as follows:

On February 15, 2022:

- 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 in the unincorporated area of the County;
- b) Read the title and waive further reading of the Ordinance in full;
- c) Set a hearing on the Administrative Agenda of March 1, 2022 to consider recommendations, as follows:

On March 1, 2022:

- 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:**

In May 2018, the Board adopted Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations. 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 and November of 2021.

In November of 2021 the Board directed staff to return promptly with an ordinance amendment that would allow cannabis processing activities in the County despite the acreage cap being committed, as well as a broader discussion of options for streamlining and encouraging processing in the County. Over the past year as the permitting and licensing process continues implementation, staff received feedback from business license applicants that their ability to include processing activities in their projects was limited due to the added time it would take for approval and being able to make it into the acreage cap. This amendment will also propose a sunset date of June 30, 2022 for all legal non-conforming operators with land use approval to ensure compliance and enforcement as needed.

A more detailed Board Letter with all necessary attachments and details of proposed changes will be prepared and provided prior to the February 15, 2022 hearing.

**Special Instructions:** Publish the Notice of Public Hearing 5 and 10 days before the hearing date in the *Santa Barbara News Press* in accordance with Government Code section 6062a. After the Ordinance is passed publish a summary of the ordinance in *the Santa Barbara News Press* within 15 days of the adoption of the ordinance in accordance with Government Code section 25124.

**Authored by:**

Brittany Heaton, Principal Analyst, x83409