

Cannabis Odor Ordinance Amendments

Case Nos. 24ORD-00011, -00012

Board of Supervisors
March 18, 2025



County of Santa Barbara
Planning and Development
Corina Venegas-Martin

Presentation Overview

- Background
- Ordinance Amendments
- CEQA
- Planning Commission Hearings
- Recommendations



Background

April 23, 2024 Board-requested amendments to:

- Develop an objective odor threshold
- Determine where odor measurements should be taken and what tool(s) will be used to measure the odor
- Develop a standard to be used as a trigger for verifying odor complaints
- Require annual inspections after quarterly inspections
- Require “run-time” meters be used on all OAP equipment
- Add a ministerial permit path in the CZO for amendments to OAPs
- Study power supply



Background

January 14, 2025 – Additional Board directed amendments to:

- Require Multi-Technology Carbon Filtration, or equivalent
- Phase out the use of vapor phase systems
- Establish a 12-month implementation period for compliance with potential for an extension under certain circumstances (e.g., supply chain delays)
- Require OAPs be certified by a California-licensed engineer and no longer by a certified industrial hygienist



Multi-Technology Carbon Filtration

Mandate new and existing mixed-light cannabis cultivation operations to install and maintain Multi-Technology Carbon Filtration (MTCF):

- *Air filtration technology that utilizes activated carbon, which may include carbon filters, photocatalytic oxidation (PCO) units and/or other equivalent technologies that utilize carbon filtration.*
 - Other odor control systems that provide equivalent or greater odor control effectiveness than MTCF



Vapor Phase/Misting Systems

Discontinue use of vapor phase/misting systems:

- Vapor phase/misting systems shall be phased out over the implementation period and no longer allowed

OAP Compliance and Monitoring

To provide the Department tools to verify OAP compliance, the proposed amendments would require:

- Odor abatement equipment include run-time meters to demonstrate when odor abatement equipment is, and is not functioning
- Operators submit run-time data to the Department annually and upon request
- Annual inspections for the life of the project for which an OAP is required
- OAPs be certified by a California-licensed Engineer and no longer a Certified Industrial Hygienist



Cannabis Odor Threshold (CZO)

Establish a cannabis odor threshold in the Coastal Zone:

- Cannabis odor from commercial cannabis activities shall not equal or exceed a threshold of 7 D/T for the duration of a consecutive three-minute period measured at the property line of a commercial cannabis facility
- Operator shall implement corrective actions as directed by the Department if a facility exceeds the cannabis odor threshold



Complaints and Corrective Actions (CZO)

The Department will require the operator (or facility) be subject to corrective actions if compliant thresholds are met.

- These corrective actions will be required until compliance with an approved OAP is achieved:
 - Submit a written statement that verifies operational compliance, or actions taken to achieve operational compliance with the approved OAP
 - Conduct diagnostic testing of the approved OAP equipment and submit a written statement describing the results of the testing and corrective actions taken to eliminate or reduce odor
 - If unable to comply with the threshold using existing equipment, then a revised OAP shall be prepared and re-certified



12-Month Implementation Period

Establish an implementation period of 12-months following Board adoption or upon Coastal Commission certification, whichever is later:

- Require operators to achieve full compliance with the proposed changes within a 12-month timeframe following the Board's adoption
- Or upon Coastal Commission certification, whichever is later (for CZO only)



Implementation Period and Extensions

Proposed amendments specify that an extension may be requested:

- Reasons for extensions may include, but not be limited to:
 - Supply chain delays, on-site/off-site power upgrades and availability, or other circumstances determined by the Director
- May be requested and granted by the Director for up to 12 months
- Requests to extend beyond an initial extension may be considered by and appealed to the Board



Environmental Review

- CZO Amendments – exempt pursuant to CEQA Guidelines Section 15265
- LUDC Amendments – no subsequent environmental document shall be prepared for this project pursuant to CEQA Guidelines Section 15162 and is within the scope of the Final PEIR pursuant to CEQA Guidelines Section 15168(c)(2)



PC Recommended Changes

CPC's recommended changes:

- In the CZO, revise the odor threshold to “operation must maintain odor below seven (7) D/T” so that an operation cannot maintain a level of 7 D/T for a 3-minute time period at the property line
- Require extensions be under the jurisdiction of the Director and appealable to the Planning Commission and then to the Board, which would act as the final decision-maker
- Allow for additional extensions beyond the initial, to start at the expiration of the previous extension. The CPC did not make a recommendation for a decision-maker or appeal process for additional extensions



PC Deliberations

Direction for extension process:

- When will extensions be granted?
- If granted, who will be the decision-maker?
- Can extensions be appealed?

PC Deliberations

Options CPC considered for extension process:

- How many extensions should be granted?
 - Allow one extension to the 12-month implementation time period for up to 12 months;
 - Allow one initial extension to the 12-month implementation time period for up to 12 month, and one additional extension; **OR**
 - Allow one initial extension to the 12-month implementation time period for up to 12 month and additional extensions to the 12-month implementation period (**CPC recommendation**)



PC Deliberations

Options CPC considered for extension process:

- Decision-maker and appeal process for initial extension:
 - Director, PC, BOS (**CPC recommendation**)
 - Director, no appeals
 - Director, BOS
 - PC, BOS
 - BOS with recommendation from Director

PC Recommended Changes

Options CPC considered for extension process (no CPC recommendation):

- Decision-maker and appeal process if additional extensions are allowed:
 - Director, PC, and BOS (standard appeal process)
 - Director, PC
 - Director, BOS
 - BOS with recommendation from Director

PC Recommended Changes

On February 19, 2025, the CPC voted:

- Recommend the Board adopt the proposed LUDC and CZO amendments with recommended changes for the Board's consideration

Additional Board Direction

- Number of Extensions:
 - One extension up to 12 months;
 - One initial extension for up to 12 month, and one additional extension; **OR**
 - One initial extension for up to 12 month and additional extensions (**CPC recommendation**)
- Decision-maker and appeal process for extensions:
 - Director, PC, and BOS
 - Director, PC
 - Director, BOS
 - BOS with recommendation from Director



Recommended Actions

- Make the required findings for approval
- Determine that 24ORD-00011 and -12, and submittal to the CCC are exempt from CEQA
- Adopt the ordinances to amend the LUDC and CZO (Case Nos. 24ORD-11, -12)
- Adopt a resolution authorizing submittal of the Local Coastal Program amendment to the CCC for review and certification

Thank You

Questions?

