



one COUNTY | one FUTURE

Legislation Details (With Text)

File #: 23-00650 **Version:** 3

Type: Administrative Item **Status:** Agenda Ready

File created: 6/16/2023 **In control:** BOARD OF SUPERVISORS

On agenda: 7/18/2023 **Final action:** 7/18/2023

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

a) Consider 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 by the due date and/or failure to pay county cannabis taxes by within 60 days of 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.

Sponsors: COUNTY EXECUTIVE OFFICE

Indexes:

Code sections:

Attachments: 1. Board Letter, 2. Attachment A - Chapter 50_Amendment_Non_Redline_10.13.22, 3. Attachment B - Chapter 50_Amendment_Redline_06.27.23, 4. Attachment C - CEQA Findings, 5. Hyperlink to Attachment D - EIR, 6. Attachment E - Findings 2.27.2018, 7. Public Comment - Rodriguez, 8. Public Comment - S. Rodriguez, 9. Public Comment - Kern, 10. Presentation, 11. Minute Order 06/27/2023, 12. Memorandum dated 7-11-2023 with Attachments, 13. Public Comment Speakers 07/11/2023, 14. Minute Order 07/11/2023, 15. Adopted Ordinance, 16. Minute Order 07/18/2023

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------------------|--------|
| 7/18/2023 | 3 | BOARD OF SUPERVISORS | Acted on as follows: | Pass |
| 7/11/2023 | 2 | BOARD OF SUPERVISORS | Acted on as follows: | Pass |
| 6/27/2023 | 1 | BOARD OF SUPERVISORS | Acted on as follows: | Pass |

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

a) Consider 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 by the due date and/or failure to pay county cannabis taxes by within 60 days of the due date set out in Chapter 50A; and

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.