

Ramirez, Angelica

Public Comment- Group 1

#2

From: Leigh Johnson <rlj.leigh@gmail.com>
Sent: Monday, November 1, 2021 6:02 AM
To: sbcob; de la Guerra, Sheila; Nelson, Bob; Hartmann, Joan; Hart, Gregg; Williams, Das;
Lavagnino, Steve
Subject: Nov 2 BOS chapter 50
Attachments: chapter 50 BOS.pdf

Follow Up Flag: Follow up
Flag Status: Completed



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.

Hello,

Could you please distribute and add this to the Chapter 50 and ordinance agenda item D 2 for Tuesday November 2, 2021

BOS

Thank you,
Leigh Johnson

November 2, 2021

Honorable Supervisors:

We kindly ask for your denial to the decision to allow business license processing for cannabis operations whose land use entitlements are not final, due to appeals. The ordinance provides that land use entitlements must be final before the project may qualify for a business license. Staff's unilateral action improperly "reserves" cap acreage for grows under appeal, even though the approvals are not final. Appeals typically address cannabis operations that raise land use compatibility and related issues, and should disqualify that project from proceeding with business license processing. The existence of entitled grows in excess of the cap that were not appealed establishes that County revenues could be realized more quickly by advancing these noncontroversial grows and not reserving cap acreage for projects under appeal. Please direct staff to only accept projects on the Eligibility List once all appeals are resolved and the permit approvals are final, in accordance with the Land.

We also have concerns about an expansion of the acreage cap. Staff is seeking direction on whether to harmonize the County's definition of "cultivation acreage" with the state definition of cannabis "canopy". Supervisor Lavagnino said at the Sept 14th hearing... "no one on the Board is seeking or discussing a cap expansion". We interpret that as not tinkering with the ordinance to subtract aisles and remove processing from the acreage count. Santa Barbara County chose to tax based off gross receipts and not square footage. This was seen as controversial at the time, but the system was enacted and now that the process is under way, it would be counterproductive to reconfigure now. As an ardent listener to any and all cannabis hearings at the Planning Commission and Board, I am all too aware of the jockeying being done by the applicants and the throwing of one another under the proverbial bus. It's almost laughable to hear the conspiring tactics used by the applicants to ratchet up the rhetoric, but that's if it wasn't a blatant reminder of the antics that are also played upon the public by the same opportunists. Applicants / growers trying to secure a "back-door" expansion of the acreage cap is heinous. Going in small and planning an expansion after the cap is tantamount to bait and switch. It's just another chapter in a book or a scene in a documentary that reiterates the objectionable behavior of those desperate to cash in on unsuspecting communities. Applicants / growers can't start infighting and lawyer up, when it was spelled out, laid out, and reiterated weekly by respected retired County Counselor Ghizzoni.... **"applicants do not vest to a project"**. That can't get any clearer, it's the process and no one was or should have been promised anything. The public, the residents and constituents, the land owners and the business owners, ask the Board to

take our groups, our neighbors, our colleagues and our friends concerns sincerely when these thoughts echo throughout the entire county.

Please keep the existing cap and definitions to remain in place.

Possibly, a remedy to help the process, and alleviate the percolating tension...is to take KPMG's suggestions to clean out the stale projects that have hit the inactive status several times over. The "re design", "de novo", "waiting for applicant", "project in review", all these with unresponsive activity or lack luster activity should be closed out. It's obvious the projects laying in dormancy are trying to get an LUD to increase property value and in turn the county benefits from a higher property tax. Although, the properties near the inflated property that have an LUD for perpetuity can reduce neighboring property in some cases 10 percent or more. It's called external obsolescence. External factors have an effect on nearby properties or home values. Even in an agricultural zone such as AG2, nuisance or possibility of nuisance or criminally induced situations with a designated permit of perpetuity can significantly harm the value of surrounding properties.

Please take all these into consideration and thank you for your time.

Sincerely,

Ronnie and Leigh Johnson
2740 Cebada Canyon
Lompoc

Ramirez, Angelica

From: Patti Ruben <pattiruben@gmail.com>
Sent: Monday, November 1, 2021 8:53 AM
To: sbcob
Subject: THIS WEEK

Follow Up Flag: Follow up
Flag Status: Completed

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.

To all concerned:

I've been writing for years. With neighbors concerns about the quality of life impacting us daily without sufficient EIR studies; headaches, nausea....we lost many battles on deaf ears. The one up for grabs THIS WEEK....the total acreage of the County's cap must be reduced by a commensurate amount such that there is NO NET INCREASE in cannabis acreage. The existing cap and definitions *must* remain in place.

Does anyone care?

Ramirez, Angelica

From: Brandon Gnekow <gnekow1@aol.com>
Sent: Monday, November 1, 2021 8:57 AM
To: sbcob
Subject: Cannabish

Follow Up Flag: Follow up
Flag Status: Completed

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.

We are very much opposed to the allowing of business license processing for those cannabis growers whose land use entitlements are under appeal

We also are opposed to any increase in the cap limit

Thank you for your consideration

Pam and bill GNEKOW

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

Ramirez, Angelica

From: Jackie Peterson <jackiep235@gmail.com>
Sent: Monday, November 1, 2021 9:39 AM
To: sbcob
Subject: Cannabis Ordinance Amendments

Follow Up Flag: Follow up
Flag Status: Completed

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, please, please do not increase the acreage allowed under the current ordinance by not including the pathways around the plants in the sum total under the ordinance. This crop is not what Santa Barbara should be known for and it is destroying our quality of life. Do not make this situation worse.

I live in Carpinteria and my best friend does not like to visit because she can't leave the windows open at night because of the heavy smell of cannabis that permeates my property during the night lingering into daybreak.

Jackie Peterson

Ramirez, Angelica

From: PAUL EKSTROM <paulekstrom@cox.net>
Sent: Monday, November 1, 2021 9:55 AM
To: sbcob
Subject: 11/02/2021 BOS Meeting: Cannabis Ordinance Change

Follow Up Flag: Follow up
Flag Status: Completed

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.

Honorable Supervisors and staff, The existing cannabis acreage caps are too large. There is no need for larger grows. There is a glut of cannabis in our county and if any changes are to be made, I would want a moratorium on any new permits and no expansion.

Secondly, if a cannabis operation is on hold due to an appeal, that means no further processing until the appeal is finished. I and many others are tired of the way cannabis operators are given so much latitude while the rest of us have to suffer with the cannabis skunk odor and cover-up odors.

Thank you, Paul & Linda Ekstrom

Ramirez, Angelica

From: sjashbrook@gmail.com
Sent: Monday, November 1, 2021 10:36 AM
To: sbcob
Subject: Stop Acreage Cap Expansion
Attachments: Stop Acreage Cap Expansion.docx

Follow Up Flag: Follow up
Flag Status: Completed

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.

Attention: Chairman Bob Nelson,
Supervisor Williams,
Supervisor Hartmann,
Supervisor Hart,
Supervisor Lavagnino,

Dear Supervisors,

We are writing to ask you to carefully review the Cannabis Ordinance Amendments under your consideration. The business license process for cannabis does not make sense. Why would the County allow any business (specifically cannabis) to proceed through the business license procedure before land use/CUP permits and appeals are final? If a project is under appeal, an appeal should be resolved before the permit is approved. "Reserving" a place in line is something like putting the cart before the horse.

We are also very concerned the acreage cap might be expanded. We ask that the existing cap and the current descriptions on the cap stay in place.

Respectfully,

Susan Ashbrook

Derek McLeish

Attention: Chairman Bob Nelson,
Supervisor Williams,
Supervisor Hartmann,
Supervisor Hart,
Supervisor Lavagnino,

Dear Supervisors,

We are writing to ask you to carefully review the Cannabis Ordinance Amendments under your consideration. The business license process for cannabis does not make sense. Why would the County allow any business (specifically cannabis) to proceed through the business license procedure before land use/CUP permits and appeals are final? If a project is under appeal, an appeal should be resolved before the permit is approved. "Reserving" a place in line is something like putting the cart before the horse.

We are also very concerned the acreage cap might be expanded. We ask that the existing cap and the current descriptions on the cap stay in place.

Respectfully,

Susan Ashbrook

Derek McLeish

Ramirez, Angelica

From: Lillian Clary <mzlil2988@gmail.com>
Sent: Monday, November 1, 2021 11:14 AM
To: sbcob
Cc: Lil Clary; Dave Clary
Subject: BOS Hearing 11/2/21 Cannabis Business License Ordinance

Follow Up Flag: Follow up
Flag Status: Completed

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 share this with Supervisors and post in public comment.

Thank you.

We are expressing our deepest concern about the recommendation that the Board consider amending the cannabis ordinance to delete processing/drying from the definition of activities considered in the acreage total for the cap.

Both the Board and the Planning Commission have considered **ODOR** the most important source of complaint in the past. Hours and hours of public comment and discussion have occurred during public meetings addressing odor issues.

Certainly in recent hearings for Land Use Permits for cannabis both Board and commissioners have applauded statements made by grower applicants that there would be NO processing or drying on site. Does anyone remember one applicant's claim that plant material would be flash frozen and shipped off the property daily to avoid odor?

It is specious to claim that the county's loss of tax revenue for these operations is reason enough to ignore this critical component of the cannabis industry impact on county residents.

Dave and Lil Clary, Tepusquet Canyon

Ramirez, Angelica

From: HANNE LAWRENCE <hanne.lawrence@verizon.net>
Sent: Monday, November 1, 2021 11:24 AM
To: sbcob
Subject: Cannabis

Follow Up Flag: Follow up
Flag Status: Completed

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 have lived in buellton for 27 years and is deeply disappointed in the changes in air quality. The smell from the cannabis farms is a daily occurrence and responsible for headaches and nausea. I'm hoping that something can be done about this, as it is not only highly unpleasant, but a detriment to our home values in Buellton. Thank you for your attention to this problem.

Hanne Lawrence
320 Oak Tree Way, Buellton
Sent from my iPhone

Ramirez, Angelica

From: Renee O'Neill <chasingstar2701@yahoo.com>
Sent: Monday, November 1, 2021 11:41 AM
To: sbcob; Ramirez, Angelica; Alexander, Jacquelyne
Cc: SBCRC; Marc Chytilo
Subject: Re agenda item D-2

Honorable Supervisors,

I am writing to add my voice in support of the letter from Marc Chytilo, on behalf of the Coalition for Responsible Cannabis.

I believe Marc did an excellent job of addressing our many concerns.

I also support all letters and public comments that support resident's concerns that are negatively impacted by cannabis.

Lastly, I believe our County Legislators must consider the serious drought we are facing. Cannabis is a very thirsty plant. The growers near us did not have an operable well and had to haul water through our property in commercial, 2,000 to 2,500-gallon tankers.

In July 2020, prior to being shut down, they transported 251,000-gallons of water, in one week, to support three provisional licenses.

When you consider that amount of water, in just one week, for three licenses, multiply that by the number of licenses you are considering allowing in our County, taking into consideration that amount being used in Summer and early Fall months.

We simply cannot afford to deplete this precious resource to support a product that is unnecessary and causing so many problems and heartache.

Respectfully Yours,
Renee

Ramirez, Angelica

From: Laura Cleary <mmclbc@cox.net>
Sent: Monday, November 1, 2021 12:59 PM
To: sbcob
Subject: Cannabis Ordinance

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 most concerned about the calming discussion of modifications to the cannabis ordinance. I see no reason why the cannabis industry should receive any special treatment as in reserving acreage or receiving any special treatment has the business licenses well under appeal. Resolve the repeals first then proceed to business licenses.

I feel the same with respect to the subject oh total canopy or canopy of just the growing product. If it was good for everybody else in the county there is no reason to give cannabis how do you special deal there's no reason to change the existing county ordinance to just please the cannabis industry with that it would change everybody else's canopy restrictions which would lead to an all of snacks for everybody. The law is the way it is live with it sincerely yours
Michael Cleary Shepard Mesa on

Sent from my iPhone

Ramirez, Angelica

From: Tom <navillus2@cox.net>
Sent: Monday, November 1, 2021 2:36 PM
To: sbcob
Subject: I mentioned to the board of supervisors regarding the cannabis to situation in Santa Barbara County.

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.

The considerations appearing before the board of supervisors is untenable. The Cap Should not be removed allowing additional growth of cannabis in Santa Barbara County. The Initial Cap On the growth of cannabis was very specific and the intention was and it should remain unchanged. Regarding the licensing of an of businesses which have yet to be approved is ridiculous. license should not be issued until all conditions have been met and that is without exception. Thomas Sullivan. Resident Carpinteria California Sent from my iPhone

Ramirez, Angelica

From: Sharyne Merritt <professormerritt@gmail.com>
Sent: Monday, November 1, 2021 2:41 PM
To: sbcob
Subject: cannabis item Nov 2 2021

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,

Unless you think that the appeals process is a complete sham and appellants will always lose, you should not allow business license processing for cannabis operations to proceed for projects on appeal.

An appeal is part of the land use permitting process. Projects should not be considered ready for the next step - business license - until the land use process is completed.

Sharyne Merritt
Buellton

Ramirez, Angelica

From: Courtney Taylor <me@courtneyetaylor.com>
Sent: Monday, November 1, 2021 3:35 PM
To: sbcob
Subject: Comment Letter for 11/2 Board Hearing
Attachments: BOS 2021-11-1 Ltr RE Cannabis Ordinance Amendments.pdf

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 Clerk of the Board:

I am passing along a letter on behalf of Rick and Aurora Grimm regarding Administrative Agenda Item #2 (Chapter 50 Amendments) on tomorrow's Board agenda.

Thank you,
Courtney

Courtney E. Taylor

6465 Nursery Way, San Luis Obispo, CA 93405

p: [805.316.1278](tel:805.316.1278) | **c:** [805.234.2706](tel:805.234.2706) | **w:** courtneyetaylor.com

Legal Counsel to the **Alcohol Beverage Industry**

Click [here](#) to book time with me.

Privileged and Confidential Communication: The contents of this email message and any attachments contain confidential and/or privileged information from the Law Office Courtney E. Taylor, a Professional Corporation. The information is intended to be for the sole use of the individual or entity named on this email transmission. If you are not the intended recipient, or if this message has been inadvertently directed to your attention, you are hereby notified that you have received this message and any attachments in error and that any review, disclosure, copying, dissemination, distribution or use of the contents of this email message is strictly prohibited. If you have received this email in error, please notify the sender immediately by return email and delete and destroy all copies of the original message.

Grimm Estates
5400 Kentucky Road
Santa Ynez, CA 93460

VIA EMAIL

November 1, 2021

Santa Barbara County Board of Supervisors
105 E. Anapamu Street
Santa Barbara, California 93101
By email to sbcob@co.santa-barbara.ca.us

**RE: Proposed Chapter 50 Amendments
Administrative Agenda Item #2**

Dear Honorable Supervisors:

We live on Kentucky Road in Happy Canyon and purchased the property in 2010. We have followed the ongoing review, approval, and appeals of cannabis permit applications and remain concerned about the impacts of cannabis cultivation on adjacent residential uses and vineyards.

We are writing today regarding the proposed amendments to Chapter 50 and the cannabis Business License process. Specifically, we are concerned with how the Board will define "Cultivation Area" and balance the acreage amongst the cannabis projects throughout the County. We support the following changes:

1. Establishing a cannabis Business License "Wait List" – *however, the Wait List should be published in the same manner as Cultivation Cap and Eligible Applicants List*
2. The requirement for outdoor cultivation sites to provide notice of harvest to properties within a 1,000 feet
3. Allow cannabis projects with full approval only to be placed on the Cultivation Cap and Eligible Applicants List ahead of those projects under appeal to avoid arbitrarily allowing pending permit to "reserve" acreage ahead of fully approved projects

Most importantly, if the Board gives direction to align the County's definition of "cultivation area" with the State's definition by excluding roads and aiseways from the acreage calculation for each project, the County should reduce the Unincorporated SB County cap to equal the total acreage of all projects that have been approved within the cap using this new definition. No new projects should be added under the cap as a result of this effort.

Merely aligning the two definitions using the existing cap will expand the total permitted acreage under the cap, which is contrary to the intent of the cap and your Board's recent unqualified statements that the cap would not be increased or lifted. Please retain the acreage cap as intended.

Sincerely,
Rick and Aurora Grimm