

Lenzi, Chelsea

From: Paul Trent <paultrentjr@gmail.com>
Sent: Monday, January 11, 2016 9:31 PM
To: sbcob
Subject: Fwd: Medical Marijuana

To Clerk of the Board of Supervisors for JANUARY 19 meeting

----- Forwarded message -----

From: **Paul Trent** <paultrentjr@gmail.com>
Date: Sat, Jan 9, 2016 at 2:03 PM
Subject: Medical Marijuana
To: jwolf@sbcbos2.org

Dear Ms Wolf

I understand the proposal to control marijuana cultivation and delivery will be coming to your board shortly. As I'm sure you know, the Planning Commission did not endorse this measure. Their decision is ill advised. I live on West Camino Cielo and am seriously impacted by the practice of the growers, of which there are now several in our neighborhood.

The use of 24 hour bright lights in green houses is disturbing and destroys the view of the night sky. Driving up San Marcos Pass at night the lights are highly, invasively visible. Water use is also a major issue as the entire area is dependent upon shared wells. I believe power use is also a problem. The growers protect their turf with pit bulls and there is a fear they may be armed. Finally, there is no assurance their wiring is up to code, and of course we are in a highly fire sensitive area.

Having this business taking place in a family neighborhood is a bad idea. (I note that dispensaries are usually not allowed near schools.) I would prefer to have cultivation banned in the County but in any case it should be restricted to very large parcels where there is no impact on neighborhoods. I urge you act on this measure. I am familiar with the argument that it can wait because the State may extend the deadline for Counties to enact an ordinance. The difficulty is that the problem exists now and needs immediate attention.

Yours Truly

Paul Trent

Lenzi, Chelsea

From: Donna Hillman <dhillmanh@icloud.com>
Sent: Monday, January 11, 2016 6:18 PM
To: sbcob
Subject: Medical marijuana

I am completely In favor of medical marijuana..this has to do with the homeowners rights and safety .fire concerns...water consumption in large amounts which we are not set up for..traffic on narrow roads with school age children coming and going on single,narrow,private road to catch school busses..commercial businesses do not belong in residential designated areas..also the lights are intrusive for 24hours and generators that come on and echo long distance into the day and eve. I can't imagine how it affects the wildlife.. Thank you , Respectfully ,Donna Hillman...please note I am in in favor of medical marijuana Sent from my iPhone

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Assembly
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JIM WOOD
ASSEMBLY MEMBER, SECOND DISTRICT

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The Marijuana Regulation and Safety Act's March 1st Deadline

An open letter to County and City Government Officials:

Like many of my colleagues, I began my public service career at the local level where decisions made in Sacramento often have a profound impact on the decisions we make in our communities. Over the past several weeks, I have learned that cities and counties are scrambling to put regulations regarding medical marijuana in place ahead of a March 1st deadline that was inadvertently included in AB243 of the Medical Marijuana Regulation and Safety Act (MMRSA). As a former local elected I understand this reaction. However, I am writing this letter to clarify some of the confusion that has resulted from the inclusion of the March 1st deadline in the MMRSA.

The MMRSA will bring a multi-billion dollar industry that has grown up largely in the shadows into the light. Ultimately, the goal is to provide Californians with the legal, consumer, and environmental protections we have come to expect from any other industry.

During the scramble at the end of the legislative session this year, an inadvertent drafting error placed a deadline on local jurisdictions, requiring them to adopt their own land use regulations for medical cannabis cultivation by March 1, 2016, or turn that responsibility over to the state. As soon as I was aware of the error I published a letter in the Assembly Journal, the official record of the Assembly, declaring my intention to pass urgency legislation as soon as the legislature reconvenes in January. The compromise agreement with the Governor's office did not include the March 1st deadline and this urgency legislation will ensure that the MMRSA's legislative intent is not altered. I have already amended one of my bills with language that will strike the deadline and maintain a local jurisdiction's ability to create their own regulations. As an urgency measure, the law will go into effect as soon as it is signed by the Governor.

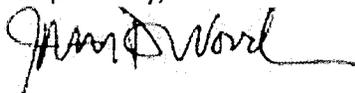
My intent to remove the deadline has bi-partisan and stakeholder support. The Governor's office is prepared to partner with my office to ensure local control on this issue. I appreciate the Governor's acknowledgement of this drafting error and his office's willingness to work with me to quickly resolve the problem. Even if my urgency measure is not signed until after March 1st,

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the Bureau of Medical Marijuana Regulation (BMMR), the entity responsible for developing the State's regulations, currently exists on paper only. It will be many months before the Bureau has the capacity to develop and enforce statewide regulations. Additionally we have received legal feedback confirming that once my urgency measure is in effect jurisdictions will retain the local control they need.

I am confident that my colleagues and I will eliminate the March 1st deadline before it becomes a realistic problem as opposed to a theoretical concern for local lawmakers.

Respectfully,

A handwritten signature in black ink, appearing to read "Jim Wood", with a long horizontal flourish extending to the right.

JIM WOOD

ASSEMBLYMEMBER, 2ND DISTRICT

Maria Ygnacio Farm Collective

Medical Marijuana Report from the Field – Cultivation and Delivery

Hearing Date : January 6 2016

Citizen Report: January 4, 2016

Case Number: 15ORD-00000-00018



1.0 Introduction

Maria Ygnacio Farm Collective, Inc., began its roots before the year of 2009 when she established herself as an Association of Qualified Patients. Maria Ygnacio Farm Collective, Inc., has grown into a full fledged not-for-profit Corporation that has served over 1000 Qualified Patients who participate with the grow projects and benefit from their production. Maria Ygnacio Farm Collective, Inc., currently holds herself out as a Santa Barbara fixture within the Cannabis Community of Qualified Patients. She carries the following credentials:

- Fictitious Business Name filed until the year of 2018;
- Articles of Incorporation filed on March 09, 2015;
- Employer Identification Number 47-3099417;
- Established Banking Account;
- Board of Directors: Robert Bjorklund, Chair;
- Website: URL—MyFarmcollective.net
- Annual Letters to the Sheriff's Department explaining Maria Ygnacio Farm Collective;
- Board of Equalization Seller's Permit;
- Published Membership Agreement.

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Maria Ygnacio Farm Collective, Inc., expects to operate, without interruption, into the year of 2026 pursuant to subsection (c) of section 19328 as expressed in the Medical Marijuana Regulation and Safety Act (Business and Professions Code § 19328(c)).

2.0 Local Experts

Maria Ygnacio Farm Collective, Inc., considers herself an expert in cannabinoid production. Maria Ygnacio Farm Collective, Inc., is also known as My Farm Collective. My Farm Collective implements the best farming practices. My Farm Collective stays apprised of State, Federal, and local law. My Farm Collective keeps in touch with the Sheriff's Department. My Farm Collective makes herself available for educational purposes.

Nobody within the County of Santa Barbara ever talked to My Farm Collective about the local cannabis community. My Farm Collective takes the position that placing a ban on medical marijuana cultivation and delivery is an inappropriate action.

The County staff mentions in their discussion that “several California cities” have reported marijuana impacts. Those kinds of impacts, though not explained in their discussion, are not present within our community here in the County of Santa Barbara. The County staff, in their discussion, talks about the wafting aroma of medical marijuana from the fields. The distinct fragrance of cannabis is as identifiable as the smell of freshly cut hay, the scent of garden roses, the bouquet of Eucalyptus after a rain, a strawberry field, basil in the garden, orange blossom tree in the spring, or broccoli growing out in the field. Cannabis is an agricultural crop.

My Farm Collective has many Qualified Patients who are available to do research, studies, and reports should any be necessary. We are miffed as to why County staff did not talk to any of the local experts regarding the cultivation of medical marijuana.

3.0 Collective Position

Maria Ygnacio Farm Collective, Inc., was officially recognized, in the year of 2011, by the County of Santa Barbara, as a non-storefront collective (see County Planning Commission documents, October 19, 2011).

The non-store front collective status of My Farm Collective, since December 2009, included nursery facilities, cultivation (indoor and outdoor), manufactured ice-water extraction concentrates and assorted baked goods, and the exchange of cannabis for cash at cost. The members-only, non-storefront Farm Center located on private property (1900 North San Marcos Road) was founded by Mr. Robert Bjorklund, a fourth generation Santa Barbarian.

My Farm Collective provides service for local Qualified Patients. My Farm Collective is a prime example of a closed-loop system. It is very important to the community of My Farm Collective Qualified Patients to maintain the status quo. Because the County of Santa Barbara officially established an ordinance, in the year of 2011, that deals with the control of medical marijuana, My Farm Collective is expectant of continuous operation.

4.0 Urgency Unnecessary

Because status-quo protects all interested parties: County of Santa Barbara; Maria Ygnacio Farm Collective, Local Cannabis Community; and the State of California, the county staff's directive to ban cultivation and delivery of medical marijuana should be rejected.

The Bureau of Medical Marijuana through the Medical Marijuana Regulation and Safety Act protects status-quo for all Qualified Patients and all legally operating organizations. Status-quo is protected by the State of California by maintaining the status of Qualified Patients' entitlement to associate for the purpose of cultivation and distribution until one (1) year after the first medical marijuana business license is issued from the Bureau and by preserving the already established business entities' structure for a ten (10) year period, until the year of 2026.

(California Business and Professions Code § 19327(c)(1) and Health and Safety Code § 11362.775(b)).

Status-quo is also promoted by a 3-0 vote of the Montecito Planning Commission dated December 16, 2015.

Status-quo will keep the price of medical marijuana down. Status-quo will prevent the deprivation of established property rights. Status quo will benefit the community of Santa Barbara.

Like the Montecito Planning Commission, Maria Ygnacio Farm Collective, Inc., recommends to the County of Santa Barbara Planning Commission and the County Supervisors to *adopt state regulations for medical marijuana cultivation and delivery.*



Citizens of the County of Santa Barbara

Medical Marijuana Community Report – Cultivation and Delivery

Hearing Date : January 6 2016

Citizen Report: January 4, 2016

Case Number: 15ORD-00000-00018

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COUNTY OF SANTA BARBARA
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1.0 Response

The Citizens of the County of Santa Barbara state the following:

1. Do NOT recommend that the Board of Supervisors add a new Article X, titled “Medical Marijuana Regulations.” (Case Number 15 ORD-00000-00018) to Chapter 35, Zoning, of the Santa Barbara County Code.

2.0 Jurisdiction

Each planning agency shall conduct local studies and prepare plans consistent with the general plan in support of each recommendation made to the Board of Supervisors for the revision or changing of zoning ordinances (Government Code § 65103).

The Citizens of the County of Santa Barbara:

1. authorize the Board of Supervisors at the recommendation of the Planning Commission to implement the general plan through the approval of zoning ordinances provided that the ordinance is consistent with the general plan. The general plan encourages agriculture as a major viable industry in the County of Santa Barbara. Agriculture shall be encouraged. (General Plan, p. 6, 2009)
2. recognize that Agriculture is vital to the needs of every community. Agriculture is the largest production industry in Santa Barbara County and contributes a very large inflow of money into the county's economy. The Citizens further recognize the need to protect and maintain a healthy economy and to provide for the conservation of its agriculture.
3. promote the agricultural rights of operation, freedom of choice as to the methods of cultivation, choice of crops and all other functions within the traditional scope of agricultural management decisions. (General Plan, p. 7, supra)

4. accept the exempt status of agriculture crops within the areas designated as Agricultural and Protection Zones within the County of Santa Barbara.
(Zoning Chapters 35.21 and 35.22, 2011)
5. observe that medical cannabis is an agricultural product.
(California Health and Safety Code § 11362.777)
6. recommend that the Board of Supervisors take action to implement, rather than ban, the state-mandated local program as imposed by the Bureau of Medical Marijuana Regulation.
(see Legislative Counsel's Digest: AB 266; AB 243; SB 643, October 9, 2015)

3.0 Discussion

County zoning ordinances currently allow medical marijuana cultivation (i.e., cultivated agriculture) indoors and outdoors in various zone districts.

1. Because the County of Santa Barbara currently regulates the cultivation of medical marijuana as an agricultural crop through the designated zoning areas, the State will not become the sole licensing authority for the locally established medical marijuana industry that exists on or before the effective date of March 1, 2016.
2. Because the Bureau of Medical Marijuana Regulation may take months before it has the capacity to develop statewide regulations, the March 1, 2016 deadline shall be stricken and local jurisdictions shall maintain the ability to create their own regulations.
(see attached letter signed by Assembly Member, 2nd District, Jim Wood)
3. Because the Citizens of the County of Santa Barbara within the confines of the law currently manage the affairs of the medical marijuana community, a ban on medical marijuana cultivation and delivery will cause great hardship and undue burden upon those Qualified Patients who are dependent and reliant upon the current accessibility of medical marijuana. A sudden ban will be extremely disruptive to future business-for-profit expectations and will have a devastating impact on current not-for-profit organizations.
4. Because there is no immediate urgency to retain control over the local permit process, per the Jim Wood letter; because an immediate ban would summarily destroy a robust not-for-profit economic culture within the County of Santa Barbara; and because a ban would be

characterized as a regulatory taking of for-profit economic expectations under the Fifth Amendment of the United States Constitution, the Citizens of Santa Barbara recommend that this current project (15ORD-00000-00018) refer back to staff with direction to work closely with those experts involved with the Cannabis Community in order to revise current local regulations that shall comport with the state mandated local-program.