

**Alexander, Jacquelyne**

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**From:** Bozanich, Dennis  
**Sent:** Monday, February 5, 2018 9:23 AM  
**To:** sbcob  
**Subject:** FW: Public Comment Letter for February 6, 2018 BOS  
**Attachments:** 2 6 18 BOS written comment.docx

-----Original Message-----

**From:** Lillian Clary [mailto:mzlil2988@gmail.com]  
**Sent:** Sunday, February 4, 2018 6:11 PM  
**To:** Bozanich, Dennis <dBozanich@countyofsb.org>  
**Cc:** Metzger, Jessica <jmetzger@co.santa-barbara.ca.us>  
**Subject:** Public Comment Letter for February 6, 2018 BOS

I would appreciate your adding the attached to the public comment material for the BOS session on Tuesday, February 6, 2018.

Thank you.

Lil Clary

TO: Board of Supervisors  
Agenda Public Comment for February 6, 2018

From Lil Clary  
Tepusquet Canyon Crisis Committee

I recommend that the Board of Supervisors vote affirmatively on the proposed cannabis ordinance language and on the ballot measure at its meeting on February 6, 2018. The ordinance is not ideal but it represents a substantial improvement over the emergency ordinance and a solid starting point.

Although numerous individuals are requesting additional time to study and react to the LU ordinance I believe that further delays will push effective monitoring and enforcement until after the November ballot. The county has to have revenue to deal with cannabis operations and reconsideration at this point in the process only encourages illegal operators to continue to cultivate on their grow sites and to earn millions of dollars--tax free. This is unacceptable.

The county has offered ample opportunity for input. Cannabis issues have been discussed at 27 public meetings and widely advertised via the county's web site. Supervisors have held special sessions as have planning commissioners. Long Range Planning hosted a number of public review opportunities on the draft EIR. Local newspapers have sent reporters to meetings and they have reported on these sessions.

Our Tepusquet Canyon Crisis Committee became active early on. We have attended, spoken at or submitted public comment for meetings since April, 2017. I would note also that I and a number of my neighbors showed up at a session while helicopters were flying overhead, putting out spot fires during the Alamo Fire.

I can tell you that my neighbors and I are tired of requesting (begging for!) help in dealing with the multiple illegal grows in our Existing Developed Rural Neighborhood. Until the county adopts the new LU ordinance and then develops enforcement language to deal with illegal growers, we continue to be collateral damage. My neighbors have constant encounters on our single road with gasoline & water tanker trucks, with pickup trucks driven by grower employees who don't observe the rules of the road. We have seen pup tents for the housing of harvest crews—without any sign of sanitary facilities. We have suffered thefts of water from water tanks—including during the Alamo Fire. We smell skunks everywhere and there cannot possibly be that many of the critters in Tepusquet.

Therefore, I cast my vote for immediate action by the Board. Do not let this situation continue. Deal with cannabis issues now.

## Alexander, Jacquelyne

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**From:** Villalobos, David  
**Sent:** Monday, February 5, 2018 9:18 AM  
**To:** sbcob  
**Subject:** FW: Comments by Dave Clary re issues before BOS for 2 6 18 meeting  
**Attachments:** CANNABIS - COMMENTS BY DAVE CLARY RE EDNRNS FOR 2 6 18 BOS MEETING.docx;  
CANNABIS - COMMENTS BY DAVE CLARY RE LACK OF ENFORCEMENT PROVISIONS IN  
PROPOSED LAND USE ORDINANCE - FOR 2 6 18 BOS MEETING.docx

-----Original Message-----

From: Dave Clary [mailto:templeclary@gmail.com]  
Sent: Monday, February 05, 2018 9:11 AM  
To: Lavagnino, Steve <steve.lavagnino@countyofsb.org>; Wolf, Janet <jwolf@countyofsb.org>; Hartmann, Joan <jHartmann@countyofsb.org>; Adam, Peter <peter.adam@countyofsb.org>; Williams, Das <DWilliams@countyofsb.org>; Villalobos, David <dvillalo@co.santa-barbara.ca.us>; Michael Ghizzoni <kibby@co.santa-barbara.ca.us>; Klemann, Daniel <dklemann@co.santa-barbara.ca.us>; Metzger, Jessica <jmetzger@co.santa-barbara.ca.us>; Bozanich, Dennis <dBozanich@countyofsb.org>; Steve Junak <sjunak@sbbg.org>; Renee O'Neill <chasingstar2701@yahoo.com>; Andrew Hazi <haziand@aol.com>; Kathryn Donovan <kdonovan1@aol.com>; Linda Tunnell <lstunnell@aol.com>; Steve O'Neill <tepusauk@yahoo.com>; Alyssa Moffitt <alyssalealphoto@mac.com>; Barak Moffitt <Barak.Moffitt@umusic.com>  
Cc: Dave Clary <templeclary@gmail.com>  
Subject: Comments by Dave Clary re issues before BOS for 2 6 18 meeting

Dear County Board of Supervisors, County Counsel, Planning Commission and Long Term Planning Division

Attached are two separate comments regarding issues before the Board of Supervisors set to be discussed tomorrow at the board of supervisors meeting. I apologize for filing them with so little time for you to review them along with all the other documentation and comments that we all are trying to absorb for tomorrow. I hope you have time to at least take a quick look and focus on anything mentioned therein that is new to you. What more can we do these days?

Dave Clary

COMMENTS BY DAVE CLARY IN FAVOR OF  
THE PROPOSED CUP REQUIREMENT RE  
**COMMERCIAL CANNABIS CULTIVATION RE**  
**EXISTING DEVELOPED RURAL NEIGHBORHOODS**  
FOR THE BOARD OF SUPERVISORS  
THE MEETING OF FEBRUARY 6, 2018

To the members of the Santa Barbara County Board of Supervisors and staff  
To the members of the Santa Barbara County Planning Commission and staff

**CUP REQUIREMENT IN EDRNs**

As a resident of Tepusquet Canyon for 21 years and an active member and supporter of the informal group of residents, the Tepusquet Canyon Crisis Committee, I support this proposal to require a Conditional Use Permit in an Existing Developed Rural Neighborhood. It is not what we would want in an ideal world, but hopefully it will be a workable standard.

In the course of hearings and public comment on this issue, some individuals have stated their opposition to the CUP/EDRN language. My comments today are in response.

First, those opposed complain that the CUP/EDRN proposal was only recently introduced by the County.

Second, they raise the issue that the cannabis industry would be prohibited from transporting product on county roads.

Third, one individual has objected to the cost of a CUP and also to the requirement for public input on the CUP.

Addressing these issues in order:

One of the main complaints is that the requirement for a CUP in an EDRN was only recently proposed by the county and was in response to concerns of a 'vocal minority' in Tepusquet Canyon. I want to point out that Steve Junak of Cebada Canyon has proposed the use of EDRNs to completely ban cannabis cultivation at many meetings of the County Planning Commission and the Board of Supervisors. He has done this both in writing and during the public participation segment of these meetings.

EDRNs have existed since 1980. As a zoning designation, they were established with the expressed goal of preventing residential growth from encroaching on agricultural

land. However, by establishing this zoning classification and applying it to Tepusquet Canyon, the County, as a consequence set up an entity that can be referred to and used to protect the entity. Our little canyon is officially recognized as an EXISTING RURAL DEVELOPED NEIGHBORHOOD. I see no reason to prevent the County from using this designation and identified area for other purposes. (See Business and Professions Code Section 60200(a)(1) below for the statutory support of the zoning and permit processes of the county set forth in SB 94).

Tepusquet is not “junk land” as reportedly claimed by one individual. We residents in Tepusquet Canyon value our way of life, which is clearly in a residential neighborhood, and wish to preserve it. Living in areas where the residents have a pleasant rural environment is a dream many people have now and have had for years. Now the marijuana growers dismiss that as a handful of people objecting to the commercialization of junk land. They live in a different world than we do.

Regarding the assertion that the county may not prohibit transport of cannabis on roadways... that is true. But the individual making this statement uses it to bolster an argument that is incorrect.

In fact, the requirement for a CUP is clearly within the jurisdiction of the County and in no way prevents a person licensed by the state to do so from transporting cannabis or cannabis products through an EDRN.

A requirement for a CUP is solely a condition for obtaining a cultivation permit.

Finally, let me address the contentions regarding the cost of obtaining a CUP and the opposition to public input.

It is difficult to relate to these complaints. One person objects to the costs involved in obtaining a CUP and the uncertainty of it. This is the same complainant whose principal has purchased about 800 acres (and has perhaps more in escrow) in Tepusquet Canyon, speculating that the entity would be able to obtain a state license and local permits to cultivate cannabis. This certainly raises red flags that should be explored in the CUP process. Why so much acreage? Is it to expand enormously in 2023 when the limits on acreage for a cultivation site are eliminated? The size issue alone is of enormous concern to residents in the canyon. Is he going to lease land to other growers so that many grow sites can be placed on these parcels? We don't know and can't be sure any answers provided at this point can be relied on. The state law is too new.

One grower in Tepusquet Canyon has a retail outlet in another county. A local newspaper reported that he and his partner obtained the permit for the retail outlet by promising to invest \$20,000,000 in what appears to be an urban renewal project for the city. Another cultivator stated that his grow brings in \$1,000,000. This kind of

wealth and power is clearly characteristic of the cannabis industry. It has been reported to me that many parcels in Santa Barbara County have been purchased with cash by growers and potential growers, some involving very large cash payments. It seems to be laughable that the complainant would be concerned with the relatively small cost of a CUP requirement, given the revenues (even if anticipated at this point) involved. Surely his investors must have taken this sort of issue into account.

I am particularly unimpressed by the objection to the public having any role in the decision to allow or not allow cultivation in their Existing Developed Rural Neighborhood. It should be clear that the residents of the EDRN should have the right to raise issues in a public process that are concerns to them, even if that means complete opposition to the granting of a CUP for cultivation in their EDRN. This is called democracy.

In closing, I have difficulty empathizing with the concerns of the cannabis industry regarding the uncertainty of their investment(s) in property in Tepusquet Canyon. One objector to the CUP/EDRN purchased land on speculation without anticipating the strong opposition of residents in Tepusquet Canyon. By so doing, he gambled. Sometimes gamblers lose.

References:

#### **TRANSPORTING CANNABIS THROUGH AN EDRN**

**“(b) A local jurisdiction shall not prevent transportation of cannabis or cannabis products on public roads by a licensee transporting cannabis or cannabis products in compliance with this division.” (Business and Professions Code Section 26080(b)).**

**Section 26200(a)(1) of the Business and Professions Code states as follows:**

**“(a) (1) This division shall not be interpreted to supersede or limit the authority of a local jurisdiction to adopt and enforce local ordinances to regulate businesses licensed under this division, including, but not limited to, local zoning and land use requirements, business license requirements, and requirements related to reducing exposure to secondhand smoke,(sic) or to completely prohibit the establishment or operation of one or more types of businesses licensed under this division within the local jurisdiction.”**



COMMENTS BY DAVE CLARY REGARDING THE  
**LACK OF ENFORCEMENT PROVISIONS**  
IN THE PROPOSED LAND USE AND DEVELOPMENT  
ORDINANCE WHICH IS  
BEFORE THE BOARD OF SUPERVISORS  
AT THE MEETING OF FEBRUARY 6, 2018

To the members of the Santa Barbara County Board of Supervisors and staff  
To the members of the Santa Barbara County Planning Commission and staff

I am raising the following concerns regarding the proposed Land Use and Development Ordinance.

**THE PROPOSED LAND USE ORDINANCE DOES NOT INCLUDE ENFORCEMENT LANGUAGE**

There has been discussion with and among the board of supervisors and the planning commission about the need for more effective enforcement provisions regarding commercial cannabis activities, especially cultivation activities. Yet the proposed ordinance does not have any language that would change the current situation at all.

To those of us in Tepusquet Canyon who have faced the myriad of problems created by an increasing number of illegal growers in Tepusquet Canyon this is a major disappointment.

We propose that such language be included.

**We do not need to reinvent the wheel regarding such language as it is already set forth in a kindred ordinance, the Deciduous Oak Tree Protection and Regeneration Ordinance, Article IX of Chapter 35 of the Santa Barbara County Code. *I have attached a copy of the enforcement provisions of this ordinance for your review.*** The copy I have used is dated 2003. I don't know if there is a more recent version.

The key aspects of the enforcement provisions set forth in the oak tree ordinance are as follows:

1) A violation may be treated at the discretion of the appropriate department as either an infraction or a misdemeanor. This provides substantial flexibility, providing for minor penalties for minor issues and major penalties for major violations. This also provides for the possibility of probation for a major violator, which would provide a strong incentive not to repeat the violation.

2) A violation would bear a fine up to and including \$25,000 per day for every day the violation is in existence. This fine could even be higher as it takes a lot to make an impression on an illegal cannabis grower as illegal cannabis cultivation provides growers with a great deal of income (mostly untaxed). At a public meeting recently, either of the board of supervisors or



the planning commission, one grower described a small grow as producing a million dollars a year.

3) Provisions for rapid entry into the area where there is probable cause that a violation is occurring. The Oak Tree Protection ordinance language appears to try to conform to case law interpreting the 4<sup>th</sup> amendment against unreasonable searches and seizures which changes very often. This language might require some tweaking to continue to be in conformity with current case law regarding this issue. The District Attorney who has to be up to date on search and seizure law could help regarding this.

There are other provisions in the Enforcement provisions of the Oak Tree Ordinance which could be useful.

If the county is planning to deal with enforcement in the future and not at this point, to prevent the illegal growers from opposing the current ordinance, that might delay enforcement for a very long time. That would be a severe problem for the residents of Tepusquet Canyon. Also there would be the uncertainty of whether it would ever come to pass.

[THE ENFORCEMENT PROVISIONS OF THE DECIDUOUS OAK TREE PROTECTION AND REGENERATION ORDINANCE FOLLOW ON THE NEXT PAGE]

**[ONLY THE ENFORCEMENT PROVISIONS OF ARTICLE  
IX ARE INCLUDED IN THIS RECORD ... THE KEY  
PROVISIONS ARE HIGHLIGHTED]**

**COUNTY OF SANTA BARBARA**

**DECIDUOUS OAK TREE PROTECTION  
AND REGENERATION**

**ARTICLE IX OF CHAPTER 35 SANTA  
BARBARA COUNTY CODE**

**Published: June 2003**

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## **Sec.35-920. Enforcement, Legal Proceedings, and Penalties.**

### **Sec. 35-920.1. Investigation.**

The Director of Planning and Development or designees are hereby authorized to investigate all reported or apparent violations of any of the provisions of this Article. If a violation is determined to exist, the Director of Planning and Development or designee is hereby authorized to take such measures as he/she deems necessary or expedient to enforce and secure compliance with the provisions of this Article.

1. Planning and Development defined

As used in this section, the term "Planning and Development" refers to the Planning and Development Department and also to any person within Planning and Development who is designated by the Director of Planning and Development to act on his or her behalf.

2. Cooperation of other officials

The Director of Planning and Development or his or her designees may request, and shall receive, the assistance and cooperation of other officials of the County to assist in the discharge of their duties.

3. Appointing Authority

The Director of Planning and Development may appoint such number of his/her staffs to act for Planning and Development as shall be authorized by the Board of Supervisors from time to time. The Director of Planning and Development may deputize such employees as may be necessary to carry out the functions of Planning and Development.

4. **Right of entry and inspection**

**The Director of Planning and Development or designee may enter any property in the County of Santa Barbara for the purpose of carrying out any act necessary to perform any duty imposed by this Article. Upon request the Director of Planning and Development or designee shall provide adequate identification. Except under exigent circumstances, an inspection warrant shall be obtained if entry is refused.**

**(Bold print added to paragraph 4 above)**

### **Sec. 35-920.2. Work Stoppage.**

Whenever, in the judgment of Planning and Development, any person, firm, or corporation is engaged in or is about to engage in any act or practice which constitutes or will

constitute a violation of any provision of this Article, the Director of Planning and Development or designee may order the work stopped by posting notice in writing at the site and serving such notice and order on any persons engaged in doing or causing such work to be done. Any such persons, their corporation, employees, or servants, shall forthwith stop such work until such time as re-commencement is authorized by Planning and Development.

**Sec. 35-920.3. Referral for Legal Action.**

If unable to otherwise enforce the terms of this Article, Planning and Development shall refer the matter to the District Attorney and/or County Counsel of the County of Santa Barbara for appropriate legal action.

**Sec. 35-920.4. Legal Actions.**

1. Civil Actions

a. Public Nuisance

Any removal of protected deciduous oak trees contrary to the provisions of this Article shall be and the same is hereby declared to be unlawful and a public nuisance.

b. Injunctive Relief

Whenever, in the judgment of Planning and Development, any person, firm, or corporation is engaged in or is about to engage in any act or practice which constitutes or will constitute a violation of any provision of this Article or any rule, regulation, order, or permit issued thereunder, and at the request of Planning and Development, the District Attorney or County Counsel of the County may make application to the Superior Court for an order enjoining such act or practice, or for an order directing compliance, and upon a showing by Planning and Development that such person, firm, or corporation has engaged in or is about to engage in any such act or practice, a temporary, preliminary, or permanent injunction, restraining order, or other order may be granted.

c. Abatement

In the event that any person, firm, or corporation shall fail to abate a violation hereunder after notice of same and opportunity to correct or end the violation consistent with Section 35-911, Planning and Development may request the County Counsel or District Attorney to apply to the Superior Court of this County for an

order authorizing Planning and Development to undertake those actions necessary to abate the violation and requiring the violator to pay for the costs of such undertaking.

2. **Civil Remedies and Penalties**

a. **Civil Penalties**

Any person, whether acting as principal, agent, employee, or otherwise, violating the provisions of this Article or any rule, regulation, order, or permit issued thereunder, shall be liable for a civil penalty not to exceed twenty-five thousand dollars (\$25,000.00) for each violation of any provision of this Article or any rule, regulation, order, or permit issued hereunder.

b. **Costs and Damages**

Any person, whether as principal, agent, employee, or otherwise, violating any provisions of this Article or the rules, regulations, orders, or permits issued thereunder, shall be liable to the County of Santa Barbara for the costs incurred, including litigation support, and the damages suffered by the County, its agents, and agencies as a direct and proximate result of such violations.

c. **Procedure**

In determining the amount of the civil penalty to impose, the court shall consider all relevant circumstances, including, but not limited to, the extent of the harm caused by the conduct constituting a violation, the nature and persistence of such conduct, the length of time over which the conduct occurred, the assets, liabilities, and net worth of the violator, whether corporate or individual, and any corrective action taken by defendant.

3. **Criminal Actions and Penalties**

a. **Infractions.**

**Any person, firm, or corporation, whether as a principal, agent, employee, or otherwise, who shall remove protected deciduous oak trees contrary to the provisions of this Article, or the rules, regulations, orders, or permits issued thereunder, is guilty of an infraction and upon conviction thereof, the crime shall be punishable by (1) a fine not exceeding one hundred dollars (\$100.00) per protected deciduous oak tree for a first violation; (2) a fine not exceeding two**

hundred dollars (\$200.00) per protected deciduous oak tree for a second violation of this Article within one year; and (3) a fine not exceeding five hundred dollars (\$500.00) per protected deciduous oak tree for each additional violation of this Article within one year.

**b. Misdemeanors.**

Any infraction which would otherwise be an infraction may, at the discretion of the District Attorney, be filed as a misdemeanor, and upon conviction thereof, the punishment shall be a fine of not less than five hundred dollars (\$500.00) nor more than twenty-five thousand dollars (\$25,000.00) per violation of any of the provisions of this Article, or imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment.

**c. Violations.**

Each and every day during any portion of which any violation of this article or the rules, regulations, orders, or permits issued hereunder, is committed or permitted, or permitted to exist without remedy, by such person, firm, or corporation shall be deemed a separate and distinct offense.

**(Bold print added to paragraphs regarding criminal actions and penalties)**

**Sec. 35-920.5. Cumulative Remedies and Penalties.**

The remedies or penalties provided by this Article are cumulative to each other and to the remedies or penalties available under all other laws of this State.

## Alexander, Jacquelyne

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**From:** Manoutchehr Eskandari-Qajar <meskandariqajar@gmail.com>  
**Sent:** Friday, February 2, 2018 5:02 PM  
**To:** Adam, Peter; Hartmann, Joan; Lavagnino, Steve; Williams, Das; Wolf, Janet  
**Cc:** Nelson, Bob; Litten, Jefferson; Bantilan, Cory; Elliott, Darcel; O'Gorman, Mary; sbcob; Metzger, Jessica; Bozanich, Dennis  
**Subject:** Public Comment Cannabis Land Use Ordinance

Dear Santa Barbara County Board of Supervisors,

I am writing to add my voice as an educator and thirty-eight year resident of Santa Barbara regarding the issue of cannabis growing in the agricultural sector of Carpinteria.

Despite the fact that the people of California voted overwhelmingly to make cannabis production and use legal, opposition to both persists, and the “nimby” reflex has taken hold of the residents of our coastal community as well.

There are many factors contributing to the negative feelings that have been brought up in the press and in County Board meetings, but the appropriate way to proceed on these matters is only one of considering the facts and looking at the evidence.

This letter attempts to add its voice to those voices supporting the existing county ordinance allowing responsible farmers to grow cannabis on agricultural land, particularly those growers who are already in the business of growing flowers in the Carpinteria valley.

In answer to objections that the growing of this crop will put pressures on the water supply, increase pesticide use, increase light pollution, increase truck traffic and increase noxious odor released as a result of this production, repeated petitions and studies have shown that the responsible businesses in the valley, especially some of the established flower growers, recycle their water for the use of this crop; that they use black out shades to eliminate light pollution; that they do not use pesticides; that they have installed odor abating new technology and that the truck traffic has actually been reduced due to the use of normal vans instead of large refrigerated semi-trucks.

The efforts of those opposed to responsible growers and businesses in the Carpinteria valley has now focused on the request to demand increased setbacks as a way to negatively impact the activities of responsible business in the valley. Increased setbacks will do nothing to address any of the issues raised by the critics of these legitimate business.

This letter is an attempt to add a voice to those voices requesting the Board of Supervisors to adopt a setback policy that would allow responsible growers, operating in compliance with existing state and local law to continue to operate and seek licensure. This ordinance would require operators to comply with a strict set of standards in order to be allowed to continue to operate, and would eliminate bad actors who are causing discontent among the few voices in opposition.

The benefits of a well-regulated cannabis industry in our coastal community are evident: more well-paying jobs; more tax revenue for the county; continuation of existing business and viability of these established business, to name a few.

Thank you for your measured consideration and attention.

Sincerely,

Prof. Manoutchehr Eskandari-Qajar

SBCC, Department of Political Science



## Alexander, Jacquelyne

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**From:** Sofia Van Wingerden <svw805@gmail.com>  
**Sent:** Friday, February 2, 2018 7:33 PM  
**To:** Adam, Peter; Hartmann, Joan; Lavagnino, Steve; Williams, Das; Wolf, Janet  
**Cc:** Nelson, Bob; Litten, Jefferson; Bantilan, Cory; Elliott, Darcel; O'Gorman, Mary; sbcob; Metzger, Jessica; Bozanich, Dennis  
**Subject:** Public Comment Cannabis Land Use Ordinance

Dear Board of Supervisors,

I am writing to ask you to support those who are growing responsibly. I am a third generation greenhouse grower and looking forward to continuing the family livelihood.

We have effective odor control in place, a blackout system, less traffic (due to fewer refrigerated semi's and vast majority of our employees carpooling). We use zero pesticides and recycle all our water. I am proud to say we employ a large number of women and offered english classes this year, leadership meetings every Thursday and very competitive pay with bonuses. Some of our employees live in very well kept, subsidized housing and many have worked with our company for the past 5 -10 years (some even longer).

We have not expanded our greenhouses, nor are we using more water than when we principally grew cut flowers. Our infrastructure naturally lent itself to this plant ... because like all other plants we have grown in the past, it requires the same elements.

- 1) Please, do not adopt an increased setback. Licensing should be based on each growers ability to abate odor and grow responsibly - as we have always done.
- 2) Please, do not require a MCUP for distribution. We have always been able to drive our flowers from one nursery to another, often helping each other out to fulfill orders. We are talking about the transportation of plant material. Please treat the movement of these plants the same as any other plant.
- 3) I also do not support applying the General Development Standard, Energy Conservation Plan to Tier 1 greenhouses. Please consider that we must now run odor control. Unlike indoor grow operations - we use the sun as much as we possibly can (and we would love to look at solar power as an alternative in the future) Please do not apply this ordinance to Tier 1 cultivation. Please consider the difference in energy consumption of an indoor grow versus a facility that is built to let maximal solar light in. We are already growing as efficiently as it gets.

Please remember the importance of agriculture in this community. We are not expanding our greenhouses, only using pre-existing infrastructure. Please remember that we are efficient growers (there is a reason that Holland, one of the smallest countries around, is the second largest exporter of consumable crops after the U.S.:

\*Greenhouse Growing\*) We want to keep our facilities in the best condition and ready for whatever the future may bring.

We support the efforts of the county to create good business operators and good neighbors.

Thank you for your time!

Sofia Van Wingerden

## Alexander, Jacquelyne

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**From:** Metzger, Jessica  
**Sent:** Sunday, February 4, 2018 11:37 AM  
**To:** sbcob  
**Subject:** Cannabis FW: Letter to Commissioners  
**Attachments:** Letter to PD, 1-2-18.docx

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**From:** Renee ONeill [mailto:chasingstar2701@yahoo.com]  
**Sent:** Friday, February 02, 2018 4:59 PM  
**To:** Villalobos, David <dvillalo@co.santa-barbara.ca.us>; Bozanich, Dennis <dBozanich@countyofsb.org>; Metzger, Jessica <jmetzger@co.santa-barbara.ca.us>  
**Subject:** Letter to Commissioners

Dear Commissioners,

Attached, please find comments re Final Ordinances. I was informed by one of the TCCC members that comments were due today, at 5:00pm. We hope that is not the case... for myself and those who are struggling to get last minute letters to you... like this one. I hope I made your lives a little easier, by keeping it to 'one page,' and including 'Ditto Comments,' from a couple members or our TCCC Team, in my comments... with seconds to spare!

Just for fun, think of the Wood-Chuck tongue twister when reading this:  
How much pot could a Pot-Cop crop, if a Pot-Cop could crop pot? As many crops as a Cop could crop, if a Pot-Cop could crop crops.

"Pot-Cop-Crop," by Renée C. O'Neill©

**Warmest Regards,**

**Renée O'Neill**

Dear Honorable Commissioners,

February 2, 2018

Here are my comments/thoughts, which I believe are due at 5:00pm, today.

**Re: EDRN in AG I – See Attachment re SB County APN Grow Sites, in Tepusquet Community**

There are growers in Tepusquet that are operating on AG II Lands. CUP requirements must apply to both Ag I and Ag II Zones because growers must travel through AG I, EDRN Zones, to get to their AG II Grow Sites.

**Re: Range of Notification for Communities**

Please require the Cannabis operators to comply with Laws, re ‘Public Notice of Hearing,’ for all aspects of this Industry. Require them to notify entire areas/neighborhoods with the EDRN Zones, where they intend to develop.

**Not Addressed at January 24<sup>th</sup> Meeting - Prohibit All Transportation of Water, PERIOD!**

**We Are in a Serious DROUGHT! If growers don’t have enough water on their land, to support their operations, then they shouldn’t deprive our OR other communities of their precious resources! You had addressed this issue at a previous meeting, but no action was taken, on 1-24-18, to my knowledge.**

**Re: Commissioner Blough recommended ‘Requiring a Major CUP for All Cannabis Industry Activities.’**

**This did not make it into the Final Ordinance. Was this an oversight???**

Ditto TCCC Member Comments Re:

“We continue to be concerned that we have not yet seen strong enforcement language. We want enforcement to address both legal and illegal operators. Law enforcement is critical and should include language based on the Oaks Ordinance which would allow speedy access to cannabis cultivation sites, cumulative fines (daily) for violations, and the right to enter properties under exigent circumstances. Further, appropriate search and seizure provisions must be included. We believe that violations of the ordinance have to carry misdemeanor penalties that will bring illegal operators into compliance. Given our experience out here in Tepusquet with multiple illegal operations, we see that these folk, game the system under the current processes. This has to stop and the only way we see this happening is to put teeth into the language.”

Ditto TCCC Member Comments Re:

“The county has left Tepusquet on its own over the past several years as marijuana cultivators and entrepreneurs disinterested in the rule of law and the impacts of their actions on our community proliferated their illegal and unlicensed activities. Unless the county can provide adequate protections for the Tepusquet ERDN as described above, we have no other choice but to aggressively seek the decertification of the entire EIR to allow time for the adequate protection our neighborhood and our homes.”

Ditto TCCC Member Comments Re:

“Ensure that violations of the land use ordinance and regulations carry misdemeanor penalties and significantly punitive and cumulative fines.”

**Thank you for Prohibiting Onsite Cannabis Consumption!**

**Thank you for taking time to ‘fine-tune’ the Ordinances by including our requests!**

**Renée O’Neill**

**Tepusquet Canyon Crisis Committee**

## Alexander, Jacquelyne

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**From:** Metzger, Jessica  
**Sent:** Sunday, February 4, 2018 11:43 AM  
**To:** sbcob  
**Subject:** FW: Supervisors Meeting February 6, 2018

-----Original Message-----

From: Kathryn Donovan <kdonovan1@aol.com>  
To: kdonovan316 <kdonovan316@gmail.com>  
Sent: Fri, Feb 2, 2018 11:07 pm  
Subject: RE: Supervisors Meeting February 6, 2018

After the meeting today with Steve Lavagnino today, I want to emphasize **Four Points**, regarding the Cannabis Grows in Tepusquet that I would like to be in the Land Use Document.

1. **EDRN** (Existing Development Rural Neighborhood) requires a **CUP** (Conditional Use Permit) in **Ag I** and **Ag II**. Tepusquet

Canyon is encompassed by the EDRN Boundary. Therefore, the Cannabis Grows are in the **EDRN** classification and will need a **CUP**. This includes all grows (legal or illegal) accessed through an EDRN to their **Ag II Parcels**.

2. **Enforcement Provisions from the Santa Barbara Oak Tree Ordinance (Title IX).**

**Sec. 36-290. Enforcement: Legal Proceedings and Penalties.**

**Sec, 36-290-1: Investigation and Right to Entry**

The Oak Tree Ordinance has wording for protection, fines (Misdemeanors) and seizure provisions. This will permit the County to have the right to entry by law enforcement for legal and illegal grows.

3. **Notification to all Tepusquet Property Owners** when the CUP for a grower is being brought forth to the Santa Barbara

Planning Commission and the Santa Barbara County Board of Supervisors,

4. **Allocate funding as needed to expedite Planners/Support System, and Law Enforcement** regarding The Cannabis

**Grows** in the EDRN Boundary in Tepusquet Canyon.

Thank you for your support!

Kathryn Donovan  
Tepusquet Property Owner

## Alexander, Jacquelyne

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**From:** Wolf, Janet  
**Sent:** Sunday, February 4, 2018 1:06 PM  
**To:** sbcob  
**Cc:** O'Gorman, Mary  
**Subject:** Fw: Vote NO to Cannabis

Please distribute  
thank you

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From: Jana Izadpanah <jazzijana10@aol.com>  
Sent: Friday, February 2, 2018 5:39 PM  
To: Wolf, Janet  
Subject: Vote NO to Cannabis

Dear Supervisor

It is of utmost importance for you to vote against the growing of cannabis on Santa Barbara County and City Ag II land.

The health of the residents in these areas will be directly affected by the smell and contamination of the soil due to build up silt.

At this time there is an overgrowth and over abundance of approvals for cannabis cultivation in the these areas and additional approval is unnecessary and does not represent the majority of the voters that reside in these areas. There are studies that have shown the costs for policing, fire departments and the decline of property values hat need to be considered.

Based on the vote of the people of Santa Barbara, the city and county have an additional \$21 million dollars in tax revenue which has no guidelines as to how it is spent. The city/county government doesn't need to support the growth of cannabis.

I urge you to stop pushing this item through the system without proper vetting or listening to your constituents. If you actually lived in the foothills and would be a victim of the smells and increase in crime and potential fire danger, you would vote not to allow this to progress further.

Please vote NO to allowing cannabis farming to destroy our agricultural lands.

The people, your constituents, trust you to vote NO!

Jana Izadpanah

## Alexander, Jacquelyne

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**From:** Sharyne Merritt <pinot@sandpointvineyard.com>  
**Sent:** Monday, February 5, 2018 8:09 AM  
**To:** sbcob  
**Subject:** LUDC revisions for Cannabis PLEASE DISTRIBUTE TO BOARD MEMBERS

Honorable Board Members

I own 2 farms in Santa Barbara County: one in District 3 (zoned AG II) and one in District 1 (zoned AG I). At both I have several neighbors growing cannabis and am often overwhelmed by the pungent odor of the plant at different times of the growing season.

I urge you to require growing cannabis in ALL zones (including AG II) to have CUPS and to not exempt AG-II cannabis growers from being required to contain odors within their property lines.

People live and work on AG-II properties, and should be given protection from noxious odors, just as neighbors of AG-I properties are.

Note: the Right to Farm ordinance specifically calls out no rights for noxious odors of rendering and it could logically be extended.

When this issue was discussed at the Agricultural Advisory Committee (of which I am a member), the concern was raised that if cannabis odor was restricted, then broccoli could also be restricted. The AAC concluded, however, that since cannabis is classified by the state as an agricultural product rather than an agricultural crop, it could be regulated by keeping the concepts of agricultural crop and agricultural product separate. This distinction should allow restrictions on odor that are not generalized to crops on agricultural land regardless of zoning.

Distinguish by category (crop vs product) rather than by zoning and protect ALL workers and dwellers on and near ag land from the very annoying odor.

At the Jan 17, 2018 Planning Commission meeting, Mr Blough said he will only approve permits for cannabis grown in a sequestered odor controlled environment. He noted that there is equipment that can detect odor and can be installed at property lines. "No odor migration outside of the property line. . . 10 acres 20 acres, I don't care, odor is odor. . . I will not approve a CUP if odor migrates to the neighbor's property."

I agree with him completely and to be able to reject applications without odor sequestration, CUP's must be required for AGII. I urge you to make NO ODOR MIGRATION OUTSIDE THE PROPERTY LINE mandatory for all growing of cannabis and to require a CUP for growing in AGII.

Thank you,

Sharyne Merritt, farmer  
Santa Rosa Road, Buellton

## Alexander, Jacquelyne

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**From:** Autumn Shelton <ashelton@autumnbrands.com>  
**Sent:** Friday, February 2, 2018 4:22 PM  
**To:** Adam, Peter; Hartmann, Joan; Lavagnino, Steve; Williams, Das; Wolf, Janet  
**Cc:** Nelson, Bob; Litten, Jefferson; Bantilan, Cory; Elliott, Darcel; O'Gorman, Mary; sbcob; Metzger, Jessica; Bozanich, Dennis  
**Subject:** Public Comment- Cannabis Land Use Ordinance

Dear County of Santa Barbara Board of Supervisors,

RE: Public Comment- Cannabis Land Use Ordinance

Thank you for all your hard work and research over the last year. I'm writing you today to provide some insight from the industry.

We are a medical cannabis cultivator that values good farming practices and being a good neighbor. We found and installed the Byers Scientific & Manufacturing Odor Control System, which has shown to be successful in abating the odor to near zero results. **We support mandatory odor control in greenhouses in Carpinteria and the County's odor abatement standard, which would require our technology to be certified by either a professional engineer or a licensed industrial hygienist.** Our neighbors are much happier now that we don't have 10-15 semi trucks per day driving along Foothill Road as we did with cut flowers. Now we only need one or two vans every few days to distribute our product. We do not contribute to light pollution as our greenhouses are covered with blackout systems. And all water is from a well and is re-used in a closed loop system. We are able to use pre-existing greenhouses, materials, and irrigation systems.

We are very concerned about the ability to secure local and State permits in a timely manner as well as Distribution being considered a 'new' use. We do not support staff's recommendation to require a MCUP or CUP for Ag-1. **A distribution license for both Type 11 and Type 13 should just be a Permit (P), not a MCUP or CUP. The flower growers have been packing, storing and shipping (or transporting) their own flower bunches and bouquets for 30 years on Ag-1 parcels. Distributing (storing and transporting) cannabis isn't any different.** Previously, we would self-distribute to dispensaries. When our product is ready for sale it is kept in a secure warehouse space until sold. If the County permits Distribution, then all we would need to do is move our finished product from one secure warehouse room to another secure warehouse room in the same building, while a lab technician is testing a sample off site, returns it and then we transport it to a manufacturer or retailer. The warehouse space for a distributor is no different than the warehouse space that a cultivator keeps their finished product in. Nor is it any different than the warehouse packing space that a flower grower previously used. If the County requires minor conditional use permits (MCUP) or conditional use permit (CUP) for distribution on Ag-1, it will drastically slow our ability to participate in the legal market. Allowing vertical integration on one property would keep the cultivation and sales within the County of Santa Barbara bringing in higher tax revenue.

**We do not support applying the General Development Standard, Energy Conservation Plan to "tier 1" greenhouse cultivation operators. The proposed standard may preclude growers from utilizing odor control**

**technology – which requires increased energy demand.** The County should mirror the State and only apply the energy conservation plan to the most energy intensive cultivation operations, Tier 2 and indoor cultivation, NOT Tier 1. Basing the energy demand on previous years isn't logical. Many operators that were previously cut flower growers had to reduce their operations due to the failing flower market over the last 5 years. And when the switch was made to cannabis, greenhouses were left empty to comply with the County's 2016 ordinance not to expand. Showing a net zero or reduction in energy usage isn't a feasible request. However, becoming more energy efficient and perhaps measuring output is a better Energy Conservation Plan. Growers are having to add Odor Control systems, advanced security systems, and other measures to eliminate impacts. Even for growers not using lights (Tier 1), a reduction or net zero in energy use is impossible. Farmers should be allowed to apply for energy upgrades so that they are more efficient with their use of power. If a net zero or reduction in energy usage is required, then no farmer can choose to add lights and apply for a Tier 2 license in the future.

We are grateful to the Staff, Ad Hoc Committee and Board of Supervisors for seeing the benefits of cannabis and allowing us to be apart of this growing industry.

Yours truly,

Autumn Shelton

Autumn Brands, LLC



## Alexander, Jacquelyne

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**From:** Winfred Vanwingerden <gerberagrower@gmail.com>  
**Sent:** Friday, February 2, 2018 5:32 PM  
**To:** Adam, Peter; Hartmann, Joan; Lavagnino, Steve; Williams, Das; Wolf, Janet  
**Cc:** Nelson, Bob; Litten, Jefferson; Bantilan, Cory; Elliott, Darcel; O'Gorman, Mary; sbcob; Metzger, Jessica; Bozanich, Dennis  
**Subject:** Public Comments - Cannabis Land Use Ordinance

Dear Board of Supervisors & Staff,

My name is Winfred Van Wingerden and I'm writing you as a grower of flowers and cannabis here in the Carpinteria Valley.

Our family has been in this valley for over 50 years and we now have the third generation of family members working the farm. Flowers have done us well for many years but with increased pressure from South America and Central America the margins have become so slim that making improvements and paying our employees more has become near impossible.

The new crop of cannabis is less intensive than floral crops, we are using the same footprint for our new crop and our water use is the same or less. Of course we recycle ALL of our fertilizer water and not a drop is lost to the environment. The best part is that we do NOT use any pesticides or herbicides in our new crop. We cannot because it would pollute the quality of the finished product. We do not contribute to night time lighting due to usage of black out systems. We use fewer trucks since the new crop uses much less transport space. Only a few vans are used. We support a mandatory odor control in the Carpinteria area and look for professionals as we have done to monitor and correct any issues with the system. We have seen an amazing turnaround in problems and those that exist are due to bad players who have not installed an odor control system. We need to turn that around and enforce noncompliance.

Please do NOT adopt increased setbacks. This will hurt growers like myself who have invested heavily to comply with regulations that control odor, pesticide use and water use. We have done everything to be better neighbors and work with the Carpinteria community to make it work for all. The city council of Carpinteria saluted us on our family practices and called it the gold standard, if all the farmers adopted these practices Carpinteria would be a better place for it. The 600 feet the state adopted works well if proper odor control and security is in place. If no odor control is implemented, then 5000 feet would not be enough.

My family thanks each one of you for working so diligently on this new ordinance. To make it fair for each and every grower and to work with the people from Carpinteria who also need to be heard. We will get this right and odor will not be an issue. That I can promise you!!!!

Kind Regards,

Winfred Van Wingerden

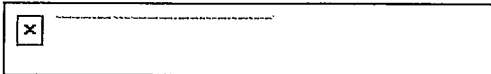
Maximum Nursery Inc.

President

4575 Foothill Rd Carpinteria, CA 93013

Ph: 805-684-4006

Fax: 805-684-8058



## Alexander, Jacquelyne

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**From:** Barak Moffitt <filmosound@me.com>  
**Sent:** Sunday, February 4, 2018 11:52 AM  
**To:** sbcob; Metzger, Jessica; Wolf, Janet; Hartmann, Joan; Adam, Peter; Williams, Das; Lavagnino, Steve  
**Subject:** RE: Case NO. 17 EIR 00000-00003 and residents of the Tepusquet ERDN.

To whom it may concern,

RE: Case NO. 17 EIR 00000-00003 and residents of the Tepusquet ERDN.

Our concerns are many, including enforceability, ecological impact, safety, pollution, and many others. We urge the supervisors to establish appropriate CEQA protections, enforcement, and penalty provisions for AGI and AGII parcels within an ERDN. We urge that you:

- Require CUP's along CEQA standards for AGI and AGII parcels within any existing ERDN or where sole access is via an ERDN roadway.
- Require meaningful enforcement provisions that would allow for law enforcement action and access to grows for regulatory and enforcement purposes, including right to enter property under exigent circumstances under search and seizure laws.
- Ensure that violations of the land use ordinance and regulations carry misdemeanor penalties and significantly punitive and cumulative fines.

We have every hope and confidence that the Supervisors will protect ERDN's as per the above. However, as a matter of process with regard to public comment rules, we must articulate that if the county cannot provide such protection under the relevant ordinances, in order to protect our community, we must challenge certification of the EIR on the basis that the county has failed to assess the traffic and related impacts to marijuana cultivation and industrialization on our county roadway:

- The EIR has failed to produce for the Supervisors and decision makers the quantifiable extent and clearly identifiable and cumulative impacts over the past 5 years of the significant and unenforced proliferation of illegal cannabis cultivation and industrialization of the Tepusquet ERDN with respect to traffic, light pollution, and air quality pollution resulting from the use of diesel and gasoline generators.

- The EIR provides no substantial evidence to support that it has really studied these issues under CEQA as to the Tepusquet ERDN. In fact, with regard to traffic, the county argues on page 8-220 in section 1.7-1 that such impacts simply cannot be measured. This is demonstrably false in Tepusquet:
  - The County had the baseline Traffic Study for the construction of the Joseph Centeno Bridge over the Sisquoc river, which it failed to update and disregarded in the preparation of the recent EIR. The failure to use this data against new measurements in the preparation of the current EIR leads to a CEQA violation as to Project Traffic Impacts for Tepusquet Canyon Road.
  - Aerial photos over the Tepusquet ERDN over the past 5 years clearly demonstrate the significant and measurable proliferation of industrial land use resulting from unregistered and illegal cannabis operations.
  - An increase in documented collision reports are observable, including collisions with critical and severe injuries resulting from increased traffic along the roadway, in conjunction with impaired drivers, water trucks, and other industrial traffic which exceeds the design limitations of our county road.
  - Because Tepusquet Canyon Road connects ONLY to the 166 and Foxen Canyon / Santa Maria Mesa road, it is entirely possible to measure this discrete section of road and the likely impacts of any change in land use to our ERDN allowing marijuana industrial use in this neighborhood and community.
- The county has clearly rushed this process to the detriment of our community. As such, the failure to prepare an adequate analysis to include the Tepusquet Canyon impacts will undermine the EIR and result in a successful challenge to the EIR being brought in the Cook Division of the Superior Court for a writ of mandate to decertify the EIR as not in compliance with CEQA.
- The basis for the writ of mandate is the recent case *East Sacramento Partnerships for a Livable City City of Sacramento* (2016) 5 Cal.App.5th 281, which provides a blueprint for decertification of an EIR based on inadequate traffic studies.

Tepusquet has been on its own over the past several years living with the consequences as marijuana cultivators and entrepreneurs disinterested in the rule of law and the impacts of their actions on our community proliferated their illegal and unlicensed activities.

By requiring rigorous CUP's in ERDN's for commercial cannabis cultivation, empowering enforcement, and creating effective punitive measures, the defects in the EIR can be rectified. However, if the county cannot provide adequate protections for the Tepusquet ERDN, we have no other choice but to aggressively seek the decertification of the EIR to allow time for the adequate protection our neighborhood, our families, and our homes.

## The Moffitt Family



## Alexander, Jacquelyne

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**From:** Wolf, Janet  
**Sent:** Sunday, February 4, 2018 1:05 PM  
**To:** sbcob  
**Cc:** O'Gorman, Mary  
**Subject:** Fw: Cannabis Ordinance

Please distribute for hearing thank you

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**From:** Diana M. Campbell <diana-m-campbell@cox.net>  
**Sent:** Saturday, February 3, 2018 7:10 PM  
**To:** Wolf, Janet  
**Subject:** Cannabis Ordinance

Dear Supervisor Wolf,

I am one of your constituents writing to tell you I am extremely concerned about the cannabis ordinance coming before the BOS this Tuesday. The writing below expresses my concerns perfectly, although I admittedly did not write it myself. I hope that you will take the concerns of your constituents seriously. Thank you very much, and thank you for the excellent job you have done of representing your district over the past years. Sincerely, Diana Campbell

The AG II-40 parcels surrounding the populated areas on the foothills of the county's South Coast area are not in the rural area, but at the urban limit line. The neighborhoods in the Eastern Goleta Valley Community Planning area on these foothills abut the avocado and lemon orchards on these ag covered foothills. The EGV Community Plan recognizes this unique circumstance with the policy to protect the distinctive nature of each use. (EGV CP Policy LUA EGV 1.11 (Ag resources, ag land uses and operations, and distinctive urban and rural ag characteristics shall be preserved to the greatest extent feasible.)

However, notwithstanding the intentions of this policy, there is a blurring of the separation of these uses. Agriculture operations on the foothills off Patterson Ave. must take access through the neighborhoods to reach the AG II avocado and lemon orchards, literally the backyards of the residential areas. This situation is similar to the cannabis ag traffic that now has to take access through the EDRN roads that go to the ag fields where cannabis is cultivated. There has been much testimony as to the destructive and intrusive nature of the traffic of the ag operators in the EDRNs. Ag traffic on the foothills is now relatively benign and

limited throughout the year. There is little daily traffic and few employees transiting on adjacent roadways since these orchards are largely unattended except during harvest times. Cultivation of cannabis crops which I understand is a more intensive effort which will require many more employees than now using the roadways. Additional traffic will be required to support the manufacturing, distribution and delivery licenses. The mitigation measures of the Site Transportation Demand Management Plan won't reduce the traffic impacts in areas this, far removed from public transportation, on steep hill roadways where bicycle traffic is limited to those working out, not transiting to work. Any shared parking arrangements would have to be done offsite since cultivation sites would not be done on the ag lands with 20% and greater slopes. The lands most suitable for cultivation are closest to the residential properties, not high up on the hillsides on the 20 and 30% slopes. Traffic is just one issue that will place affect this neighborhood. The other is odors. If the county's Odor Abatement Control Plan doesn't use the highest standards for odor control, not what the cannabis growers want, the neighborhoods not only adjacent to the AG II fields but further away will be exposed to the odor nuisance issues.

These are all unacceptable burdens to place on residents of the EGV or any area in the Santa Barbara County.

In the western Goleta area, there are subdivisions located in the City of Goleta which are surrounded by county AG II zoned lands. While ag traffic doesn't go through these neighborhoods like those located on the foothills, the subdivisions are also surrounded by AG-II zoned lands. No buffers from any cannabis activities have been considered for residential properties adjacent to county ag lands either in the county or in an adjacent jurisdiction. To mitigate cannabis activities on AG II, a **CUP with large buffers must be required in the Goleta and EGV community planning areas as a minimum.** The extra scrutiny of a CUP for cannabis activities located on these AG II parcels will hopefully offer the protections for these adjacent neighborhoods.

**PROHIBIT ALL VOLATILE MANUFACTURING ON ALL AG LANDS:** Of great concern is the allowance in the county's cannabis ordinance for volatile manufacturing .This activity does now not exist on any ag zoned parcels and allowing it will change the character of the ag operation and greatly intensify it because of the use of hazardous and flammable materials. A CUP might work for the cultivation and less impactful activities of microbusiness and non-volatile manufacturing, but it won't work for the volatile manufacturing license since there is a much higher level of impact for the environment and adjacent residents living on ag parcels.

On the South Coast of Santa Barbara County, volatile manufacturing has no place in the high fire hazard areas on the foothills from Gaviota to Carpinteria. The Whittier, Rey, Sherpa,



Gap, Jesuita, Tea, and Thomas fires in last 10 years are testimony to the combustible nature of our hillsides. (The Gap fire burned through some of the orchards.) Volatile manufacturing belongs in industrial area located in the urban areas like Goleta, Santa Barbara, and Lompoc not on fire-prone hillsides. It is allowed in the county's manufacturing zone district and this should be the only zone district it is allowed in Santa Barbara County.

There are other unintended consequences of allowing volatile manufacturing in the proposed cannabis ordinance. Volatile manufacturing is allowed in both Ag 1 and Ag II (where cultivation occurs) with a CUP requiring distance limits only from "sensitive receptors" like schools, but not from residential properties. There are AG 1 parcels in urban areas like Carpinteria and Eastern Goleta Valley and inner rural areas in Santa Ynez Valley with more

residential uses than ag on them. With Accessory Dwelling units now being allowed on all ag parcels, there could be an additional housing unit along with any employee housing already existing or allowed on these properties. Allowing a volatile manufacturing facility on these parcels doesn't need a CUP, only if sensitive receptors like schools exist. Thus, there are no protections for residents living on AG 1 parcels because of the nature of volatile manufacturing. This is unacceptable for the public's their health, welfare, and safety and overall quality of life. . Also, with no limit now to the number of licenses for volatile manufacturing, an overconcentration of this license type might occur, creating a greater hazard. **Prohibit Volatile manufacturing on all ag parcels!**

The only county mitigation for volatile manufacturing is an employee training program. Contrast this with the standards in the Monterey County ordinance, which by the way, only allow volatile manufacturing in their heavy industrial zones (SB County allows volatile manufacturing in the M zone districts). For more information on what Monterey County requires in their volatile manufacturing ordinance, see page.18 at the link below.

<http://www.co.monterey.ca.us/home/showdocument?id=59871>

Also consider standards used by City of Denver and other jurisdictions which require blast proof processing areas.

<http://www.times-tandard.com/article/NJ/20161021/NEWS/161029964>

<https://www.massroots.com/learn/explosion-proof-equipment-commercial-cannabis-extraction-labs/>

Santa Barbara County needs to incorporate these standards as well if volatile manufacturing is allowed in any industrial areas.

Last Consideration: In the rush to get the cannabis ordinance completed, this provision has been overlooked. **Prohibit any volatile manufacturing at home.** Recall the home lab using butane oil discovered in Montecito during the Thomas Fire. We don't need explosions in the residential areas from this hazard. .

## Alexander, Jacquelyne

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**From:** A.L. Bardach <albardach@gmail.com>  
**Sent:** Sunday, February 4, 2018 8:36 PM  
**To:** sbcob  
**Cc:** Williams, Das; Wolf, Janet; Tittle Jeremy; Carbajal Salud; Adam, Peter; Mary O'Gorman  
**Subject:** Cannabis Vote on Tuesday

Dear Supervisors,

We are 30 year residents of the Carpinteria Valley and are deeply concerned about the proliferation, horrific smells, and lack of any enforcement of the Cannabis Industry.

We back the County Planning Commission recommendation of 1000' buffer from schools, day care, and youth facilities -which is clearly necessary for safety and security reasons. We also support the City of Carpinteria's request that residences be included as sensitive receptors and have 1000' buffer from the municipal property line.. *Support County Planning Commission recommendation of no outdoor cultivation or hoop houses on parcels 20 acres or smaller. Shade houses need to be included in this also and no hoop house or outdoor cultivation in the Coastal Zone.*

Strengthen the Odor Abatement Plan to state: The Odor Abatement Plan must prevent odors from being detectable at the property line where cannabis is being cultivated. The "standard imposed is that odors should not be detected within residential zones to the maximum extent feasible as determined by the Planning Director" is too subjective. Schools, day care facilities and youth facilities need to be included also in addition to residential zones.

WE SUPPORT the following:.

Require cultivators to use olfactometers or other appropriate measurement devices on an ongoing basis. The Nasal Ranger is one. This would be a proactive action rather than a reactive one. If odors are detected, the operator must implement further odor controls until the standard is achieved.

Allow anonymous complaints also.

Support the County Planning Commission recommendation of notifying residences 1000' from the proposed development but add also that sensitive receptors (schools, etc.) be notified.. Notices need to be placed in all local news media about requests for land use permits and coastal zone permits. This is necessary for schools and those who live further than 1000' from a proposed development.

Requiring a neighborhood compatibility plan as part of the permit process must be required. State that cannabis as an agricultural product does not receive protection under the Right to Farm ordinance.

*Support a cap on the number of licenses or acres in the Carpinteria Valley to prevent an overconcentration.* The EIR recommended Alternative 3 as the most environmentally sound alternative which halved the number allowed.

Support City of Carpinteria's request to receive part of the tax revenue generated. A city-wide online survey by city of Carpinteria received a huge number of complaints about odor. Develop a public transparent interim process with fees for those in the Coastal Zone who will be applying for state permits and licenses so permitting and enforcement may begin soon. Develop a policy for enforcing those not interested in applying for permits to install effective odor equipment during the next 18 month amortization period.

*There are some hints about tinkering with the Greenhouse Overlay Ordinance - which only took 20 years to negotiate so that residents of the Carp Valley and the towns of Carp and Goleta had some basic protections. For residents, this would be a red line in the sand.*

We know the cannabis industry is well-organized with deep pockets - and we may not be able to match their dollars but it is worth remembering that we have many more Votes.

Sincerely,

Ann Louise Bardach  
Robert Lesser

1720 Ocean Oaks Rd  
Carp, Cal 93013

**A.L. Bardach**  
**BardachReports.com**  
805.684.7675 off  
805.895.6919 cell

## Alexander, Jacquelyne

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**From:** Jill Stassinis <jstassinis@aol.com>  
**Sent:** Sunday, February 4, 2018 11:00 PM  
**To:** sbcob  
**Subject:** Cannabis Cultivation

1/4/2018

To The Santa Barbara County Board of Supervisors,

Please support the Santa Barbara County Planning Commission's recommendation of 1000' buffers from schools, day care, and youth facilities. This is necessary for safety and security reasons.

Please add the Boys and Girls Club to the map of Carpinteria's sensitive receptors.

Please support the city of Carpinteria's request that residences be included as sensitive receptors and have 1000' buffers from the municipal property line.

Please support the County Planning Commission's recommendation of no outdoor cultivation or hoop houses on parcels 20 acres or smaller. Also, please include Shade houses.

Please add that there be no hoop houses or outdoor cultivation in the Coastal Zone.

Please strengthen the Odor Abatement Plan to state: The Odor Abatement Plan must prevent odors from being detectable at the property line where cannabis is being cultivated. The "standard imposed is that odors should not be detected within residential zones to the maximum extent feasible as determined by the Planning Director" is too subjective. Also, schools, day care facilities and youth facilities need to be included in addition to residential zones.

Please require cultivators to use olfactometers or other appropriate measurement devices on an ongoing basis. The Nasal Ranger is one option. This would be a proactive action rather than a reactive one. If odors are detected, the operator must implement further odor controls until the standard is achieved.

Please allow anonymous complaints.

Please support the Santa Barbara County Planning Commission's recommendation of notifying residences 1000' from the proposed development but also add that sensitive receptors ie. schools be notified.

Please place notices in local newspapers, ie. Carpinteria's The Coastal View not just the SB News-Press, about requests for land use permits and coastal zone permits. This is necessary for schools and those who live further than 1000' from a proposed development.

Please require a neighborhood compatibility plan as part of the permit process.

Please state that cannabis as an agricultural product does not receive protection under the Right to Farm ordinance.

Please support a cap on the number of licenses or acres in the Carpinteria Valley to prevent an overconcentration. The EIR recommended Alternative 3 as the most environmentally sound alternative which halved the number allowed.

Please support the City of Carpinteria's request to receive some part of the tax revenue generated.

Please develop a public transparent interim process with fees for those in the Coastal Zone who will be applying for state permits and licenses so permitting and enforcement may begin as soon as possible.

Please develop a policy for enforcing those not interested in applying for permits to install effective odor equipment during the next 18 months amortization period.

Thank you for your time and consideration in this matter.

Sincerely,  
Jill Stassinis  
1760 Ocean Oaks Rd.  
Carpinteria, CA 93013

## Alexander, Jacquelyne

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**From:** Villalobos, David  
**Sent:** Monday, February 5, 2018 8:07 AM  
**To:** sbcob  
**Cc:** Metzger, Jessica; Klemann, Daniel; Fogg, Mindy  
**Subject:** FW: CANNABIS ORDINANCE

fyi

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**From:** Barbk [mailto:barbk77@cox.net]  
**Sent:** Sunday, February 04, 2018 5:34 PM  
**To:** Villalobos, David <dvillalo@co.santa-barbara.ca.us>; Hartmann, Joan <jHartmann@countyofsb.org>; Wolf, Janet <jwolf@countyofsb.org>; Adam, Peter <peter.adam@countyofsb.org>; Williams, Das <DWilliams@countyofsb.org>; Lavagnino, Steve <steve.lavagnino@countyofsb.org>  
**Subject:** CANNABIS ORDINANCE

Santa Barbara County Board of Supervisors:  
Joan Hartmann, Janet Wolf, Peter Adam, Das Williams, Steve Lavagnino

Re: Cannabis Ordinances

The citizens of Santa Barbara County have been residing in neighborhoods throughout the County long before the cannabis industry was introduced. Beginning in April, 2017, and throughout the ordinance process, the cannabis industry has had a seat at the table and been given strong preference over the residents of the County. The red carpet has been rolled out for the industry, and residents have been greatly marginalized. It appears that that the County leaders are catering to this special interest group. To date we have 171 temporary licenses that have been filed, the second largest number in the state of California, and the number is growing daily!! We are well on our way to being the Cannabis Capital of the State. No doubt, we will have an increased amount of tourists who come to get high, have weed parties, and infiltrate our neighborhoods and communities. If a robust industry is welcomed into our community it is only a matter of time before our beautiful city on the Central Coast will take on the identity and reputation as a pot community, which will have untold ramifications on businesses, hotels, as well as the desire for tourists to frequent our lovely city.

As a citizen of the County I strongly urge you to consider the following in your deliberations on the proposed cannabis ordinances:

- Cannabis cultivation on Ag2 should have substantial setbacks from neighboring homes, as well as requiring a CUP. The cannabis industry's argument that setbacks are a way of "shutting people down" is fabricated reasoning. Setbacks will not shut down growers but WILL protect neighborhoods vulnerable to cannabis impacts.
- There should be no volatile manufacturing on any ag zoned property within the County. We live in a high fire hazard area having experienced the Whittier, Rey, Sherpa, and Thomas fires. It doesn't make good sense to allow a manufacturing plant with flammable materials on Ag2 zoned hillsides in the Eastern Goleta Valley or any South Coast areas. This kind of activity belongs in an industrial or commercial zoned area, not on any agricultural lands. Additionally, volatile manufacturing should be banned in homes and residential areas.
- Allowing an unlimited number of cannabis operations is reckless and turns a blind eye to the impacts on our communities. This CLEARLY favors the interests of the cannabis industry over local residents and the public health, safety, and welfare of the community.
- It is well documented that there is already a high concentration of existing cannabis activities within the County, much more than needed to "meet the demand". The Proposed Ordinance will have permanent impacts on the quality of life in Santa Barbara County and change the rural character of the area.
- Numerous complaints have been filed with the County concerning the nuisance, quality of life, and health effects of exposure to cannabis. Negative health issues and quality of life impacts have resulted due to reactions to odors and air quality, increased noise, traffic and crime in residential neighborhoods, and health impacts such as headaches, allergies, worsened asthma symptoms, etc. Why subject residents to more of this kind of standard of living?

- Increase the buffer to 1000 feet to reduce the impacts on sensitive receptors.
- Please adopt a more balanced, phased approach that will allow the County to study the impacts of cannabis before issuing new permits. The best interests of the County are served by initially adopting a very conservative approach to all aspects of cannabis cultivation, processing and sales.
- **The County has analyzed two alternatives that would result in substantial reductions in the severity of many impacts by: (1) Excluding cannabis activities from the Ag-1 zone district (Alternative 1); and (2) Limiting the number of licenses that the County will issue (Alternative 3). I strongly urge that you adopt Alternatives 1 and 3.**
- Going forward, schools and other impacted parties should be notified before the County issues any new cannabis permits. I suggest that everyone within a 1500 foot radius be notified, especially because of the impact of odors and quality of life on unsuspecting residents.

Respectfully submitted,  
Barbara Kloos