

Daly, Julia Rutherford

From: Cori <corihayman@cox.net>
Sent: Monday, April 03, 2017 12:21 AM
To: sbcob
Cc: Klemann, Daniel; Russell, Glenn
Subject: PLEASE DISREGARD PROIR EMAIL AND USE THIS ONE Re: Public Comment for Board of Supervisors Hearing of April 4, Agenda Item re: Nonmedical Marijuana Interim Urgency Ordinance

Follow Up Flag: Follow up
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Dear Clerk:

Please **disregard** prior email and distribute the following (clean version) to the Members of the Board of Supervisors:

Dear Chair Hartmann and Members of the Board of Supervisors,

My name is Cori Hayman. My family has lived in Montecito for seven years. My husband and I are both attorneys. I am a Board Member of the Montecito Association wherein I serve as Chair of the Land Use Committee. I submit these comments in my individual capacity.

First, I support the adoption of the interim Urgency Ordinance for Non-Medical Marijuana, imposing a temporary moratorium on any activities associated with the Adult Use of Marijuana Act.

Second, as the County appears poised to move ahead with researching the possibility of enacting ordinances pertaining to all aspects of adult non-medical use of marijuana, I submit the following comments.

The new California legislation providing for adult non-medical marijuana cultivation, manufacturing, distribution, sale and consumption poses several regulatory challenges. The issues are too numerous for a comprehensive public comment at this juncture. Assuming the County proceeds with allowing commercial cultivation, manufacturing, distribution, and sale of recreational marijuana, below represents three critical issues worthy of bringing to the forefront of the rule-making process.

Except as Required by State Law, Marijuana Should be Prohibited in Residential Zones

In Montecito and elsewhere throughout Santa Barbara County, it is critical that our residential single-family neighborhoods remain protected in a manner consistent with the General Plan and the Montecito Community Plan. The cultivation, manufacturing, distribution, and sale of marijuana are agricultural, industrial, and commercial uses, and thereby are inherently incompatible with residential zones. The single-family residential character of these neighborhoods, moreover, makes it impossible to comply with legal requirements prohibiting marijuana within certain distances of children. The potential neighborhood impacts of cultivation, manufacturing, and distribution additionally include many nuisances: odor, light, congestion, and safety and security measures not

typical of a residential neighborhood. Therefore, at a minimum, I urge the Board to prohibit marijuana in any form in residential neighborhoods, other than as required by State law (personal use exemption).¹ This includes prohibiting, without limitation, the cultivation, manufacturing, distribution, and sale of marijuana. I also urge the Board to prohibit consumption of marijuana in any public place in residential zones.

Prohibition of Edibles in the Form of Candy, Cake, Brownies, and Similar Substances

The consumption of edibles with the appearance of candy, cake, brownie, or other similar food poses serious risks to the health and safety of our children as well as adult users in our County. The availability and marketing of "sweet" appearing edibles, either directly or indirectly, targets children and young adults in a manner that not even alcohol or cigarette companies are allowed to do or behave. We have an obligation to protect our children by discouraging drug use and addiction by making marijuana difficult to obtain and unappealing. (Please see below attached links [Aspen Institute](#) and [LA Times](#) articles on edibles). The accidental ingestion and overdose of edibles among children and adults, furthermore, poses a grave and possibly life-threatening risk. These risks outweigh any financial benefit that may exist in the form of commercial manufacturing, distribution, marketing, and retail sale of "sweet" marijuana edibles.

Public Input to the Ad Hoc Committee

The County must act cautiously and slowly as it formulates its regulations surrounding any cultivation, manufacturing, distribution, sale, and use of marijuana. The environmental impacts have the potential to change the character of the County and to put further strain on its resources, particularly water. (Please see below attached link [NBCnews](#)). Indeed, the threat of character change, environmental impact, and increased substance abuse has caused many counties and cities to adopt a complete ban on marijuana, other than the personal use exemption.

I therefore urge the Board to include public input throughout this process. The use of the ad hoc committee with limited members fails to (1) obtain your constituents' direction; and, (2) inform the public of the decision-making and rule-making process.

I encourage the Board to (1) include community members from all districts with no ties to the marijuana industry in the ad hoc committee discussions; and, (2) to make publicly available all navigating documents, committee participants, and meeting minutes of the ad hoc committee.

Very truly yours,

Cori Hayman.

Attachments:

<https://www.aspeninstitute.org/blog-posts/are-kids-marketing-target-legal-pot-colorado-public-health-failure/>

<http://www.latimes.com/opinion/opinion-la/la-ol-marijuana-edibles-social-media-influence-20140630-story.html>

<http://www.nbcnews.com/business/business-news/when-growing-marijuana-isn-t-green-n560391>

ⁱ As to the personal use exemption, it is imperative that the County adopt regulations protecting the safety of our children and character of the neighborhoods, including prevention of odor and light pollution. Additionally, the Ag-1 zone in Montecito is residential in character with mostly citrus production and should thus be treated as a residential zone.