

# Group 1 Public Comment



de la Guerra, Sheila

**From:** Bobbie Offen <bobbieo@cox.net>  
**Sent:** Thursday, August 15, 2019 9:22 PM  
**To:** sbcob  
**Subject:** Chapter 50 Ordinance and Case No. 19APL-00000-00018

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

I am a concerned citizen and have been following the actions of the Board of Supervisors and the Planning Commission for the past two years - the two years that my quality of life in Carpinteria has gone from wonderful to "what is going on?"

Regarding your recommended changes to Chapter 50 licensing of Commercial Cannabis, I see NOTHING in those recommendations that take into consideration the quality of life of the residents that have become surrounded by commercial cannabis grows. Make no mistake, this is not AGRICULTURE as we know it. These are the operations of an industrial complex that happens to be growing and manufacturing cannabis as their commercial product.

Foothill Rd. in the unincorporated portion of Santa Barbara County from Nidever Rd. on the west to Arroyo Paredon Creek on the east is **ONE MILE**. Within that one mile on the south side of the **two lane road** lies FIVE parcels that are either growing cannabis, have applied for a permit to grow and manufacture cannabis, or are growing cannabis without a permit. Of the two small remaining parcels, one is a residence with an avocado orchard and the other is a retired dog kennel. Where is the regard for the residents? **We are surrounded!** There is NO consideration for including a buffer zone for the REAL people who have lived here, most for 30 years or more, and expect to have fresh air, access to their homes, and the rural environment that they are paying exorbitant property taxes for. Our two lane road has NO bike lanes and no shoulders. Our two lane road is the ONLY egress in case of a wildfire, flood, earthquake, or other unforeseen emergency. Recall, the residents in the EDRNs along Foothill Rd. were isolated for 3 weeks during the mudslides and fire evacuations recently. Drive down our two lane road any morning of the week, including the weekend, and inhale the strong, pungent odor of cannabis!!! This is NO place for a commercial industrial complex.

And, by-the-way, whatever happened to the motion made by Sup. Williams for odor control compliance by Labor day? That is only 2 weeks away and the odor has been horrible these last two weeks!!! Is anything being done about that? We have dutifully registered our complaints only to be given the standard answer that you can't do anything about it.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:**

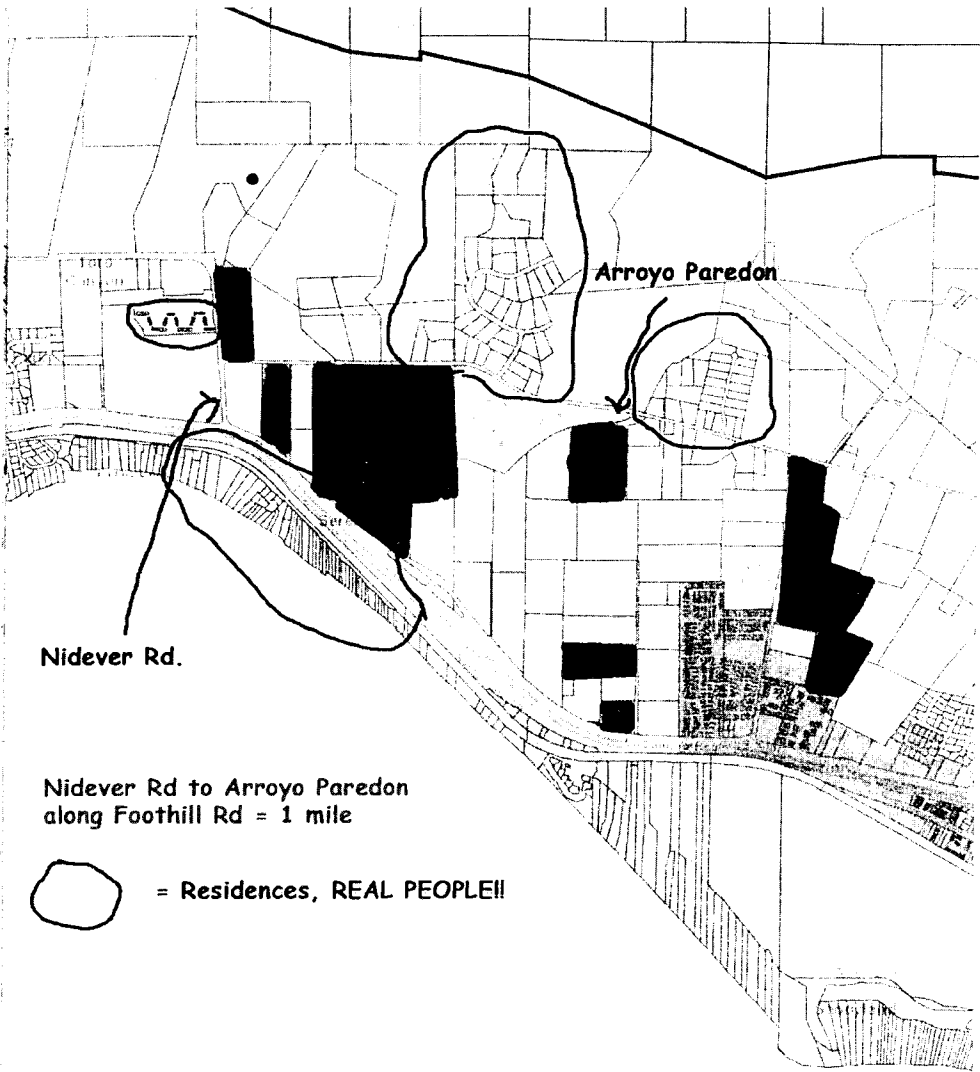
**Conceptually directed that by September 3, 2019, any legal non-conforming operation in the Coastal Zone must have odor control to continue to qualify for the Article X exemption. Directed staff to refer amendments to Article X to the Planning Commission for a report back and recommendations as appropriate. Further directed staff to return to the Board with recommendations for the introduction of ordinance amendments as appropriate.**

**The motion carried by the following vote:**

**Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino**

For these reasons, I sincerely object to the acceptance of the changes to the Chapter 50 ordinance until it includes a buffer for residences, and a cap on **contiguous** cannabis grows. And, for these reasons, I also recommend support of the appeal, Case No. 19APL-00000-00018, one of the commercial cannabis grows along this ONE MILE STRETCH OF RURAL LAND.

The attached map shows in dark green the parcels that are either growing cannabis, have applied for permits, or are suspected of illegally growing cannabis.



Nidever Rd.

Arroyo Paredon

Nidever Rd to Arroyo Paredon  
along Foothill Rd = 1 mile

○ = Residences, REAL PEOPLE!!

Bobbie Offen  
La Mirada Estates  
805-636-1183

**de la Guerra, Sheila**

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**From:** Robert Lesser <bobbyless@aol.com>  
**Sent:** Thursday, August 15, 2019 11:11 PM  
**To:** Villalobos, David  
**Cc:** Hartmann, Joan; Williams, Das; Hart, Gregg; Adam, Peter; Lavagnino, Steve; sbcob  
**Subject:** Amendments to the Cannabis Business License 19-00652

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

Dear Supervisors,

We are deeply concerned about the surfeit of Business Licenses for Carpinteria and the absurdly high number cap set in the County, 1575 acres for inland areas and the 186 acres in Carpinteria.

**We are seeing now, because of the clustering in front of La Mirada, on Cravens Lane, around Carpinteria high school, and Casitas Pass Rd, an absurd over-concentration of pot licenses causing problems for most Carpinteria residents throughout the Valley, City residents, plus our schools. and children.**

It is long overdue to put residents and students and children and existing agriculture ahead of marijuana growers.

The city of Carpinteria pointed out the problem with the cumulative impacts of allowing every cultivator unlimited number of licenses and asked for some consideration be made.

As of 7/24/19 there were **290 provisional licenses issued to growers in Carpinteria, 36.4% of the county, 11.8% of the state.** 136 provisional licenses were issued on Foothill Rd. 17.1% of those issued in the County, Casitas Pass with 94, 11.% of those issued in the County, Via Real with 30, 3.8% of those issued in the County, and Cravens with 27, 3.4% of those issued in the county.

This is for 19 different locations. Since the state authorizes licenses for each 10,000 sq. Foot, it's hard to know exactly how much is being grown currently. 290 licenses equals 2,900,000 sq. feet so there is possibly only 66.57 acres of cultivation right now. **Just imagine what it will be like when possibly 35 different locations are all approved on 186 acres!**

There must be a reduction of the number of acres allowed in the Carpinteria Agricultural Overlay, or some provision made to reduce the number of licenses applied for by percentage, or limit on amount of acreage for each location.

We are becoming a national joke!

Please resolve this crisis now...before it became even worse.

Sincerely,  
Robert Lesser

Carpinteria

**de la Guerra, Sheila**

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**From:** pattiruben@aol.com  
**Sent:** Thursday, August 15, 2019 11:17 PM  
**To:** sbcob; Williams, Das; Hartmann, Joan; Hart, Gregg; Adam, Peter; Lavagnino, Steve  
**Cc:** concernedcarpinterians@gmail.com  
**Subject:** Amendments to the Cannabis Business License 19-00652 and the Appeal #19-00719

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There is an over concentration in the Carpinteria Valley, we need to do a site specific EIR - the Programmatic EIR never contemplated such a large number of operations. The air quality continues to be an ongoing issue - were the impacts to the environment and human health properly analyzed? Please ask yourself: Are you willing to jeopardize the health of children in this community? If there is only a 15% chance you are not sure of the longterm affects on young lungs, are you willing to have that on your conscious?

Has anyone analyzed the affect of cannabis on nearby avocado crops? Or has this ag community been dumped? PEIR did not evaluate the impacts or mitigation measures beyond 22,000 sq. feet or clusters of cultivation on adjacent parcels.

**Current greenhouses need to be updated to sealed greenhouses with carbon filters. Please don't wait til it's too late.** This project should be put on hold as the Board has recently asked the Planning Commission to come up with recommendations/strategies to mitigate the odor and other impacts of cannabis operations along the urban-rural boundary and conflicts with existing agricultural operations in both the inland zones and the Coastal Zone.

Patti Ruben

## de la Guerra, Sheila

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**From:** Sarah Trigueiro <sarah.trigueiro@gmail.com>  
**Sent:** Friday, August 16, 2019 8:30 AM  
**To:** sbcob; Williams, Das; Hart, Gregg; Hartmann, Joan; Lavagnino, Steve; Adam, Peter  
**Subject:** Letter re Upcoming Cannabis Business License Discussion

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

Dear Board of Supervisors,

I understand that you are reviewing the Business License for cannabis and wanted to share my perspective. I do not think the Business License is the right core place to legislate and regulate cannabis - we need to first ensure that the zoning controls are reasonable and consistent as the property-right-level foundation.

Thank you for recently approving the motion to ban cannabis cultivation on inland parcels zoned Ag-1-20 acres and under and to require CUPs for inland parcels zoned Ag-1-over 20 acres. **We now need to address the Coastal Zone (Carpinteria Valley and coastal Goleta areas), as our severe incompatible use and nuisance issues have not yet been addressed by the County.** Amending only the Business License provisions is not nearly enough for Coastal Zone - we need to fix the land use and permitting aspects in the Coastal Zone since they are much stronger entitlements and controls.

**The Coastal Zone deserves equal if not stronger protections than inland. Having stronger controls for inland Ag-1 parcels vs coastal Ag-1 parcels is unacceptable differential zoning treatment. Please enact a commercial cannabis ban on AG-1-20 acres and under in the Coastal Zone and require CUPs for AG-1-over 20 acres in the Coastal Zone, as you have done for similarly zoned inland parcels. To do otherwise would violate one of the key tenets of land use (consistency in zoning treatment) and would be very legally questionable. In the past, the Planning Commission has highlighted the importance of having consistent zoning treatment. Gerrymandered zoning entitlements strike me as political and unfair. I understand that this would have to go back through Coastal Commission review and welcome that, as this is the proper long-term solution to the problems we are facing here in Carpinteria Valley.**

The County should not issue any land use permits, CDP approvals or business licenses until there is an independent investigation and clean up of the County's affidavit mess (which allowed cannabis cultivation to proliferate under the guise of "legal non-conforming use"). Many growers lied on their affidavits in claiming they were growing medical marijuana prior to the cutoff date in 2016. Others illegally expanded their operations when under legal non-conforming status. The County did nothing to validate the truthfulness of the grower affidavits. The only way to avoid rewarding fraud is for the county to review each affidavit to demand proof from each grower of their claims (eg that they were growing medical marijuana at that site before the cutoff date and how many plants). Such proof should be publicly posted to restore public trust in the County's process. Any grower who cannot prove the veracity of the affidavit needs to be shut down by the County, since it is not a valid legal non-conforming use. The County should also not approve such growers in the future (including any entities wholly or partially owned by such person or entity, including a beneficial ownership test).

I support the **Proposed Amendments to the Business Licensing Ordinance** that were submitted to the Board of Supervisors by Concerned Carpinterians and the SB County Coalition for Responsible Cannabis (as well as the draft Urgency Ordinance submitted previously to the Board of Supervisors by the Santa Barbara Coalition for Responsible Cannabis). These amendments would allow the County to minimize many of the nuisance impacts of odor from ongoing, unpermitted cannabis operations and are aimed at growers who lied on affidavits or expanded operations unlawfully after becoming a "legal non conforming use," and who do not have odor control or adequate setbacks in place.

As we are seeing now, because of the clustering of cannabis operations in front of La Mirada EDRN, on Cravens Lane, around our high school in Carpinteria and Casitas Pass, overconcentration is causing problems for Carpinteria residents, kids and avocado farmers. The City of Carpinteria pointed to the problem with cumulative impacts of allowing every cultivator unlimited number of licenses and asked for some consideration to be made by the County. As of 7/24/19, there were 290 provisional licenses issued to growers in Carpinteria, 36.4% of the county, 11.8% of the state within a tiny area filled with residents and schools. Since the state authorizes for each 10k sq ft, it's hard to know exactly how much is being grown currently. 290 licenses equals 2.9M sq ft, so there is possibly only 66.57 acres in cultivation right now in Carpinteria Valley. Just imagine what it will be like when we have 186 acres!

There needs to be a reduction in number of acres allowed in Carpinteria Agricultural Overlay or some provision made to reduce the number of licenses applied for by percentage, or a limit on amount of acreage for each location.

We need much more significant setbacks for schools, property line to property line. Cannabis odors and emissions can travel very long distances. Our high school and Foothill Road reek of marijuana, and this and other air quality aspects are having health impacts.

Residents are sensitive receptors. Please include them in the definition.

Please do not allow permit stacking. The concentration and density of grows are unprecedented.

Revisit acreage caps for Carpinteria Valley. 186 acres is way too much and given what we know today about the unfortunate externalities of cannabis cultivation, it needs revisiting. We are experiencing extreme incompatible use and nuisance issues with the lower amount of acreage we have today - imagine what it will be like when additional acreage comes online.

We need to reopen CEQA review since the County's EIR did not address the impact of cannabis terpenes/VOCs on ozone and smog air pollution, which is a significant issue in Denver and Vancouver. The impact of large-scale cannabis cultivation on air pollution (ozone/smog) was not covered by the County's EIR and is a very material environmental impact that needs to be evaluated. The EIR focused on odor, when there is a much deeper air pollution issue that needs to be reckoned with.

Odor abatement is the County's responsibility and should not rely on residents for enforcement. The County should require the clear best practices of other states that have tread deeper into this space - carbon filtration and sealed, industrial greenhouses on properly zoned land. Realistically, commercial cannabis growing, when done right, is an industrial, not an agricultural use, given the air pollution/emissions issues and need for sealed,

closed-loop, HVAC-heavy buildings to prevent externalities. Require independent, county-funded review of odor control technologies for effectiveness and impact on public health (long-term, cumulative exposure across multiple grows) prior to allowing use.

Please help us and also help yourselves! The current zoning regime and regulatory framework are deeply flawed and will end up destroying resident quality of life, tourism, avocado and wine industries, our property tax base, and subjecting the county to costly litigation and appeals. I think we can do better and acknowledge the fundamental incompatible use issues here in the Coastal Zone Ag-1 20 acre and under parcels. We should also reckon with the carte-blanche regulatory framework as relates to Ag-2 and establish reasonable setbacks and controls.

Sincerely,  
Sarah Trigueiro



## de la Guerra, Sheila

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**From:** sec8300@aol.com  
**Sent:** Friday, August 16, 2019 9:25 AM  
**To:** sbcob; Williams, Das; Hartmann, Joan; Hart, Gregg; Adam, Peter; Lavagnino, Steve  
**Subject:** Amendments to the Cannabis Business License 19-00652 in the morning and the Appeal #19-00719

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

Please do your jobs, no community can be productive without regulations. There is so much change happening in Carpinteria due to the fact that you are not doing your jobs. Why are there cannabis operations right next to schools? Unbelievable! I don't have any children at Carpinteria High School, but I can tell you one thing you should be ashamed of yourselves for selling yourselves out to the cannabis growers and allowing this to happen. Is it true that Mr. Williams has accepted over Thirty Thousand Dollars (\$30,000.00) from the growers this year alone?

- a. There is an **over concentration** in the Carpinteria Valley.
- b. There is a need to do a site specific EIR - the Programmatic EIR **never contemplated such a large number of operations**. The PEIR contemplated 1126 acres throughout the county, not the 1761 (1575 inland and 186 in Carp) being proposed as a cap.
- c. The PEIR did not evaluate the impacts or mitigation measures beyond 22,000 sq. feet or clusters of cultivation on adjacent parcels. G&K is asking for 356,070 sq. feet which equals 8.17 acres.
- d. The Board adopted a Statement of Overriding Considerations for the following Class 1 Impacts: "Impact AQ-5. Cannabis activities could potentially expose sensitive receptors to objectionable odors affecting a substantial number of people", "Impact AQ-3. Emissions from operations of cannabis activities could potentially violate an air quality standard or substantially contribute to an air quality violation and result in a cumulatively considerable net increase of a criteria pollutant for which the County is in non attainment." These are the problem areas and need to be restudied.
- e. G&K Farms would add a new operation to the area already being negatively influenced by 3 other operations (one is adjacent) who supposedly have vapor phase equipment which aren't capturing all the odors completely as the complaints are ongoing.
- f. **The air quality continues to be an ongoing issue - the impacts to the environment and human health were not properly analyzed.**
- g. There is air inversion occurring here in Carpinteria that wasn't analyzed
- h. The Byers System planned for this project leaves a residue that doesn't dissipate for 28 days
- i. No one knows what the long-term effects are from the Byers' System
- j. The Byers System does not claim it can capture 100% of the odor (claim is 90%) nor does it work when there's no wind.
- Odor Abatement requirement is that odor can not be detected from being experienced within residential zones.
- k. The Byers System is not adequate for neutralizing odors from processing.
- l. **The 1500-2000 residents close to these industrial type operations have the right to breathe PURE AIR.**
- m. According to the Toro Canyon Plan, the development must not be a public nuisance. If it would be a public nuisance, that development shall be denied.
- n. The affect of cannabis on nearby avocado crops was not analyzed.
- o. Amount of water drawn from the well onsite needs to be measured and reported to the Carpinteria Valley Water District
- p. **Current greenhouses need to be updated to sealed greenhouses with carbon filters.**
- q. **This project should be put on hold** as the Board has recently asked the Planning Commission to come up with recommendations/strategies to mitigate the odor and other impacts of cannabis operations along the urban-rural boundary and conflicts with existing agricultural operations in both the inland zones and the Coastal Zone. The Board could be instituting bans, buffers, higher level of permitting, mandating CUPs
- r. Zoning needs to be consistent with inland zone – ban on AG-1 5, 10, 20 acre parcels

Please think about what your decisions are doing to Carpinteria Valley, and our future.

Sincerely,

Sharen Eskilson

de la Guerra, Sheila

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**From:** Jim Mannoia <jim.mannoia@gmail.com>  
**Sent:** Friday, August 16, 2019 10:52 AM  
**To:** sbcob; Williams, Das; Hartmann, Joan; Hart, Gregg; Adam, Peter; Lavagnino, Steve  
**Subject:** Appeal #19-00719 - Maureen Claffey

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

I am writing to strongly support Maureen Claffey's appeal noted above.

The CONCENTRATION of growing in the Carpinteria Valley, especially adjacent to EDRNs must be controlled. PLEASE help us!

Jim Mannoia

3375 Foothill Rd, Carpinteria, CA 93013

I do NOT oppose cannabis growing. But among the issues with which I AM concerned:

- Over concentration. Can't you see it is TOO much for a tiny town?!!
- No EIRs for specific sites...every case is different because of adjacent EDRNs, sensitive receptors, wind patterns.
- Odor is appalling, and the Byers system leaves lingering smells, and may prove toxic.
- Close in the grows and install carbon filters. Use WA state and CO state regulations. WHY are WE so much sloppier? We have a pristine coastal zone that is being ruined.
- Zoning is inconsistent. Why should inland and coastal zones be different? This will create HUGE legal battles and in particular, why should the rules in the coastal zone be more LAX than inland?! This "smells" (sic!) like a fix!

## de la Guerra, Sheila

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**From:** merrily peebles <merpeebles@gmail.com>  
**Sent:** Friday, August 16, 2019 10:58 AM  
**To:** sbcob; Williams, Das; Adam, Peter; Hartmann, Joan; Hart, Gregg  
**Subject:** Amendments to Cannabis Business License

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear Supervisors,

The admendment as it now stands does not address the clustering of cannabis operations in Carpinteria Valley. We are a small valley, the roads are narrow and the air is held in our valley by an inversion layer. Carpinteria has 34% of all licenses issued to the county. 136 on Foothill Road alone. Please address the over concentration of cannabis in this rural/urban area. No other place in the state has such a high concentration of indoor growing next to residential areas.

Please refine the amendment to address this issue.

Thank you,

Merrily Peebles  
La Mirada