

de la Guerra, Sheila

Public Comment

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From: Steinfeld, Amy <ASteinfeld@bhfs.com>
Sent: Monday, May 23, 2022 12:04 PM
To: sbcob
Subject: Comment Letter to Board, Re Proposed Cannabis Amendment to Ordinance, Board Meeting, May 24
Attachments: BOS - May 24 -Cannabis Permitting(24170457.1).docx

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Dear Honorable Clerk,

Attached please find a one page comment letter re the proposed cannabis amendment being heard by the Board tomorrow.

Best, Amy Steinfeld

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Brownstein - we're all in.

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May 23, 2022

VIA E-MAIL

Attention Clerk of the Board of Santa Barbara County

Dear Chair and Members of the Santa Barbara County Board of Supervisors:

On behalf of my cannabis clients, I am writing to respectfully oppose the ordinance amendment to convert all new projects to CUPs because this change is simply unnecessary. The existing LUP process is very comprehensive (taking most applicants over 2 years), involves very detailed findings and conditions on every project, and requires state agency review. Plus, many applicants have worked closely with neighbors on settlements and good neighbor agreements. Further, as you know, the cap on acreage in the inland area is full and there is a lengthy waiting list, and therefore this amendment is unnecessary.

Second, while we appreciate the attempt to ensure that all approved LUP projects are conforming, it's still unclear under this proposed amendment, what minor changes may be made through the LUP revision process without triggering a CUP. It's also unclear whether land use permittees who previously have been appealed, may go through the LUP revision process. This industry is extremely new and the existing, approved permittees may need to make changes to their approved projects in the future without fear of opening up the expensive and time consuming CUP process. This industry is already highly regulated by the County Planning & Development Dept., the County's CEO's office through the annual business license process and the state of CA via annual state licenses. The industry is currently suffering because of market corrections and doesn't need another change in regulations, and the uncertainty that presents.

Third, if the Commission decides to move forward with this amendment, we request that the Commission exempt projects that have an approved LUP, but have been appealed. Regarding the projects on appeal, many of my clients have past several months engaging in settlement discussions with the appellants and have made good progress. For this reason, we oppose the proposed amendment that would require projects on appeal from being converted to CUPs. It's fundamentally unfair to punish the 7 permittees who have been the permitting process for years, have spent hundreds of thousands of dollars to meet the County's ever changing standards, and have received their LUPs. It's unjust to now at this **very late date**, convert these projects to LUPs, just because they have been appealed (and are engaging in settlement discussions).

For this reason, if the Board moves forward with this amendment, we are asking the Board to exclude those 7 permittees on appeal from this ordinance amendment to ensure that the CUP requirement would not apply to them, or as a last resort, to delay implementation until all 7 projects have received final board approvals. Thank you.

