

CITY of CARPINTERIA, CALIFORNIA



March 24, 2020

Honorable Laura Bridley, Chair
Santa Barbara County Planning Commission
c/o Planning and Development, Hearing Support
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: March 25, 2020 Planning Commission Agenda
Standard Agenda Item No. 2, Cannabis Zoning Ordinance Amendments

Honorable Chair Bridley:

The City of Carpinteria (“City”) is in support of staff’s proposed Planning Commission Resolution recommending to the Board of Supervisors (“Board”) that the Board amend the County Land Use Development Code (“LUDC”) and Coastal Zoning Ordinance (“CZO”) to include a development standard that no cannabis odors shall be detectable off the lot where the cannabis activity is permitted. The City appreciates this effort and respectfully offers the following recommendations to strengthen the Planning Commission Resolution:

The Resolution must recommend establishment of an objective method for measuring compliance, with a robust and ongoing monitoring program, to ensure that an odor control standard is enforceable.

Requiring and enforcing cannabis odors to not be detectable beyond the property line will go a long ways toward addressing many of the nuisance complaints coming from the Carpinteria area. The City encourages the Planning Commission (“Commission”) and County staff to include in the Resolution additional recommended direction with respect to achieving and monitoring this contemplated new odor control development standard. The City previously submitted a letter to the Santa Barbara County Air Pollution Control District (“APCD”) on November 25, 2019 and subsequently met with APCD staff and Assistant County CEO Melekian to discuss opportunities for APCD staff to take an active role in regulating and monitoring equipment used in cannabis cultivation, including odor abatement technologies. The City continues to believe that the County should leverage the APCD’s expertise with air quality matters in the development and operation of an objective regulatory odor control program. Establishing an objective method for measuring compliance, and ensuring a robust and ongoing monitoring program is paramount to the effective and successful implementation and enforcement of this standard.

The Resolution must recommend that the Board take immediate action to address cannabis odors for “legal nonconforming” operators through an amendment to Article X in order to be effective in the communities most affected by cannabis odors.

It is important to also remind the Commission and staff that, as currently drafted, the recommended amendments to the LUDC and CZO concerning odor control would not address the current nuisance odors originating from “legal nonconforming” cultivators that do not yet have their

respective land use permits for their cannabis cultivation operations. Amending the LUDC and CZO only changes what is required of cannabis operations once they receive their respective land use permits. Given the slow progress to date at moving most of the pending permit applications through the entitlement process, it is impossible to know when existing “legal nonconforming” operators will obtain their necessary permits and (finally) become subject to the County’s cannabis ordinance requirements. Thus, it behooves the Commission to include in their Resolution a recommendation that the Board take immediate action to address cannabis odors for “legal nonconforming” operators through an amendment to Article X as previously proposed by Supervisor Williams at the July 16, 2019 Board hearing and discussed in past meetings by your Commission. Such an amendment would have meaningful and immediate beneficial impacts for communities, such as Carpinteria, that experience a high concentration of “legal nonconforming” cannabis cultivation operations with as-of-yet unregulated and unverified odor control systems that result in pervasive and ongoing nuisance odor impacts extending well beyond the property lines of the cultivation facilities and into nearby schools, parks and residential neighborhoods.

We appreciate your Commission’s consideration of our comments and again wish to thank the Commission for prioritizing more stringent odor control as the first step the Board should pursue in the effort to amend the current cannabis ordinances. We remain committed to working with County decision-makers and staff on additional opportunities for refinement of the cannabis ordinances and look forward to participating in future meetings to discuss the remaining suite of options under consideration by your Commission.

Respectfully,



Steve Goggia, Director
Community Development Department
805-755-4414 / steveg@ci.carpinteria.ca.us

Cc. Santa Barbara County Planning Commission
City Council Members