

SANTA BARBARA COUNTY PLANNING COMMISSION

Staff Report for Cannabis Odor Ordinance Amendments

Hearing Date: September 25, 2024
Staff Report Date: September 17, 2024
Case No.: 24ORD-00012

Environmental Document: Cannabis Land Use Ordinance and Licensing Program Programmatic Environmental Impact Report (PEIR) (17EIR-00000-00003 & SCH No. 2017071016) [California Environmental Quality Act (CEQA) Guidelines Sections 15162(a), 15168(c)(2), and 15265]

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1.0 REQUEST

Hearing on the request of the County of Santa Barbara Planning and Development Department (P&D) for the County Planning Commission (CPC) to consider the following:

1. An ordinance (Case No. 24ORD-00012) to amend the Santa Barbara County Coastal Zoning Ordinance, Article II, of Chapter 35, Zoning, of the County Code, as set forth in Attachment C-2.
2. Determine that ordinance Case No. 24ORD-00012 is exempt from the provisions of CEQA pursuant to Section 15265 of the State Guidelines for the Implementation of CEQA, and pursuant to Section 15162(a), after considering the PEIR that the Board of Supervisors (Board) certified on February 6, 2018, no subsequent environmental impact report or negative declaration shall be required because no:
 - (a) Substantial changes are proposed which require major revisions of the PEIR due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified significant effects;
 - (b) Substantial changes have occurred with respect to the circumstances under which the ordinance is undertaken which require major revisions of the PEIR due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified significant effects; or
 - (c) New information of substantial importance concerning the ordinance's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the PEIR was certified, has been received which shows that any of the results described in CEQA Guidelines Section 15162(a)(3)(A) through (C) would occur.

The proposed Coastal Zoning Ordinance, Article II amendments (Attachment C-2) clarify existing cannabis odor control regulations by establishing a cannabis odor threshold and revising existing development standards and odor abatement plan (OAP) procedures to more efficiently identify, evaluate, and enforce cannabis-related nuisance odors in the Coastal Zone.

2.0 RECOMMENDATION AND PROCEDURES

2.1 Case No. 24ORD-00012. Follow the procedures outlined below and recommend that the Board approve the amendments (Case No. 24ORD-00012) to the Coastal Zoning Ordinance, Article II, based on the ability to make the required findings. The CPC's motion should include the following:

1. Make the required findings for approval (Attachment A), including CEQA findings, and recommend that the Board make the findings for approval of the proposed amendments;
2. Recommend that the Board determine that the amendments (Case No. 24ORD-00012) are exempt from the provisions of CEQA pursuant to Section 15265 and the previously certified PEIR (17EIR-00000-00003) constitutes adequate environmental review and no subsequent environmental impact report or negative declaration is required pursuant to CEQA Guidelines Sections 15162(a); and
3. Adopt a resolution (Attachment C-1) recommending that the Board adopt an ordinance to amend the Coastal Zoning Ordinance, Article II, of Chapter 35, Zoning, of the Santa Barbara County Code.

Please refer the matter to staff if the CPC takes other than the recommended actions for the development of appropriate materials.

3.0 JURISDICTION

3.1 Case No. 24ORD-00012. The CPC is considering the proposed Article II amendment pursuant to Article II Section 35-180.5. Article II requires that the CPC, as the designated planning agency for the unincorporated area of the county located outside of the Montecito Community Plan Area, review and consider proposed amendments to Article II affecting the Coastal Zone, including the Montecito Community Plan Area, and provide recommendations to the Board.

4.0 ISSUE SUMMARY

During the April 23, 2024, Board hearing, the Board directed P&D staff to clarify and amend existing development standards and OAP compliance and monitoring requirements for commercial cannabis facilities in the Coastal Zone. Pursuant to the Board's directions, the

proposed Article II amendments include:

- Establishing an objective cannabis odor threshold, identifying what tool(s) will be used to measure cannabis odor, and describing a method of how and where to measure cannabis odor;
- Developing a standard process to be used for verifying cannabis odor complaints and violations;
- Revising requirements for OAPs (i.e. requiring run-time data for odor control systems);
- Requiring annual odor control inspections after quarterly inspections are complete; and
- Developing a ministerial permit path for OAP improvements and minor revisions.

In addition, the Board directed staff to study the power supply and demands in the Carpinteria area related to installation of carbon scrubbers or similar equipment. P&D Staff and the County's cannabis odor consultant, Geosyntec Consultants, Inc. (Geosyntec) are coordinating with Southern California Edison (SCE) on this study. This effort is currently underway and is ongoing and will not be completed before the proposed ordinance amendments are presented to the CPC.

P&D staff is also evaluating potential measures for odor control for outdoor grows in the Inland Area. This effort is ongoing and will not be completed prior to these ordinance amendments for the Coastal Zoning Ordinance, Article II, being presented to the CPC.

A more detailed discussion on cannabis odor, complaints regarding odor, and recommendations for the proposed ordinance amendments are located in Section 5.0 below. The proposed draft amendments with changes shown to implement these changes to Article II are included as Attachment C-2 to this staff report.

5.0 PROJECT INFORMATION

5.1 Background

On February 27, 2018, the Board adopted a series of ordinances, including Ordinance Nos. 5027 and 5028, amending the Land Use Development Code (LUDC) and Article II, respectively, to implement development standards, permit requirements, and procedures regarding commercial cannabis activities within the County's unincorporated area. For the inland area, Section 35.42.075 (Cannabis Regulations) of the LUDC became effective on March 29, 2018, and for the Coastal Zone, the changes became effective when the California Coastal Commission certified the amendment to Article II, Section 144U (Cannabis Regulations) on October 10, 2018.

In 2019, a standard condition of approval (Odor Abatement Implementation and Monitoring) was developed to ensure the operations were consistent with the code requirements and the

approved odor abatement plans. The condition requires that each cannabis site with an odor abatement plan will be inspected once upon installation and four times thereafter (quarterly) for one year. It also states that the County shall retain a professional hygienist or certified industrial hygienist, at the applicant's expense, to conduct the required inspections of the odor control system upon installation. On November 1, 2022, the Board approved and authorized an Agreement for Services of Independent Contractor between the County of Santa Barbara and Geosyntec to provide on-call professional services of cannabis odor monitoring and abatement for a period of three years to November 1, 2025.

Between December 5, 2022, and April 8, 2024, there have been 50 odor control system inspections at 22 approved cannabis sites in the Carpinteria area, and at two approved cannabis sites in the Buellton area. These inspections include testing and monitoring of cannabis control systems at installation, prior to commencement of the operation, quarterly, or as required per condition of approval. Through this effort, all 24 currently active cannabis operations with OAPs in the inland area and Coastal Zone have been inspected at least once to evaluate compliance of the odor control system with the approved OAP. In most cases, the cannabis operators were compliant with the monitoring and maintenance requirements outlined in their OAPs, with some operators needing to update their OAPs, or improve and modify certain components of their systems in order to be compliant. Further discussion of the results of these inspections is included in Attachment D (Board Agenda Letter, dated April 23, 2024).

P&D compliance staff also document cannabis odor nuisance complaints. Complaints can be filed by the general public using the Cannabis Complaint Form, located on P&D's and the County Executive Office's (CEO) webpage, and reporting parties may provide the location, date, and time of reported odor violation when submitting a complaint. P&D has received a high volume of cannabis odor nuisance complaints concentrated in the Carpinteria area. Complaints about cannabis odor can also be submitted directly to cannabis operators. P&D attempts to verify complaints in accordance with the code by determining that odor was, or was not observed at the location, date, and time it was reported.

As reported to the Board on April 23, 2024, P&D staff is frequently unable to verify odor complaints for a variety of factors to include vague or incomplete information in complaints and/or identifying the exact emission source for odor. Further discussion of cannabis odor complaints is included in Attachment D (Board Agenda Letter, dated April 23, 2024).

5.1.1 Odor Abatement Plans

Currently, there are 108 cannabis sites with approved entitlements in Santa Barbara County. Thirty-two are required to implement an OAP, including five in the inland area and 27 in the Carpinteria area within the Coastal Zone. The five inland area cannabis operations with OAPs are permitted to conduct outdoor cultivation, indoor greenhouse nursery cultivation, and/or

processing. These approved OAPs in the inland area include vapor phase and/or misting technologies, carbon filtration in processing areas, and/or aromatic landscaping.

All 27 cannabis operations in the Carpinteria area have OAPs and are permitted to conduct indoor cannabis cultivation, manufacturing, processing, and/or distribution. These approved OAPs include vapor phase and/or misting technologies, carbon filtration, and/or photocatalytic oxidation (PCO). OAPs may incorporate different odor abatement technologies in greenhouses, which typically have vents to the outside air, compared to sealed buildings used for processing or packing activities. For example, an OAP may include the use of vapor phase equipment in greenhouses, and carbon filtration in buildings used for processing and packing.

Table 1 below provides a current list of cannabis operations located within the Coastal Zone. Twenty-two of the approved OAPs include vapor phase and/or misting technologies in cultivation areas, and 12 approved OAPs include carbon technology (including carbon filtration or PCO in cultivation areas. As demonstrated by Table 1 below, the carbon technology has not yet been installed at all required sites. As noted in Table 1, the CPC required, by condition of approval, that four sites install carbon scrubber technology (also known as PCO, molecular scrubbers, and/or carbon scrubbers/filters) within greenhouse cultivation areas. All approved OAPs with processing include carbon filtration or PCO in the processing areas.

Table 1. Coastal Zone Cannabis Operations Required to Implement OAPs

Cannabis Operation	Address	Cultivation Odor Control Method	Processing Odor Control Method	Currently Operating (Yes/No)
Autumn Brands/Ocean Hills	3615 Foothill Road, Carpinteria	Vapor phase	Carbon filtration	Yes
Blue Whale New Generation	5775 Casitas Pass Road, Carpinteria	Vapor phase	No processing	Yes
Bosim	1628 Cravens Lane, Carpinteria	Vapor phase	Carbon filtration	Yes
Carp Red Barn	5360 Foothill Road, Carpinteria	No greenhouse cultivation	Carbon filtration	Yes
Cas Road	1530 Casitas Pass, Carpinteria	Vapor phase	No processing	No
*Ceres Farms	6030 Casitas Pass Road, Carpinteria	Misting and PCO (PCO not installed yet)	Carbon filtration	Yes
Creekside	3508 Via Real, Carpinteria	PCO (not installed yet)	PCO (not installed yet)	No

CP1 Supply Systems Inc.	4505 Foothill Road, Carpinteria	Vapor phase	Carbon filtration	Yes
The Dryery	3798 Via Real, Carpinteria	No greenhouse cultivation	Carbon filtration	No
Emmawood B1 LLC	5888 Via Real, Carpinteria	Vapor phase	Carbon filtration	Yes
Farmlane/CVW	1296, 1400, & 1480 Cravens Lane, Carpinteria	Vapor phase and carbon filtration	Carbon filtration	Yes
Farmlane/CVW	1540 Cravens Lane, Carpinteria	Vapor phase and carbon filtration	No processing	Yes
G&K Produce K&G Flower	3561 Foothill Road, Carpinteria	Vapor phase	No processing	Yes
**Island Breeze (Approval is currently appealed to the Planning Commission)	3776 Foothill Road, Carpinteria	Vapor phase (carbon filtration is proposed in addition to vapor phase)	Carbon filtration	Yes
Life Remedy CKC Farms	5138 Foothill Road, Carpinteria	Vapor phase	No processing	Yes
*Mediedibles	4994 Foothill Road, Carpinteria	Vapor phase and PCO (PCO not installed yet)	No processing	Yes
*Mission Health	5601 Casitas Pass Road, Carpinteria	Vapor phase, carbon filtration, and PCO	Carbon filtration	Yes
*New Horizon Farming Inc.	4532 Foothill Road, Carpinteria	Vapor phase and PCO	No processing	Yes
Pacific Grown Organics	5892 Via Real, Carpinteria	Vapor phase and carbon filtration	Carbon filtration	Yes
Primetime Farms	5554 Casitas Pass Road, Carpinteria	Vapor phase and PCO	Carbon filtration	Yes
Twisted Roots (3684)	3684 Via Real, Carpinteria	PCO	No processing	Yes
Twisted Roots (4555)	4555 Foothill Road, Carpinteria	PCO (not installed yet); vapor phase currently	PCO (not installed yet)	Yes
Twisted Roots (4701)	4701 Foothill Road, Carpinteria	Vapor phase and PCO	No processing	Yes

Ultra Flowers	7176 Gobernador Canyon, Carpinteria	PCO (not installed yet)	Carbon filtration	No
Valley Crest Farms	5980 Casitas Pass Road, Carpinteria	Misting	Carbon filtration	Yes
Vista Verde	3450 Via Real, Carpinteria	Vapor phase	Carbon filtration	No
VR1 Farms	3892 Via Real, Carpinteria	Vapor phase	Carbon filtration	No
Yamaoka	1552 Casitas Pass, Carpinteria	Vapor phase	No processing	No

*County Planning Commission added a condition of approval requiring installation of carbon scrubbers at Ceres Farms, Mediedibles, Mission Health, and New Horizon Farming Inc.

**Approval of Island Breeze is currently appealed to the County Planning Commission, and therefore, this OAP is not approved.

To date, several cannabis operators in the Carpinteria area have submitted modifications to their OAP in order to address odor complaints from the community, operational needs, increase effectiveness of odor abatement systems, and/or reduce costs. The following are examples of modifications that have occurred to odor abatements systems and commercial cannabis facilities:

- Adding units/totes of vapor phase solution and more carbon scrubber units.
- Revising maintenance procedures to allow maintenance of the odor control technology to be performed in-house or locally rather than by the technology company in order to meet operational needs and reduce costs, as needed due to the drop in crop value.
- Resolving deviations from OAPs, such as updates to the sizes of fans and carbon filters.
- Adding molecular scrubbers or PCO to a greenhouse that previously was permitted to use vapor phase.
- Revising OAPs in order to comply with the conditions of approval requiring installation of carbon scrubber technology (also known as PCO, molecular scrubbers, and/or carbon scrubbers/filters).

5.1.2 Board Update on Compliance

On April 23, 2024, P&D staff coordinated with the CEO to brief the Board on OAP compliance, odor abatement system inspections, and monitoring requirements, odor complaints, Nasal Ranger® data collection, staffing, and the successes and challenges of odor abatement to date. During the April 23, 2024, hearing, the Board directed P&D staff as follows:

- Develop a new odor objective threshold;
- Develop a standard to be used as a trigger for verifying odor complaints;
- Determine where odor measurements should be taken;
- Determine what tool(s) will be used to measure the odor;

- Require annual inspections after quarterly inspections are complete;
- Study power supply;
- Require “run-time” equipment to verify in an objective way; and
- Adopt a ministerial path in the Coastal Zoning Ordinance for amendments to OAPs improving the odor abatement systems without re-issuing a permit.

A discussion of P&D’s response to the Board’s direction is below.

5.2 Summary of Odor Abatement Study Findings and Recommendations

In response to the Board’s direction, P&D staff retained Geosyntec to evaluate existing regulations, identify challenges related to verifying and enforcing cannabis-related nuisance odor complaints, and conduct an odor study in the Carpinteria area to develop a threshold value for measuring odors associated with cannabis operations.

5.2.1 Odor Data Collection

Geosyntec collected outdoor ambient-air odor data in the Carpinteria area over two four-day periods in May 2024, and August 2024, to evaluate cannabis nuisance odor and support the creation of a quantifiable odor threshold measurement as requested by the BOS. Through this process, Geosyntec utilized a Nasal Ranger® and Kestrel 5500 weather meter to measure odor, ambient-air quality, and collect weather data. The Nasal Ranger® measures and quantifies odor strength in ambient air objectively using your trained nose and is commonly used for nuisance odor detection using a Dilution-to-Threshold (D/T) ratio. Additional details related to the Geosyntec study are included in their Technical Memorandum dated September 10, 2024, included as Attachment E.

D/T is measured as follows:

Table 2. Dilution to Threshold (D/T) Examples

Odor Units D/T	Intensity
60	Exceptionally Strong
30	Very Strong
15	Strong
7	Noticeable
4	Faint
2	Very Faint
0	No Odor

During the odor study, the Nasal Ranger® was used to evaluate outdoor ambient-air cannabis nuisance odor data between the hours of 0600 and 1800, daily. In addition to D/T measurements,

locations, air temperature, wind speed and direction, and relative humidity data were recorded during the study. A summary of the recorded data is presented in the table below in Section 5.2.2 and provided in Attachment E.

5.2.2 Odor Study Results

The May and August data includes records of 335 individual outdoor ambient-air odor measurements which is summarized in Table 3 below. Observations indicated that 95.52% of the measurements were classified as “no odor” (0 D/T), “faint or transient odor” (<2 D/T to 2 D/T), or “mild to transient odor” (4 D/T). There were 14 (4.18% of the data) individual measurements observed as “mild to sustained odor” (7 D/T), and one single measurement observed as “moderate sustained odor” (15 D/T), which was considered as an outlier from the dataset.

Table 3. Summary of Outdoor/Ambient-Air Cannabis Odor Data

D/T Msrmt.	D/T Msrmt. Frequency (Number)	D/T Msrmt. Frequency (%)	Mean Temperature (°F)	Mean Relative Humidity (%)	Mean Wind Speed (mph)	Mean Wind Direction (Degrees)	Mean Wind Direction (Cardinal direction)
0	160	47.76	67.10	72.34	2.83	195.46	SSW
<2	90	26.87	69.90	68.28	1.84	204.23	SSW
2	37	11.04	70.95	68.66	8.02	225.68	SW
4	33	9.85	69.60	69.44	2.36	226.07	SW
7	14	4.18	68.88	69.82	2.23	219.17	SSW
15	1	0.30	64.10	76.50	1.80	245.00	WSW

D/T = dilution to threshold
Mph = miles per hour

Geosyntec observed 14 cannabis odor measurements at 7 D/T outside of cannabis sites in three areas: along the 3500 block of Foothill Road, 4400/4500 block of Foothill Road, and the 5600/5700 block of Casitas Pass Road, as demonstrated by the maps in Attachment E. Geosyntec observed one cannabis odor measurement at 15 D/T outside of cannabis sites along the same 3500 block of Foothill Road, as shown in Figures 1 and 2, included in Attachment E.

Nuisance odor complaints received by P&D have identified these portions of Foothill Road in a majority of those complaints. In response to those complaints, P&D staff also collected preliminary odor data at these three areas between February 2024 and April 2024. The preliminary data collected by P&D staff ranged between 0 D/T and 30 D/T with the majority of odor readings at each of these locations ranging between 0 D/T and 4 D/T.

The data collected by Geosyntec also includes records of 27 individual indoor cannabis odor measurements collected from inside three facilities, Autumn Brands, Twisted Roots (4555 Foothill), and Valley Crest during the May and August studies. As demonstrated in Table 1, all

three of these facilities use vapor phase and/or misting technologies in the cultivation areas and carbon filtration or photocatalytic oxidation technologies in the processing areas. These indoor measurements yielded the highest D/T measurements recorded during the study periods. The highest measurements recorded indoors were observed at 60 D/T and 30 D/T during cannabis processing and bucking activities. Additional measurements were taken directly outside of the same facilities and at the facility property lines. These measurements were taken immediately after the indoor measurements and yielded lower values between 0 D/T and 2 D/T. This data illustrated that all three cannabis sites were operating in compliance with their OAPs at the time of the odor data collection.

The comparison of these high D/T measurements recorded inside the operational cannabis facilities and the lower D/T measurements recorded outside of the facilities indicates that odor control technology is capable of significantly reducing cannabis odor from inside the facilities, compared to outside the facilities.

The D/T data collected by Geosyntec are presented graphically in Attachment E and suggest that cannabis facilities operating in accordance with approved OAPs can mitigate cannabis nuisance odors to “faint, transient, or mild” levels, or below 7 D/T.

As directed by the BOS, P&D has developed the numerical D/T threshold to be measured at a cannabis facility property line is to support odor control in a manner that maintains the existing ordinance requirement to “prevent cannabis odors from being experienced in residential zones, as determined by the Director.” Given the limited observance of 7 D/T measurements at offsite locations, Geosyntec noted that this value appears to be an appropriate and achievable nuisance odor threshold to be measured at the property line using a sustained three-minute time-component to determine if the D/T is transient or an exceedance, and if corrective actions are warranted. The single 15 D/T measurement described as “moderate sustained odor,” suggests the measurement should be classified as a cannabis nuisance odor exceedance, further supporting 7 D/T as an appropriate cannabis nuisance.

The odor study observed locations outside of all cannabis facilities that are currently operating with carbon scrubber technology (also known as PCO, molecular scrubbers, and/or carbon scrubbers/filters) as well as vapor phase and/or misting technologies. Aside from the 15 D/T measurement, the odor study found that these facilities were measuring at or below 7 D/T. Table 1 in this staff report includes all of the cannabis operators in the Carpinteria area and notes which operators are required to install carbon scrubber technology based on their OAP or condition of approval, and which operators have not yet done so. As demonstrated by Geosyntec’s odor study as well as the preliminary Nasal Ranger® surveys collected by P&D, odor measured at the property line of most of the cannabis sites is below the 7 D/T threshold. Staff finds that the majority of facilities can achieve a threshold of 7 D/T and recommends 7 as an appropriate value for the odor threshold. See Attachment E for more information.

5.3 Summary of Proposed Changes to Existing Cannabis Regulations

In order to respond to the Board's April 23, 2024 direction, staff recommends the following proposed amendments to the Coastal Zoning Ordinance to clarify existing standards in the ordinance by providing an objective standard or threshold that is measurable and enforceable. The proposed amendments will assist P&D to better identify, evaluate, and enforce cannabis-related nuisance odors and violations in the Coastal Zone to ensure odors are not experienced in residential zones. (Attachment C-2).

5.3.1 Applicability – Add Subsection 35-144U.A.2.f.

To reduce the high volume of nuisance complaints and impacts related to cannabis odor, staff recommends that the ordinance amendments become effective and applicable to all commercial cannabis facilities at the time of Coastal Commission certification. This will result in the ordinance amendments being applicable retrospectively. The odor study completed by Geosyntec indicates that many existing OAPs can meet the 7 D/T threshold. Accordingly, most existing operators already have or are working towards installing odor control systems that are sufficient to comply with the proposed ordinance amendments.

The Planning Commission may consider including additional time to the amendments' effective date to provide for a greater timeline for commercial cannabis facilities to come into compliance.

5.3.2 Cannabis Odor Threshold – Add Subsection 35-144U.C.6

Currently, the cannabis regulations require that an OAP must prevent odors from being experienced within residential zones, as determined by the Director. The existing regulations also set forth criteria for how the Department will take action if verified complaints are received. The current regulations create challenges for staff to identify, verify, and enforce complaints related to cannabis odor. In order to provide clarity to the existing standards for OAPs in preventing odors from being experienced in residential zones, staff is recommending a cannabis odor threshold of 7 D/T measured at the property line of the site of a commercial cannabis facility.

“Cannabis odor from commercial cannabis activities shall not exceed seven (7) D/T for the duration of a consecutive three-(3) minute period as measured at the property line of a commercial cannabis facility. The operator shall implement corrective actions as determined by the Department if a facility exceeds the cannabis odor threshold.”

Based on the survey and study conducted by Geosyntec (see Attachment E - Final Technical Memorandum), staff finds that establishing an objective, measurable threshold of 7 D/T is an achievable and enforceable standard and is consistent with the existing ordinance requirement to “prevent cannabis odors from being experienced in residential zones, as determined by the

Director". The threshold will assist in enabling staff to adequately respond to and address complaints for cannabis nuisance odors. As a result, it is anticipated that cannabis nuisance odor in residential areas and related complaints will be reduced. While there may be occasions where odors measured at 7 D/T at the facility property line still result in odor experienced beyond the property (depending on variables associated with distance, topography and meteorological influences), such odors may be transient, temporary and not require corrective action. In addition, the ordinance amendments provide clarity on how complaints for serious or recurring cannabis nuisance odors will be addressed. See Attachment C-2 to view the proposed changes.

5.3.3 Corrective Actions – Revise Section 35-144U.C.6

Once the Department evaluates nuisance odor complaints it may require corrective actions to be implemented in response to nuisance odors. If the following complaint-related thresholds are met, the Department will require a series of corrective actions until compliance is achieved:

- Three complaints received from individuals within a 60-day period and the Department determines cannabis odor measured at the property line exceeds the threshold; or
- Complaints are received from five or more individuals in a 24-hour period and the Department determines cannabis odor from the facility exceeds the threshold.

Corrective actions would be required in the following order until compliance can be demonstrated:

- The operator shall submit a written statement that verifies operational compliance with the approved OAP, or actions taken to achieve operational compliance with the approved OAP.
- The operator shall conduct diagnostic testing of the existing approved OAP equipment and submit a written statement describing the results of the testing and corrective actions taken to eliminate or reduce the cannabis-related nuisance odors.
- The operator must conduct a BACT assessment and develop a revised OAP to be re-certified by a California registered Engineer or a Certified Industrial Hygienist, subject to the Department's review and approval.

By applying this incremental corrective action approach to nuisance odors, the Department will be able to ensure operators are compliant with their OAPs.

5.3.4 Odor Abatement Plan – Revise Section 35-144U.C.7

The proposed changes to this section will clarify the OAP requirements to add provisions that: (1) require OAP equipment to be equipped with run-time meters which demonstrate when odor abatement equipment is and is not functioning; (2) require operators to submit run-time data to

the Department either at specified intervals or upon request; and (3) clarify that OAPs are required to be certified by a California registered Engineer or Certified Industrial Hygienist. These changes will provide tools to allow P&D compliance staff to verify compliance with OAPs. Additionally, these changes will improve the effectiveness of the compliance procedures (see discussion below).

5.3.5 Odor Abatement and Compliance Monitoring – Add Section 35-144U.J

To improve verification and the effectiveness of the complaint process, P&D staff has identified limitations within the structure of the existing odor compliance and monitoring process and proposes to correct these issues by requiring the following: (1) annual inspections for the life of the project for which an Odor Abatement Plan is required; and (2) provide compliance monitoring information, such as downtime data for odor abatement equipment and maintenance documentation annually to the department.

5.3.6 Minor Changes to Coastal Development Permits for Commercial Cannabis Cultivation – Add Section 35-169.20

The proposed amendment adds Section 35-169.20 to further streamline the process for existing operations to revise their OAPs with improved odor control abatement systems without the issuance of a new Coastal Development Permit. This will streamline the permitting process such that operators will only be required to revise their existing permit, which is a non-appealable action.

5.4 Power Supply in the Carpinteria Area

SCE currently serves the south coast region of the County. P&D is in the process of coordinating with SCE along with the County's retained cannabis odor consultant, Geosyntec to study the power availability or capacity needs to install PCO, molecular scrubbers, and/or carbon scrubbers/filters in cannabis facilities in the Carpinteria area. These technologies require a 480-volt power supply in order to operate. This level of power supply is typically available in commercial areas from SCE. However, the availability of 480-volt service varies by site throughout the Carpinteria area.

To upgrade the power supply or capacity of a facility, the operator would need to coordinate with SCE to determine if a 480-volt power supply is available. Where 480-volt service is determined to be possible, SCE will likely need to install additional/new/or upgraded power transformers and service drops with the cost of the upgrade typically charged to the operator. In addition, due to the change in power that is delivered to the facility, on-site power infrastructure upgrades would be required. Cannabis growers have indicated that these upgrades may be financially and physically prohibitive for an operator to facilitate the use of carbon scrubbers at their sites.

As directed by the Board, staff is studying what level of power supply is available from SCE to support cannabis facility needs, if SCE infrastructure can accommodate the additional electrical demand, and what upgrades would be required from SCE and cannabis operators to deliver and distribute 480-volt service throughout a facility. This study is anticipated to be completed in the coming months.

5.5 Odor Control for Outdoor Grows in the Inland Area

P&D is evaluating possible measures for outdoor grows in the inland area, as requested by the Board. In the inland area, there are 81 cannabis sites with approved entitlements. Pursuant to LUDC Section 35.42.075.C.6, no OAP is required for cannabis sites in the inland area within the Agricultural II Zone District unless the subject property is adjacent to an Existing Developed Rural Neighborhood or Urban Rural boundary, or the cultivation exceeds 51% of the subject lot area. In addition, the Santa Ynez Valley Community Plan (SYVCP) requires OAPs for a variety of uses. In accordance with the LUDC and SYVCP regulations, five cannabis operations with approved entitlements in the inland area are required to implement OAPs. The approved OAPs include vapor phase and/or misting technologies and aromatic landscaping in outdoor cultivation areas, and carbon filtration in processing areas. Further discussion of the approved OAPs in the inland area is included in the Board Agenda Letter dated April 23, 2024 (Attachment D). The study of possible measures for outdoor grows in the inland area is ongoing and is anticipated to be completed in the coming months.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

On February 6, 2018, the Board certified PEIR (Case No. 17EIR-00000-00003) for the County's Cannabis Land Use Ordinance and Licensing Program (Program). The PEIR was prepared in accordance with the State CEQA Guidelines Section 15168 and evaluated the Program's direct, indirect, and cumulative impacts based on Appendix G of the 2017 State CEQA Guidelines and thresholds in the County's Environmental Thresholds and Guidelines Manual (County of Santa Barbara 2008, revised July 2015). The PEIR identified a number of significant impacts and set forth feasible mitigation measures that were included as development standards and requirements in the land use and licensing ordinances, which are applied to site-specific land use entitlement and business licensing applications for commercial cannabis operations authorized under the Program. To mitigate Air Quality impacts, the PEIR included implementation of an OAP that prevents cannabis odor from being experienced in a residential zone. The PEIR concluded that significant and unavoidable impacts would result from the Program. The Board adopted a Statement of Overriding Considerations for the significant and unavoidable impacts.

Section 15168(c)(2) of the State CEQA Guidelines allows the County to approve an activity as being within the scope of the project covered by an EIR if the County finds pursuant to Section 15162(a) that no new environmental document is required. The proposed Article II amendments are within the scope of the project covered by the PEIR for the Cannabis Land Use Ordinance and will not allow new land uses, increase permitted densities, or otherwise alter the purpose or intent of the Article II cannabis regulations. Establishing a cannabis odor threshold, revising existing OAP requirements, and clarifying the odor complaint and operator violation processes provides the County decision makers, and Planning and Development Department staff with additional tools to more efficiently identify, evaluate, and enforce cannabis-related nuisance odors in the Coastal zone. Additionally, the proposed amendments clarify the existing OAP regulations to improve compliance and provide operators with a streamlined permit process to improve their odor abatement technologies with a revision to an existing Coastal Development Permit. Furthermore, the proposed amendments will not have new significant effects or increase the severity of effects discussed in the EIR. Therefore, no new environmental document is required, and the proposed Article II amendments do not require subsequent environmental review pursuant to CEQA Guidelines Section 15162 and 15168(c)(2).

In addition, State CEQA Guidelines Section 15265 statutorily exempts local government activities involving the preparation and adoption of local coastal program amendments from environmental review. The proposed Article II amendment affects portions of the County within the Coastal Zone and constitutes an amendment to the County's Local Coastal Program. Therefore, the proposed Article II amendment is statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15265.

Please see the Attachment B-2 for additional information.

6.2 Policy and Ordinance Consistency

6.1 Policy Consistency

The Board adopted the existing Cannabis Ordinance after making a finding that it was in conformity with other mandatory and optional elements of the Comprehensive Plan. The Article II cannabis regulations adopted by the Board establish standards that are designed to protect the public health, safety, and welfare, and enact strong and effective regulatory and enforcement controls.

The proposed amendments will minimize potential for negative impacts on people, communities, and the environment. The proposed changes will provide County decision-makers and P&D staff with additional tools to more efficiently identify, evaluate, and enforce cannabis-related nuisance odors in the Coastal zone. The clarifications to the existing OAP regulations will improve compliance and provide operators with a streamlined permit process to improve their odor

abatement technologies with a revision to an existing Coastal Development Permit rather than going through an appealable permit process. Further, the proposed changes would clarify the violation process for cannabis odor threshold exceedance and improve the odor complaint process to help staff better identify odor nuisances through a revised complaint form.

The proposed amendments would not allow new land uses, development, or alter the purpose and intent of any policies or development standards of the Comprehensive Plan. In order for County decision-makers to approve a land use entitlement based on the proposed amendments, the decision-makers would need to determine that the project is consistent with the policies and development standards of the Comprehensive Plan. As part of this process, P&D Department staff would perform a policy consistency analysis during the review of the application, and County decision-makers would need to find that projects are consistent with applicable policies and make the findings required for approval. Therefore, the proposed Article II amendments are consistent with the policies of the Comprehensive Plan, including the Coastal Land Use Plan.

6.2 Ordinance Consistency

The proposed amendments are consistent with the remaining portions of Article II. In order to approve a development project based on the proposed amendments, County decision-makers would need to determine that the project is consistent with all applicable requirements of Article II. As discussed in Section 6.1 above, the proposed amendments do not allow new land uses or alter the purpose or intent of Article II. Rather, the proposed amendments would revise certain cannabis odor regulations to (1) establish a cannabis odor threshold; (2) streamline minor changes to approved Coastal Development Permits (e.g., changes to improve the efficacy of odor control systems) to existing and approved operations; and (3) clarify the cannabis odor complaint and violation process. Therefore, the proposed amendments are consistent with Article II.

7.0 APPEALS PROCEDURE

Ordinance amendments recommended for approval or denial are legislative acts that are automatically forwarded to the Board for final action. Therefore, the ordinance amendments are not subject to appeal.

ATTACHMENTS

- A. Findings for Approval (Case No. 24ORD-00012)
- B-1. Final Program Environmental Impact Report and Board's PEIR Statements of Overriding Consideration (link)
- B-2. Notice of Exemption
- C-1. Article II Resolution (Case No. 24ORD-00012)

Cannabis Odor Ordinance Amendments
Case No. 24ORD-00012
County Planning Commission
Hearing Date: September 25, 2024
Page 17

C-2. Article II Amendment with Changes Shown

D. Board of Supervisors, Board Agenda Letter, dated April 23, 2024

E. Final Technical Memorandum prepared by Geosyntec, dated September 10, 2024

G:\GROUP\COMP\Zoning Ordinance Amendment Program\2024 Ordinance Amendment Package\2024 Cannabis\Hearings\CPC 9.25.24\Final Documents\Cannabis Odor Ordinance Amendments CPC Staff Report - Sept. 17, 2024.docx

Technical Memorandum

Date: September 10, 2024

To: Santa Barbara County Planning & Development Department, Cannabis Group
Ms. Gwen Beyler
Ms. Petra Levya
Mr. Errin Briggs
Mr. Jeffrey Wilson

From: Geosyntec Consultants
Ms. Maygan Cline, Project Director
Mr. Kevin Coffman, Project Manager

Subject: Cannabis nuisance odor study, code review & recommendations
Santa Barbara County Code – Chapter 35 - Article II Coastal Zoning Ordinance
Division 7, Section 35-144U. Cannabis Regulations.
Item 4. C. 6. Odor Abatement Plan

Geosyntec was retained by Santa Barbara County Planning & Development Department (Department) in response to the direction received by the County Board of Supervisors (BOS) in the 23 April 2024 BOS meeting. After that meeting, the Department requested Geosyntec to develop recommended language changes, as appropriate, to the existing cannabis regulations (regulations) within the Santa Barbara County Coastal Zoning Ordinance to enable the Department to more effectively identify, evaluate and enforce cannabis-related nuisance odors in the Coastal Zone, especially in Carpinteria. Additionally, Geosyntec conducted an odor study to develop an odor threshold value for use by the Department. The remainder of this technical memorandum outlines the odor study conducted, the proposed regulation language changes, and recommendations for the Department to consider implementing for the purpose of mitigating cannabis related nuisance odors and reducing public complaints related to cannabis nuisance odors.

ODOR STUDY

The Department has received numerous cannabis nuisance odor complaints since cannabis cultivation initiated in Carpinteria. To understand and evaluate the cannabis nuisance odor complaints received by the Department, Geosyntec collected ambient outdoor odor data in Carpinteria over a four-day period in May 2024 and three days in August 2024. Geosyntec utilized a Nasal Ranger®, photo ionization detector (PID), and Kestrel 5500 weather meter, to measure odor, ambient air quality, and weather data, respectively. A summary of the collected data, and evaluation of the data are provided below.

Odor Data Collection

Geosyntec researched the use of a PID and tested its reliability in the field to detect terpenes from cannabis nuisance odors; however, it was determined ineffective for measurement of cannabis-related terpenes using the available ionization lamps, filters, and calibration gases from the manufacturer. The Nasal Ranger® was determined the most reliable and effective tool to support field-detection and measurement of cannabis nuisance odors. As stated by the manufacturer, St. Croix Sensory, Inc., “the Nasal Ranger® is the state-of-the-art in-field olfactometry for measuring and quantifying odor strength in ambient air. The portable Nasal Ranger® Field Olfactometer determines ambient odor Dilution-to-Threshold (D/T) concentration objectively using your trained nose”. Additionally, the Nasal Ranger® is commonly used to measure nuisance odors in ambient air and is widely accepted by air quality regulatory agencies for this use.

Outdoor, ambient air, cannabis odor data were collected in the Carpinteria area using the Nasal Ranger® between the hours of 0600 and 1800, daily, between Tuesday 28 May and Friday 31 May, and Tuesday 13 August and Thursday 15 August 2024. Along with Nasal Ranger® D/T measurements, the location of the measurement, air temperature, relative humidity, wind speed, and wind direction data were also recorded. **Attachment 1** shows the locations of D/T measurement data that was collected across the Carpinteria area, most of which was classified as “faint, transient, or mild” odor. The data is discussed in additional detail in the following sections.

Indoor cannabis odor data was collected from select facilities that provided access during the odor study, yielding the highest D/T measurements recorded during the study. The highest D/T measurements of 60 D/T and 30 D/T were noted indoors where cannabis processing and bucking activities were occurring. Directly outside of those buildings and at the facility property line, D/T measurements drop to between 0 D/T and 2 D/T. These data indicate that facilities operating in compliance with their approved OAP are capable of mitigating odors. **Attachment 2** shows the paired indoor and outdoor ambient-air cannabis odor data collected from the two facilities, showing the reduction in outdoor cannabis odor measurements compared to interior odor measurements.

A summary of the outdoor ambient air cannabis odor data collected are presented in the table below and are also visually represented in a cloud-hosted map and dashboard, made available to Department staff¹.

Summary of Outdoor / Ambient-Air Cannabis Odor Data							
D/T Measurement	D/T Measurement Frequency (number)	D/T Measurement Frequency (%)	Mean Temperature (°F)	Mean Relative Humidity (%)	Mean Wind Speed (mph)	Mean Wind Direction (degrees)	Mean Wind Direction (cardinal direction)
0	160	47.76	67.10	72.34	2.83	195.46	SSW
<2	90	26.87	69.90	68.28	1.84	204.23	SSW
2	37	11.04	70.95	68.66	8.02	225.68	SW
4	33	9.85	69.60	69.44	2.36	226.07	SW
7	14	4.18	68.88	69.82	2.23	219.17	SSW
15	1	0.30	64.10	76.50	1.80	245.00	WSW

Notes:

D/T = dilution to threshold

Mph = miles per hour

Odor Study Results & Recommendations

As shown on **Attachment 1**, 335 individual outdoor ambient-air odor measurements were collected during the study and 95.52% of the measurements were classified as “faint, transient, or mild” odors. A summary of the data is provided below.

- 47.76% (160 measurements) were classified as “no odor” or 0 D/T,
- 26.87% (90 measurements) classified as “faint or transient odor” or measured between <2 D/T to 2 D/T,
- 11.04% (37 measurements) classified as “mild to transient odor” or 4 D/T.
- 4.18% (14 measurements) classified as "mild to sustained odor” or 7 D/T, and
- 0.3% (1 measurement) was noted as “moderate sustained odor” or 15 D/T and is considered an outlier from the dataset.

The collected D/T data are presented graphically on **Attachments 1 and 2** and suggest that cannabis facilities operating in accordance with approved OAPs can mitigate cannabis nuisance odors to “faint, transient, or mild” levels, or below 7 D/T.

Given the limited observance of cannabis odors classified as “mild to sustained” at measurements of 7 D/T (4.18%), the data indicate 7 D/T may be an appropriate measurement for the Department to

¹ <https://www.arcgis.com/apps/dashboards/8b478479993d4434b725a2e0c6c49b88>

adopt as a “not to be exceeded” threshold, to align with and support the existing Code language that states, “prevent odors from being experienced within residential zones.”. The single 15 D/T measurement described as “moderate sustained odor,” suggests the measurement should be classified as a cannabis nuisance odor exceedance, further supporting 7 D/T as an appropriate cannabis nuisance odor threshold.

To support additional evaluation of the collected data and develop recommendations for the Department, Geosyntec evaluated other odor nuisance thresholds adopted by land use authorities and/or air quality agencies within the United States. For land uses with, or activities related to, composting and biosolids/sludge, both of which are known for their nuisance odors, D/T thresholds are paired with a time-component to determine potential “exceedances” and subsequent enforcement actions. Examples of D/T thresholds with a time component for several states and jurisdictions within California are shown in the following table².

Table 2 Examples of OU/m3 (D/T) Limits Used from Mahin (1)

Location	Off-site standard or guideline	Averaging times
Allegheny County Wastewater Treatment Plant (WWTP)	4 D/T (design goal)	2-minutes
San Francisco Bay Area Air Quality District	5 D/T	Applied after at least 10 complaints within 90-days
State of Colorado	7 D/T (Scentometer)	
State of Connecticut	7 D/T	
State of Massachusetts	5 D/T*	
State of New Jersey	5 D/T **	5-minutes or less
State of North Dakota	2 D/T (Scentometer)	
State of Oregon	1 to 2 D/T	15-minutes
City of Oakland, CA	50 D/T	3-minute
City of San Diego WWTP	5 D/T	5-minutes
City of Seattle WWTP	5 D/T	5-minutes

* draft policy and guidance for composting facilities

** for biosolids/sludge handling and treatment facilities

D/T values for sustained three-minute to 15-minute intervals are commonly accepted thresholds for nuisance odor exceedances for composting and biosolids/sludge activities, which are considered relevant for cannabis related nuisance odor management.

Odor Threshold Recommendations

Based on the collected odor data described above, and review of D/T nuisance thresholds for land uses and industries that produce nuisance odors, **Geosyntec recommends the Department adopt 7 D/T for a sustained 3-minute period at the cannabis facility property line as the cannabis nuisance odor threshold.** This threshold provides more clarity for the Department, facility operators

² Mahin, T. (Year) *Measurement and Regulation of Odors in the USA*. Massachusetts Department of Environmental Protection. Retrieved from: https://www.env.go.jp/en/air/odor/measure/02_1_4.pdf

and the public, which has a higher likelihood of achieving the existing Code language that states, “prevent odors from being experienced within residential zones.”

Geosyntec recommends the “sustained three-minute period” time-component to evaluate whether the D/T measurement is transient or may be considered “an exceedance”, and whether potential corrective or enforcement actions are warranted.

EXISTING CANNABIS REGULATIONS EVALUATION

Geosyntec reviewed the existing cannabis regulations within the Santa Barbara County Code and developed recommended language changes for Department consideration, following the feedback from the BOS after the 23 April 2024 meeting. The recommendations are described below and were developed to support the Department to more effectively identify, evaluate and enforce cannabis-related nuisance odors in the Coastal Zone, specifically in the Carpinteria area.

Existing Regulation Review

Geosyntec reviewed *Santa Barbara County Code – Chapter 35 - Article II Coastal Zoning Ordinance. Division 7, Section 35-144U. Cannabis Regulations. Item 4. C. 6. Odor Abatement Plan*. The existing regulations were evaluated with respect to the BOS feedback received during the 23 April 2024 meeting. The specific existing regulation items that were evaluated are listed below, followed by more detailed discussion and recommendations.

1. Verification of nuisance odor complaints.
2. Cannabis nuisance odor threshold values and associated point(s) of compliance, odor measurement tools, and Department determination of “odor exceedance.”
3. Appropriateness for updating the existing regulations to add:
 - a. requirement for run-time meters on odor mitigation equipment, to verify use in accordance with approved facility-specific odor abatement plans (OAPs);
 - b. minimum annual compliance checks to confirm odor mitigation efforts are in accordance with approved plans;
 - c. definition of “clusters” of operations in terms of nuisance odor exceedances, allowing the Department to process the “cluster” through a tiered-response process to mitigate the associated odors.

Item 1. Verification of cannabis nuisance odor complaints

Geosyntec evaluated the existing regulations related to Department determination of nuisance odors, specifically: *Chapter 35 - Article II Coastal Zoning Ordinance. Division 7, Section 35-144U. Cannabis Regulations. C. 6. Odor Abatement Plan subsection h.* (cited below).

- h. If the Department receives three verified complaints regarding odor events in any 365-day period, the Permittee shall implement corrective actions to comply with the odor abatement requirements of this [Section 35-144U.C.7](#). Upon the Department's request, the Permittee shall submit a written statement that sets forth the corrective actions and timing of implementation of each corrective action, subject to the Department's review and approval. The department may require the corrective actions to be re-certified by a Professional Engineer or a Certified Industrial Hygienist. Notwithstanding the requirements of this Section, the Department may take additional enforcement actions pursuant to Chapter 35-108 (Enforcement and Penalties) which may include, but are not limited to, initiating proceedings to revoke the applicable cannabis land use entitlement(s).

As shown above, section h of the existing regulations includes complaint response requirements. However, this section is meant to outline the required elements of OAPs. It may be clearer if a separate section of the Code addresses complaints, rather than including it with requirements of OAPs.

Section h. language requires the Department to “verify” complaints; however, verification is currently difficult to achieve, as many of the nuisance odor complaints received are anonymous in terms of complainant contact information, the location and timing of the nuisance odor experience. The Department originally required this information in the complaint form; however, the public was hesitant to provide the required data. The Department amended the form to allow complainants to bypass these fields and submit “anonymous” complaints; however, that amendment has removed specificity from the complaints received, making it difficult for the Department to “verify” them and implement appropriate response actions.

Example anonymous complaints received:

- “*Carpinteria stinks*”
- “*Smells when I drive through Carp – fix it!*”

The above examples reinforce the difficulty experienced by the Department to “verify” these complaints, and why it’s important to require specificity in the complaint system to enable the Department to effectively investigate cannabis nuisance odor complaints and to work with facilities to comply with the Code.

Item #1 Recommendations:

Based on continued odor complaints received from the public, it is recommended that the Department update the complaint form to include ***required*** fields, as listed below and noted on the attached complaint form (**Attachment 3**). These fields will enable the Department to “verify” the validity of the complaints received in accordance with the existing regulations, and collect nuisance odor specificity to support Department response:

- Remove Department actions for complaints from OAP requirements in Section h. Develop separate complaint section in the Code.

- Name and phone number of individual complainant.
- Location and time of day when the nuisance odor is experienced, enabling the Department to:
 - evaluate the nuisance odor complaint in the field, and whether the odor exceeds the 7 D/T threshold.
 - Compare the complaint to locally relevant and available weather data to assess potential nuisance odor patterns.
- Relative intensity of the nuisance odor (faint, mild, strong, intense) to support the Department in evaluating the complaint in the field.

Additionally, Geosyntec recommends the Department add the following language to *Section 6.h.* of the Code:

- After “three verified complaints,” add “from individuals,” allowing the Department and the facilities to address nuisance odor complaints that are received by distinct individuals and are therefore representative of the public at large, and not of singular individuals.
 - This recommendation is aligned with cannabis nuisance odor management practices by the City of Denver³.
- “if odor complaints are received from five or more individuals in a 24-hour period, the Department may require corrective and/or enforcement actions and/or issue fines.”
 - This recommendation is aligned with approaches taken by the City of Denver to address acute nuisance odor scenarios.

Item #2. Cannabis nuisance odor thresholds, point(s) of compliance, odor measurement tools, and determination of “odor exceedance.”

As presented in the Odor Study section of this technical memorandum, Geosyntec recommends the Department adopt the items listed below into the Code, to support mitigation and management of cannabis nuisance odors.

Item #2 Recommendations

Geosyntec recommends the Department adopt:

- Cannabis nuisance odors shall not exceed an established threshold of 7 D/T, for a sustained three-minute period, at the facility property line;
- Cannabis nuisance odor shall be measured using the Nasal Ranger® to evaluate potential threshold exceedances;
- Exceedance of the threshold shall trigger tiered response actions for a single, or cluster of cannabis facilities, at the sole discretion of the Department; and

³ [Odor Regulation Final website \(denverinc.org\)](https://www.denverinc.org/odors-regulation)

- If cannabis nuisance odor complaints are received from five or more individuals in a 24-hour period, signifying an acute odor event, the Department may require corrective and/or enforcement actions and/or issue fines, regardless of the measured D/T value.

Item #3. Existing cannabis regulations language updates

Geosyntec evaluated the existing regulations to add requirements related to the installation of run-time meters, the frequency of OAP compliance checks, and distinction of “clusters” of cannabis operators. Geosyntec recommendations are provided below for each of these items, as necessary.

Item #3 Recommendations

Geosyntec recommends the Department add to *Chapter 35 - Article II Coastal Zoning Ordinance, Division 7, Section 35-144U. Cannabis Regulations. Item 4. C. 6. Odor Abatement Plan* as follows:

- Addition to part 6. Odor Abatement Plan. e. “OAP equipment shall be equipped with run-time meters, and the run-time data shall be provided to the Department upon request, to verify the OAP equipment is operating in accordance with approved odor abatement plans (OAPs)”
- Addition of part 7. Compliance. Note the existing regulations numbering is off, and the addition of *part 7. Compliance* would replace the existing *part 6. Signage*. Geosyntec recommends adding a compliance section, indicating the Department will periodically inspect and require data submittals from the cannabis operators, to confirm odor mitigation efforts are occurring in accordance with approved OAPs and regulations in the Code.

Geosyntec recommends the Department define “clusters” of facilities and indicate the Department may require “clusters of facilities” to comply with a tiered-response process to mitigate identified cannabis nuisance odors.

ODOR MANAGEMENT STRATEGY RECOMMENDATIONS

Currently, the Department is leveraging an odor management strategy that relies on complaints from the public to identify the location, severity, and frequency of cannabis-related nuisance odors. In essence, the current strategy is reactive and lacks a proactive approach to mitigate cannabis related nuisance odors from occurring. A more effective strategy would include a proactive management approach using a compliance program, similar to the compliance approaches utilized by the Energy and Development Review Divisions of the Department. The recommended compliance approach may include:

- Requirement for cannabis facilities to prepare and submit semiannual Odor Mitigation Compliance reports to the Department, including data and written descriptions of the following listed items, at a minimum:

- Purchase receipts of vapor phase neutralizing liquids or granular activated carbon (GAC) as appropriate per individually approved OAPs;
 - Equipment run-time data confirming odor mitigation equipment is operating in accordance with approved OAPs;
 - Reporting should include down-time for planned system maintenance or unplanned down-time for power outages or repairs;
 - Updated contact information for primary person who receives, logs, and addresses received odor complaints;
 - Summary of odor complaints and actions taken to address the complaints; and
 - Discussion of OAP changes and/or improvements made to mitigate cannabis related nuisance odors.
- Establish non-compliance fee schedule and other non-compliance enforcement actions for cannabis facilities who fail to submit or submit late semiannual Odor Mitigation Compliance Reports.

* * * * *

Attachments

Attachment 1– Carpinteria Area Dilution over Threshold Measurements & Carbon Scrubbers

Attachment 2– Indoor & Outdoor Dilution over Threshold Measurements

Attachment 3 – Suggested Complaint Form Changes



D/T (Sample Locations)

- 0
- 1 - 2
- 3 - 7
- 8 - 15
- 16 - 30
- 31 - 60

Carbon Scrubber

- No Scrubbers Currently Installed, No Planned Install
- No Scrubbers Currently Installed, Planned Install
- Yes Scrubbers Currently Installed, No Planned Install
- Yes Scrubbers Currently Installed, Planned Install

D/T Measurement Data & Carbon Scrubbers

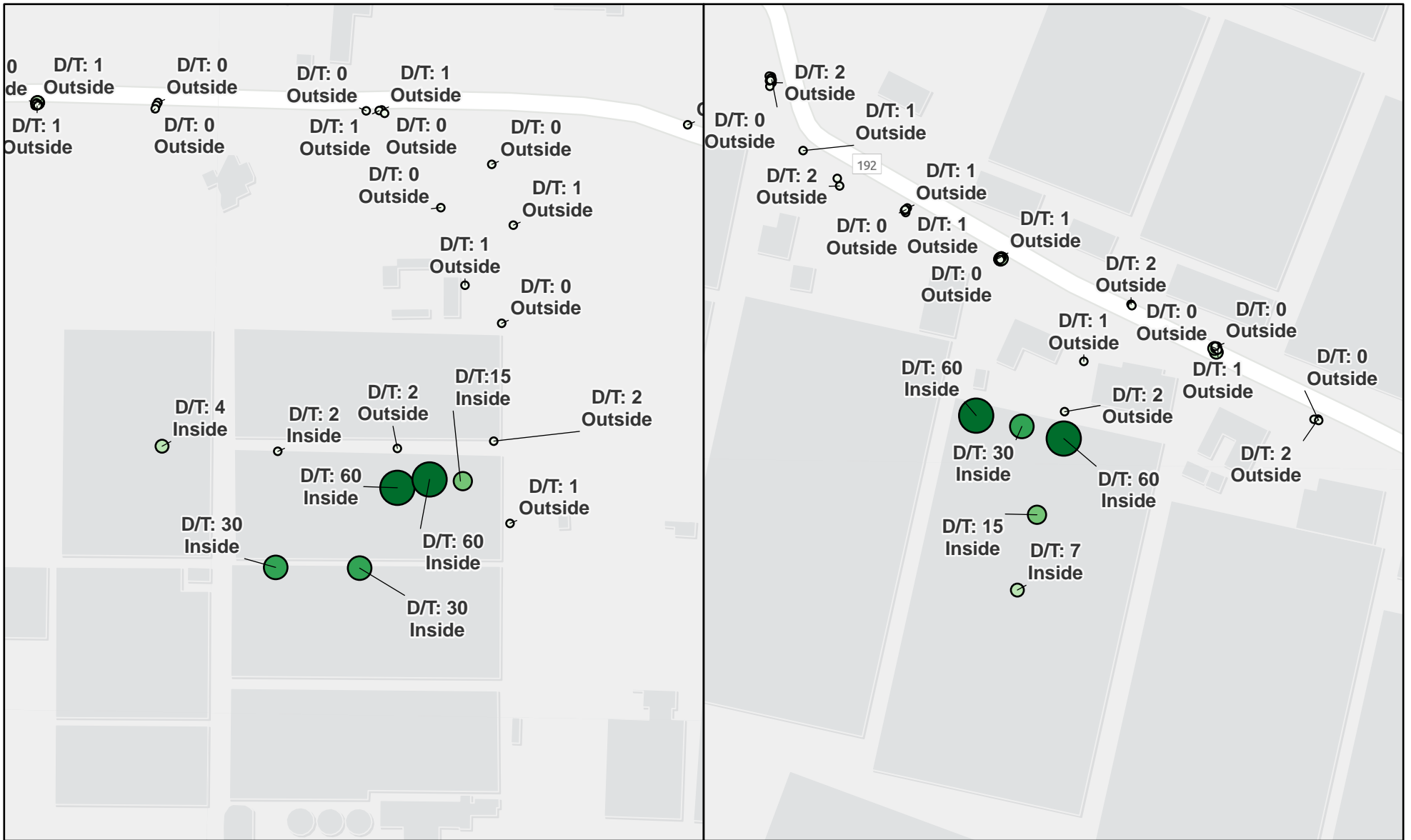
(Carpentaria, CA)

Geosyntec
consultants

Attachment

1







Legend


D/T Measurement

- 0 - 2
- 3 - 7
- 8 - 15
- 16 - 30
- 31 - 60

**Dilution to Threshold Measurement Data
Cannabis Odor Study**

Carpinteria, CA



Santa Barbara Office

Attachment
2

July 2024



COUNTY OF SANTA BARBARA

Cannabis Regulation and Licensing

<http://cannabis.countyofsb.org>

Cannabis Complaint Form

Location Information

You can use this form to securely file a complaint with Santa Barbara County. Photos and other documentation may be attached at the bottom of this form.

The parcel number where the alleged violation is occurring is needed for an inspection to be processed. If you are unaware of the parcel number, go to <http://sbcassessor.com/assessor/search.aspx> to determine the parcel number.

For general inquiries or to contact staff, please call our general information line at (805)568-2057.

Assessor Parcel Number (APN), if you know it:

Recommend adding addresses as an option, in addition to APN numbers, and making this field required..

Property Owner, if you know it:

Recommend adding "Cannabis Operation" in addition to property owner, and making this field required.

Address of the Problem that you are reporting:

This field needs to be required, and should state that "the Department requires the physical address of where the nuisance odor exists."

Also require the time of the nuisance odor experience - in order to relate it to locally available weather data.

Street
Address

City

ZIP Code

If reporting odor complaints, enter the location
where the odor is being experienced:

Suggest making the nuisance odor complaints a branch at the beginning of the form, to allow folks to more easily report.

Street
Address

City

ZIP Code

Date of
Observatio
n

Time of
Observatio
n

Recommend adding a required question called "Rate the intensity of the odor experienced"

Odor intensity options would be: Faint, Mild, Strong, Intense.

Next

See how easy it is to [create surveys and forms](#).

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