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Public Comment



LAW OFFICE OF MARC CHYTILO, APC

ENVIRONMENTAL LAW

July 15, 2019

Chairman Steve Lavagnino
Santa Barbara County Board of Supervisors
105 E. Anapamu Street, Fourth Floor
Santa Barbara, California 93101

RE: Item 3, July 16, 2019, Business License Ordinance Amendments – Cannabis

Chair Lavagnino and Members of the Board of Supervisors:

Thank you for your initial actions last week. On behalf of Cate School and Friends of Shepard Mesa, I offer the following summary list of topics the Board should address and direct staff and the Planning Commission to resolve nuisance issues associated with cannabis cultivation and processing operations in the Carpinteria Valley.

1. **Operational Standards – no odors at property lines.** Adopt a Dilution Olfactometer-based zero detection limit at the property line akin to Denver’s ordinance and statutes adopted in Colorado, Illinois and elsewhere. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4226646/>
2. **A new generation of greenhouses is needed for cannabis.** Direct development of an amortization process to eliminate use of leaky greenhouses for cannabis, and after 24 months, all mixed light grows may only be conducted in airtight facilities able to capture, control and filter all emissions. Eliminate vapor-phase as a primary air pollution control technology for mixed-light grows after 24 months.
3. **Use permit pipeline management to induce responsible interim practices.** Allow selective dual processing (and other priority treatment) of permits for those existing grows that have effective operational interim odor systems.
4. **Reduce PDD’s backlog.** Summary denial of permit applications submitted in school buffer zones and for sites with black-market grows.
5. Develop **coastal zone limits on AG-I** cultivation comparable to inland areas.
6. **Require separation between grows** to reduce impacts from clustered grows.
7. **Enhance nuisance and enforcement tools.** Consider issuing notices to abate nuisances for all grows with odors at the property line, a complaint history or evidence of unlicensed or illegal operations.
8. **Limit County total cannabis acreage** and, over time as licenses expire, permit applications fail or the size of grows are reduced upon approval, **reduce the countywide cap to ½ of current applications.**
9. **Impose per-parcel acreage outdoor cannabis limits on AG-II** parcels sufficient to achieve no detection of odors at any property line.

While we would prefer an immediate moratorium on all cannabis operations in excess of what existed in January 19, 2016 while the County’s ordinance is redrafted and CEQA compliance undertaken, and believe the County should not condone unpermitted and expanded grows, we appreciate the Board’s desire to take this one piece at a time.

We consider the above list to be priorities, and encourage your Board to authorize the Planning Commission to consider and develop other legislative tools to enable a robust and compliant cannabis industry while protecting residents, neighborhoods and schools.

Respectfully Submitted,

Marc Chytilo

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