

# PUBLIC NOTICE

## **DISPLAY AD AND NOTICE OF PUBLIC HEARING OF THE BOARD OF SUPERVISORS OF SAN BENITO COUNTY REGARDING PROPOSED ORDINANCE REGULATING CANNABIS BUSINESSES IN SAN BENITO COUNTY BY THE AMENDMENT OF CHAPTER 7.02 OF TITLE 7 OF THE SAN BENITO COUNTY CODE**

NOTICE IS HEREBY GIVEN that the San Benito County Board of Supervisors will hold a public hearing on Tuesday, December 11, 2018, commencing at 9:00 a.m., or as soon thereafter as possible, in the Board of Supervisors Board Room, Administrative Building, 481 Fourth St., 1st Floor, Hollister, CA to consider and potentially adopt an ordinance regulating Cannabis Businesses by amending Chapter 7.02 of the San Benito County Code.

Applicant/Proponent: San Benito County. Location: San Benito County (county-wide), unincorporated area. Environmental Review. Exempt, including but not limited to, California Business and Professions Code section 26055, subd. (h) and State CEQA Guidelines section 15308.

Current San Benito County Code Ch. 7.02 ("Cannabis Businesses") explicitly prohibits all commercial cannabis activities and commercial cannabis businesses. Proposed amended Ch. 7.02 would expressly prohibit commercial cannabis activities, except as specifically authorized.

Amended Ch. 7.02 allows certain commercial cannabis activity within the unincorporated area of the County subject to a valid State License and valid Cannabis Business Permit issued by the County to qualified cannabis businesses.

Amended Chapter 7.02 categorizes commercial cannabis activities into six (6) permit types and requires each person or entity to obtain a separate Cannabis Business Permit for each fixed location in which the commercial cannabis activity is to occur and for each type of commercial cannabis activity noted below prior to commencing operations. The six Cannabis Business Permit types are as follows: Cultivation (indoor or mixed-light only, including nurseries), Distribution, Laboratory Testing, Manufacturing (Volatile and Non-Volatile), Microbusiness (Non-Retail), and Retail (Out-of-County delivery only). In addition, amended Ch. 7.02 prohibits all of the following: any outdoor cultivation of cannabis, microbusinesses with a retail component, and retail (storefront and on-storefront). However, State-Licensed out-of-county delivery services holding a valid authorization from the jurisdiction of origin would be allowed to deliver cannabis within the unincorporated area of the County so long as they obtain a valid Cannabis Business Permit from the County.

Amended Chapter 7.02 sets forth the application, evaluation, issuance, and denial/non-renewal/suspension/revocation processes for both Cannabis Business Permits and Cannabis Employee Work Permits. Finally, amended Chapter 7.02 sets for an appeal procedure for decisions regarding the issuance and/or conditions of the permit.

Under amended Chapter 7.02, Cannabis Business Permit application availability may vary depending on whether the commercial cannabis activity is prohibited or limited, e.g., cultivation is limited to fifty (50). All Cannabis Business Permits shall be issued upon payment of fees in full and shall be valid for twelve months from the date of issuance, unless suspended or revoked.

Amended Ch. 7.02 deems each and every violation of its provisions unlawful and a public nuisance.

Written comments may be submitted to Janet Slibsager at [jslibsager@cosb.us](mailto:jslibsager@cosb.us), or comments can be sent via US mail to: Janet Slibsager, Clerk of the Board, 481 Fourth St., Hollister, CA 95023. Verbal and written comments may also be submitted at the public hearing. If any person challenges an action taken on the foregoing matter in court, they may be limited to raising only those issues raised at the public hearing described in this notice or in written correspondence delivered to the Board of Supervisors at or prior to the public hearing. A complete, certified copy of the proposed ordinance is on file in the Clerk of the Board's Office and it shall be available for public inspection and review during normal business hours at that location.

**For questions please contact:** Dulce Alonso, Management Analyst, at [dalonso@cosb.us](mailto:dalonso@cosb.us).

Janet Slibsager, Clerk of the Board of Supervisors

County of San Benito

**Dated: November 21, 2018**

**Publish: November 30, 2018**