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de la Guerra, Sheila **Public Comment**

From: Charlotte Brownlee <charlotte_brownlee@cate.org>
Sent: Monday, June 1, 2020 5:13 PM
To: sbcob
Cc: Sandi Pierce; Williams, Das; Hartmann, Joan; Hart, Gregg; Adam, Peter; Lavagnino, Steve
Subject: Comment from Cate for tomorrow's Board meeting

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Dear Supervisors,

Cate School urges the Santa Barbara Board of Supervisors to adopt the proposed measures to control odors from the cannabis grow operations. Cate further urges the Board of Supervisors to adopt a clarifying amendment to address a drafting issue, and to clearly articulate that odors from cannabis grow operations have no place on residential property or their schools.

Specifically, we urge the Board of Supervisors to adopt a new measure, providing that “[i]t shall be a nuisance to fail to prevent odors from being experienced within residential or school zoned property” as new sub-paragraph “i.” to Section 35.42.075.C.6. This provision and the technical amendment are below as Exhibit “A”.

The proposed amendments will prevent new and unpermitted operations from degrading quality of life by better controlling nuisance odors. However, there should be no expectation on the part of any grow operation (new or existing) that their odors may impact residents at home and students and faculty at school. Adoption of the proposed provision would codify what should be apparent to everyone: cannabis grow operations cannot degrade our community.

Cannabis odors from inadequately controlled grow operations have become an ongoing issue for Cate and other area schools. Cate administrators have been forced to spend numerous hours seeking to address illegal and under regulated grow operations odors. Teachers must manage ventilation to increase or decrease air flow depending on wind direction and odor conditions. Similarly, when odors are at their worst, many students and faculty avoid areas near grow operations.

Other schools are even more profoundly impacted. A survey by the Carpinteria teachers’ union documented first-hand observations from teachers and faculty, as follows:

The smell is very alarming to me. . . . I feel like this is not a good learning environment for adolescent students. I also worry about the increase in students/staff dealing with headaches, fatigue, upper respiratory issues.”

“During many days of the week, the smell of marijuana is almost unbearable in my classroom. . . . It is distracting to teach and the kids ask what the smell is. I have to wonder if how [sic] affects their learning.”

“Sometimes it makes my head and/or stomach hurt.”¹¹¹

The nonprofit Cate School and other schools have worked hard, expended scarce resources, and taken steps that we should not have had to address grow operation odors in order to maintain a strong and healthy educational atmosphere.

Cate School, again, urges the Board of Supervisors to support County schools and to adopt the proposed amendments.

Exhibit “A”

Cate School proposes the following amendments to proposed Ordinances to amend the County Land Use and Development Code and the Article II Coastal Zoning Ordinance (Article II).

Technical Amendment:

For the avoidance of doubt only, Cate School urges clarification of the proposed development standard for odor abatement plans (OAPs), as follows:

“Odors generated by cannabis activities: (1) would not be detrimental to the comfort, convenience, general welfare, health, or safety of the neighborhood; and (2) would be compatible with the surrounding area.”

We believe that the intent of the amendment is to require the applicant’s OAP to meet each criterion before issuance of a permit. We do not believe that the proposed amendment changes the intended meaning of the provision.

Amendment to Protect Students and Faculty at School and Residents at Home:

Second, we urge that Section 35.42.075.C.6, Cannabis Regulations-General Commercial Cannabis Activities Development Standards-Odor Abatement Plan, paragraph 6 be amended to include a new sub-paragraph “i.” as follows:

i. It shall be a nuisance to fail to prevent odors from being experienced within residential or school zones.

^[1] Carpinteria Association of United School Employees #2216, CAUSE Survey Re: Faculty, Staff and Administrative Feedback on District Leadership’s Relationship with Cannabis Growers, the Impact on CUSD Sites, Students, Employees, and the Teaching and Learning Environment (2019-2020), <http://cause2216.org/wpcontent/uploads/CUSDall.CANNABIS.survey.2019-20.pdf>.

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