



# County of Santa Barbara

## BOARD OF SUPERVISORS

### Minute Order

July 11, 2023

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**Present:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

COUNTY EXECUTIVE OFFICE

File Reference No. 23-00650

**RE:** Consider recommendations regarding an Amendment to Chapter 50 of the County Code - Licensing of Cannabis Operations, as follows:

a) Consider the adoption (Second Reading) of an Ordinance amending Chapter 50 to the Santa Barbara County Code, Licensing of Cannabis Operations amending the grounds to deny business license applications and renewal business license applications based on the operator's failure to file cannabis tax reports and/or failure to pay county cannabis taxes by the due date set out in Chapter 50A;

b) Determine for the purposes of California Environmental Quality Act (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) [Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016] adequately describes this activity for the purposes of CEQA; and

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 following situations elements of CEQA Guidelines Section 15162(3) apply.



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A motion was made by Supervisor Nelson, seconded by Supervisor Capps, that this matter be acted on as follows:

a) Approved revised Introduction (First Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara amending Chapter 50 of the Santa Barbara County Code, Licensing of Cannabis Operations in the unincorporated area of the County amending the grounds to deny business license applications and renewal business license applications based on the operator's failure to file cannabis tax reports by the due date or failure to pay County cannabis taxes within 60 days of the due date set out in Chapter 50A;

b) Read the title and waive further reading of the Ordinance in full;

c) Set a hearing on the Administrative Agenda for July 18, 2023 to consider recommendations, as follows:

i) 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 Cannabis Operations amending the grounds to deny business license applications and renewal business license applications based on the operator's failure to file cannabis tax reports by the due date or failure to pay county cannabis taxes within 60 days of the due date set out in Chapter 50A;

ii) 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; and

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.

The motion carried by the following vote:

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino