

Attachment B

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 50, LICENSING OF CANNABIS OPERATIONS, OF THE
SANTA BARBARA COUNTY CODE

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1. Chapter 50 of the Santa Barbara County Code, titled “Licensing of Cannabis Operations,” Section 50-7, Limits on cannabis business licenses, subsections (a)(2), (a)(2)(iv), (a)(3), and (a)(3)(iii), are hereby amended and shall read as follows:

...

- (a) Limits on Cannabis Cultivation, Nursery and Microbusiness Licenses. To avoid visual impacts and nuisances associated with significant concentrations of cannabis cultivation:

...

- (2) No more than one hundred ~~thirty-four eighty-six~~ acres of cannabis planting, growing, and harvesting; nurseries; and microbusinesses with cultivation shall be licensed at any one time within the boundaries of Area A and Area B of the Carpinteria Agricultural Overlay District as defined in County Ordinance 4529.

...

- iv. Wait List. Once, and whenever, the one hundred ~~thirty-four eighty-six~~ acre limit is committed, as determined by the acreage requested by eligible business license applicants in accordance with subsection B above, persons with an approved land use entitlement will be placed on an "Eligible Business License Applicants List: Carpinteria Ag Overlay Wait List" (wait list) as follows:

...

- (3) No more than one thousand ~~four hundred seventeen five hundred seventy-five~~ acres of cannabis planting, growing, and harvesting; nurseries; and microbusinesses with cultivation shall be licensed at any one time within the unincorporated area outside of the Carpinteria Agricultural Overlay (as defined in section 50-2) of the County of Santa Barbara. This one thousand

Ordinance Amending Chapter 50 – Licensing of Commercial Cannabis Operations

Adopted: May 1, 2018

Amended: April 9, 2019, August 27, 2019, December 17, 2019, February 2, 2021, November 2, 2021, March 1, 2022, November 29, 2022, July 18, 2023, April 1, 2025, and June 10, 2025

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four hundred seventeen ~~five hundred seventy-five~~ acres shall be in addition to the one hundred thirty-four ~~eighty-six~~ acres of cultivation, nurseries and microbusiness with cultivation allowed in the Carpinteria Agricultural Overlay District under subsection (a)(2) above.

...

- iii. Wait List. Once, and whenever, the one thousand four hundred seventeen ~~five hundred seventy-five~~ acre limit is committed, as determined by the acreage requested by eligible business license applicants, persons with an approved land use entitlement will be placed on an "Eligible Business License Applicants List: Unincorporated Wait List". The wait list will be established and maintained using the same process outlined in subsection (a)(2)(iv) above.

...

...

SECTION 2. Except as amended by this Ordinance the Santa Barbara County Code shall remain unchanged and shall continue in full force and effect.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 4. This Ordinance shall take effect and become operative 30 days from the date of its adoption by the Board of Supervisors. Before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara Independent and in the Santa Maria Times, newspapers of general circulation published in the County of Santa Barbara.

SECTION 5. Cannabis activities already are highly regulated by both the state and federal governments, and their regulation of cannabis activities is subject to rapid changes. Even if the Board of Supervisors adopts this Ordinance, the Board of Supervisors retains all of its statutory authority concerning cannabis activities. For example, even if the Ordinance becomes operative, the Board of Supervisors still may take action(s) later to change the zoning and/or licensing of cannabis activities to being prohibited. Changing the zoning and/or licensing of cannabis activities to being prohibited, could occur -- for example, but is not limited to -- if: 1) the County Treasurer is not able to deposit cannabis-related funds in a suitable financial institution; and/or 2) the Board of Supervisors submits a proposed County tax on commercial cannabis activity to the voters and the voters do not approve the tax. In part because cannabis activities are highly regulated by both the state and federal governments and their regulation of cannabis activities is subject to rapid changes, the Board of Supervisors later may need to change the zoning and/or licensing of cannabis activities to being prohibited and may need to do so without cannabis activities receiving: 1) an amortization period; and/or 2) legal nonconforming use status.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 26th day of August, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LAURA CAPPS, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

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By _____
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM

COUNTY COUNSEL

By _____
Deputy County Counsel