

RESOLUTION NO. 19-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ESTABLISHING RULES FOR THE MANAGEMENT OF THE RETAIL CANNABIS PRIORITY LIST

The City Council of the City of Goleta does hereby resolve and order as follows:

SECTION 1. This Resolution establishes rules governing the management of the cannabis retail priority list attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. On July 17, 2018, the City Council adopted Ordinance No. 18-03 establishing a conditional use permit requirement for operating a retail cannabis business. Applications for conditional use permits were accepted on a first come/first serve basis as reflected in Exhibit A. On May 7, 2019, the City Council adopted Ordinance No. 19-07, amending Chapter 5.09 to require a business license for the establishment of retail cannabis businesses in the City. On June 18, 2019, the City Council adopted Ordinance No. 19-11, repealing Ordinance 18-03 and establishing new regulations regarding cannabis land uses. By this Resolution, the Council determines to utilize the original priority list (Exhibit A) for issuance of retail cannabis business licenses as provided herein.

SECTION 3. Applicants will be considered for issuance of cannabis retail business licenses in the order set forth in Exhibit A, except that only one application will be accepted in the Old Town Heritage District (as shown in the map attached hereto as Exhibit B). Once a business license is issued for an applicant whose retail establishment is located within the District, no additional licenses will be issued for locations within the District.

SECTION 4. No business operator will be issued more than one business license for operation of a retail cannabis establishment. No more than six licenses will be issued citywide.

SECTION 5. The retail cannabis establishments located at the following three addresses are deemed to be legal nonconforming uses for purposes of this Resolution, subject to the rules governing cessation of operations set forth in section 35-306 of the Inland Zoning Ordinance and section 35-161 of the Coastal Zoning Ordinance, as amended:

- A. 5814 Gaviota Street
- B. 5902 Daley Street
- C. 164 Aero Camino

Accordingly, the businesses operating at these three locations as of June 1, 2019, will be given first priority for issuance of retail cannabis business licenses.

SECTION 6. Applicants will be issued a business license only for a retail location that complies with the requirements set forth in section F.2.c. of Ordinance No. 19-11, but is not within 600 feet of any applicant in the top six positions in Exhibit A. In the event that an applicant next on the priority list does not possess a legally cognizable interest in such a location within six months of when a license becomes available the applicant will be stricken from the list. The first such six month period shall commence on June 18, 2019.

SECTION 7. The first six business licenses will be issued to the business operators listed on Exhibit A in order of priority. A business operator cannot improve its priority position by acquiring an applicant higher on the priority list prior to the time that a business license is issued.

SECTION 8. Once a business license is issued, the City does not regulate the purchase or sale of a licensed business; provided, however, that the purchaser must apply for and obtain a business license from the City in order to operate the business. Licenses are not transferable. A new license will be issued to the purchaser of a licensed, existing retail establishment without regard to the priorities in Exhibit A, provided that the applicant satisfies all of the requirements for issuance of a license.

SECTION 9. Once six retail cannabis business licenses are issued, the priority list in Exhibit A will be null and void and of no further effect.

SECTION 10. The City Clerk shall certify to the adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 18th day of June, 2019.




PAULA PEROTTE
MAYOR

ATTEST:



DEBORAH S. LOPEZ
CITY CLERK

APPROVED AS TO FORM:



MICHAEL JENKINS
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)


I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 19-35 was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 18th day of June, 2019 by the following vote of the Council:

AYES: MAYOR PEROTTE, MAYOR PRO TEMPORE RICHARDS,
 COUNCILMEMBERS ACEVES, KASDIN AND KYRIACO

NOES: NONE

ABSENT: NONE

(SEAL)


DEBORAH S. LOPEZ
CITY CLERK

CANNABIS STOREFRONT RETAIL APPLICATIONS

CUP Application Order	Application Order with Medicinal Dispensaries as first 3 Applications	File Number	Applicant Name, Location (Existing Business)	Impact of Proposed Ordinance Amendment
1	4	18-103-CUP	Michael Bitton, 5777 Hollister (A-OK)	Eliminated by separation requirement. Applicant to find new location.
2	5	18-104-CUP	Chris Hester, 5890 Hollister (Gimeals)	Eliminated by Residential Buffer. Applicant to find new location.
3	6	18-105 -CUP	Chris Hester, 5999 Hollister (Palm Reader)	Continue to Process subject to cap
4	7	18-106-CUP	Sid Dunmore 290 Storke Rd (Ming Dynasty)	Continue to Process subject to cap
5	8	18-107-CUP	Sid Dunmore, 5836 Hollister (Motor Sports)	Eliminated by separation requirement. Applicant to find new location.
6	9	18-108-CUP	Troy White, 370 Storke (Zizzos)	Continue to Process subject to cap
7	10	18-109-CUP	Troy White, 5755 Hollister (Fuel Depot)	Eliminated by GVCC Buffer. Applicant to find new location.
8	11	18-110-CUP	David MacFarlane, 5979 Hollister (Sam's to Go)	Eliminated by separation requirement. Applicant to find new location.
9	1	18-111-CUP	David MacFarlane, 5814 Gaviota (Existing Dispensary)	N/A
10	12	18-112-CUP	Luke Bruner, 6416 Hollister Avenue (Bus site)	Eliminated by separation requirement. Applicant to find new location.
11	13	18-115-CUP	Malante Hayworth, 5710 Hollister (Copy Center building across from GVCC)	Eliminated by GVCC Buffer. Applicant to find new location.
12	2	18-117 -CUP	Todd Falstrom, 5902 Daley St (Existing Dispensary)	N/A
13	14	18-156-CUP	Michael Bitton, 7433 Hollister (Yoga Studio)	Eliminated by Residential Buffer. Applicant to find new location.
14	15	19-010-CUP	Cameron Porter, 6760 Cortona	Continue to Process subject to cap
15	3		Mark Russell, 164 Aero Camino (Existing Dispensary)	N/A

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Exhibit B

Goleta Old Town
Heritage District Boundaries



