

Alexander, Jacquelyne

From: Cody Hemmah <roguepromo@gmail.com>
Sent: Monday, February 5, 2018 5:56 PM
To: sbcob; Williams, Das; Wolf, Janet; Hartmann, Joan; Adam, Peter; Lavagnino, Steve
Subject: Cannabis Land Use public comment # 18-00066

Dear Board of Supervisors,

This is my public comment for file # 18-00066

1-This is in regards to Attachment 5, RESOLUTION NO. 18 - _____ Case No.: 17ORD-00000-00019 , exhibit 1.

A. It states: " The Board of Supervisors finds that excluding cannabis cultivation from the Uniform Rules' definition of "agricultural use" and "agricultural commodity" is desirable and will appropriately tailor Santa Barbara County's agricultural preserve program to meet local, regional, state, and national needs for assuring adequate, healthful, and nutritious food for future residences."

B. I ask why is cannabis exempt? How can the definition be changed without a study and where did the public ask wanting it to be exempt? It is a COMMODITY.

C. Ignoring cannabis as an agriculture commodity with no studies, no facts or findings to give support to the new definition of cannabis makes no sense. To pull cannabis out to be exempt, even after the EIR has nothing distinguishing between other cut flowers seems like a way to be able to zone and tax cannabis differently between other very similar agriculture.

2- On a different note, micro-business's should be able to have retail on site for education, viewing, questions and answering, and easy farm to patient protocol.

A. Imagine the micro business as an apple farm. Selling just apples, but also apple juice, apple cider, apple sauce, etc. Just like that farm stand, cannabis micro businesses can offer just flowers, but also bubble hash, keif, pre rolls, concentrates, etc, right at the farm stand.

B. It is the easiest solution for growers, and patients because many patients dont like delivery, and some dont have a legal residence for delivery which is required now by state law. Also, out of state/ country patients will have problems getting delivery as well because of state law that ask for residence only for delivery. So it will limit a micro- business sales if retail on site isn't available. So please, allow on site retail.

-Cody Hemmah
805-886-4528

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Alexander, Jacquelyne

From: jtbaer.srhcsa@gmail.com on behalf of Jose Baer <jtb@osoag.com>
Sent: Monday, February 5, 2018 5:48 PM
To: sbcob
Subject: Comments for Feb 6th meeting on cannabis regulations
Attachments: Comments for the board meeting on Feb 6th, 2018 (1).pdf

Dear Supervisors-

Please find my comments attached.

Thanks for your consideration,

Jose

José Baer
Oso Ag LLC
www.OsoAg.com
(805) 705-4707



Feb, 5, 2018

Re: Comments for the board meeting on Feb 6th, 2018

Dear County Supervisors:

I have read through the proposed ordinances for Cannabis in the county. For the most part I commend the efforts of your staff to avoid unnecessary regulation, while protecting the public from undesirable side effects . Cannabis will undoubtedly be a positive addition to our robust agricultural industry here in Santa Barbara County, and I welcome it.

I do have a couple of comments that I hope you will take into consideration:

In section B-2 of 35.42.075

Why the blanket prohibition on outdoor cultivation for personal use on AG1 and AG2 zoned parcels?

Instead of:

“Outdoor cultivation is prohibited.”

I would suggest the following for AGI and AGII zoned parcels:

“Fencing is required if the Cannabis is visible from public view. A set back of 75 feet from parcel line is required in all cases.”

If the intent is to protect the public from odors, a setback should be adequate in the case of 6 or fewer plants. Forcing indoor grows will only have the perverse and unintended effect of concentrating those odors on the occupants and guests of the residence.

If the intent is to avoid attractive nuisances, the clause addressing public view should solve that issue.

There are many residences located in the rural regions of the county that will be prevented by the current wording from having a Cannabis plant in their garden even if they have no neighbors for hundreds of yards. This would even be the case on parcels where there exists an outdoor cultivation license! I'm sure that was not the intent of the ordinance.

In section C-1, there is a requirement for Archeological and Paleological surveys. I understand the reasons for requiring this on land which is not currently under cultivation for any crop. In this case there is a true change in *use* to irrigated ag. It is my belief that the majority of the acreage which will be used for cannabis cultivation in this county will be converted from other less profitable crops. As such there will not a be a change in *use*, but simply a change in *crops*. I currently manage many acres on which we rotate a number of different crops. It seems absurd

to require Archeological and Paleological surveys if I choose to include cannabis in my rotation. I would encourage you to exempt cannabis cultivation on existing farm fields from this requirement.

In section D-3 and D-4, there are some limitations to Manufacturing and Distribution that I believe will turn out to be counterproductive and will prevent the organic expansion of the industry without serving any public purpose.

I grow walnuts and wine grapes as well as manage property on which walnut hulling and dehydrating occurs and on which a winery is located. We hull/dehydrate walnuts from other parcels because the equipment to do so is capital intensive and would not be cost effective for smaller growers to put in place. Currently we bring in about 50% of the walnuts we hull. Prohibiting us from hulling more than that would limit the ability of smaller grower to enter the business and take advantage of the existing infrastructure we have invested in. Likewise with our wine grapes and winery. I do not see the logic in preventing smaller growers of Cannabis from taking advantage of existing manufacturing and distribution infrastructure. This is how agricultural crops take root in a particular region, by concentrating processing facilities on a limited number of parcels near the many cultivation sites.

I would suggest the following changes:

3. Distribution.

a. Cultivation limits. Manufacturing (volatile and non-volatile) and/or distribution on a lot zoned AG-I or AG-II shall only be allowed as an accessory use to cannabis cultivation and shall comply with the following requirements:

1) Cannabis product distributed shall include cannabis plant material cultivated on the same lot on which the distribution activities will occur.

2) Distribution shall be subordinate and incidental to the cultivation use of the lot, and the area designated for distribution shall occupy a smaller footprint than the area that is designated for cultivation on the lot.

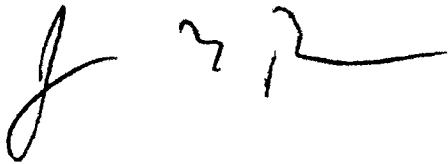
4. Manufacturing.

a. Cultivation limits. Manufacturing (volatile and non-volatile) and/or distribution on a lot zoned AG-I or AG-II shall only be allowed as an accessory use to cannabis cultivation and shall comply with the following requirements:

1) Cannabis product manufactured shall include cannabis plant material cultivated on the same lot on which the manufacturing activities will occur.

2) Manufacturing shall be subordinate and incidental to the cultivation use of the lot, and the area designated for manufacturing shall occupy a smaller footprint than the area that is designated for cultivation on the lot.

Thank you for giving me the opportunity to provide you with feedback as you work through this complex issue.

A handwritten signature in black ink, appearing to read 'J. Baer', with a long horizontal stroke extending to the right.

José Baer
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President, Rancho La Viña, Lompoc
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