



**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: CEO
Department No.: 012
For Agenda Of: November 29, 2022
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s) Contact Info: Mona Miyasato, County Executive Officer
Jeff Frapwell, Assistant County Executive Officer
Brittany Heaton, Principal Analyst, Cannabis

DocuSigned by:
Mona Miyasato
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SUBJECT: Amend Chapter 50 of the County Code - Licensing of Cannabis Operations, Second Reading

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: NA

Recommended Actions:

That the Board of Supervisors:

- a) Consider adoption (Second Reading) of an Ordinance, as revised on November 1, 2022, of the Board of Supervisors of the County of Santa Barbara amending Chapter 50 to the Santa Barbara County Code, Licensing of Cannabis Operations; and
- b) Determine for the purposes of CEQA that:
 - 1) 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) [Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016] adequately describes this activity for the purposes of CEQA.
 - 2) 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 following situations elements of CEQA Guidelines Section 15162(3) apply.

Summary Text:

On November 1, 2022, the Board of Supervisors considered the First Reading of a Chapter 50 ordinance amendment to change the language in County Code section 50-7(a)(2)(iii) so that the three-year phase in for securing acreage applies to licenses and renewals beginning on and after December 28, 2022. Staff also revised language in County Code section 50-7(a)(2)(iii)(F) to change the allowable pauses in cannabis cultivation from four (4) months to eight (8) months. Both of these revisions were as directed by the Board and as presented at the hearing. The Board approved the first reading of the Chapter 50 ordinance, as updated and included as Attachments A and B. Attached is the updated ordinance amendment, both in clean and strike through format for the Second reading of the proposed amendment.

The purpose of this agenda item is for Board adoption of an ordinance amending Chapter 50, Licensing of Commercial Cannabis Operations, to reflect desired changes in the business licensing process.

Attachments:

Attachment A – Ordinance Amending Chapter 50, Licensing of Cannabis Operations, To the Santa Barbara County Code (Non-redlined version)

Attachment B – Ordinance Amending Chapter 50, Licensing of Cannabis Operations, To the Santa Barbara County Code (Redlined version)

Authored by:

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