

Neighborhood Quality of Life:

According to the DEIR (Para. 3.3.6, p. 3.3-16) outdoor and greenhouse cultivation would occur on parcels where "*odors from agricultural operations are a typical and anticipated occurrence*". As a 35+ year Bonny Doon resident living in a Residential-Ag zoned home, not until the last 3-4 years (post green rush of growers) have I experienced any odors in the neighborhood. Assuming that neighbors in Residential-Ag neighborhoods are used to the presence of obnoxious odors seems to show a lack of understanding of the baseline environment of Residential-Ag neighborhoods.

+ What is the basis for the claim that agricultural odors are either typical or anticipated in Residential-Ag neighborhoods?

After review of the DEIR sections dealing with Air Quality (para. 3.3, p. 3.3-1 through 3.3-28) it is obvious that the DEIR authors are aware that cannabis industry generates unavoidable "skunky" odors that permeate the neighborhoods. "The acreage projected for outdoor cultivation ... could create objectionable odors affecting a substantial number of people. Therefore, direct impacts due to objectionable odors ... would be potentially significant."

+ Is it the position of the county that the neighbors in Residential-Ag neighborhoods must either endure the obnoxious odors or move out of their neighborhood?

+ Excluding visits to preexisting grow/manufacturing sites, were any Residential-Ag neighborhoods (such as Pine Ridge, McGivern, Braemoor, etc.) visited by the authors of the DEIR?

+ If so, how many DEIR authors visited the Residential-Ag neighborhoods?

Odors, Outdoor Grows:

Primary Program Objective-7 (DEIR para 2.3.1 p. 2-36) is to "*Ensure compatibility of Cannabis cultivation and manufacturing sites with surrounding land uses, especially neighborhoods, ... and objective-9 "...avoid risks of the visual setting and neighborhood character, obnoxious odors..."*

Mitigation Measure MM-AQ-1.1 (DEIR para. 3.3.6.1, p. 3.3-17) states that to reduce odor impacts of outdoor grows "*shall consider siting future grows ... to ensure that any odors ... do not reach a substantial number of people, to the maximum extent feasible*"

+ What is a "substantial number of people"?

+ Is it "feasible" to expect that the surrounding neighbors can be protected from obnoxious odors?

+ Since this only applies to "future grows", are preexisting grows exempt from "feasible" attempts to protect neighbors from obnoxious odors?

Odors, Greenhouse:

The Mitigation plan (MM-AQ-1.2, p. 3.3-18) for Greenhouse Odors requires filtration and scrubbing to reduce odor impacts from airing-out greenhouses "*if an adverse effect previously been documented*" to impact "*a substantial number of people*"

+ How many people are "a substantial number of people"?

+ Given the potential for multiple nearby greenhouses, how do neighbors identify which greenhouse is causing the adverse affect?

Attractive Nuisance / Visual Blight:

Alternative-2, the Most Permissive Alternative (DEIR para. 2.3.2, Tables starting on p-2-29) decreases Residential-Ag zoned parcel size, reduces setbacks, and increases allowable canopy, thus pushing much of the additional commercial cannabis industry into Residential-Ag neighborhoods. Assuming that the licensed cannabis industry is conducted by the "good actors", we need to consider the attractive nuisance impacts. Five persons were arrested during the Bear Fire evacuations. There was a confrontation at a grow-site that involved a shotgun, baseball bat and shots fired.

+ Why doesn't the DEIR consider the dangerous attractive nuisance factor for high value product colocated with surrounding family neighborhood that are zoned Residential-Ag?

+ Wouldn't the security measures to protect product pose a visual blight to the neighborhood?

Manufacturing Operations:

Guarded Locked gates, when loading and security bars on the windows (Appendix-C para 7.132.110 p.17) are required for all facilities involved with manufacturing except for residentially zoned parcels

+ Why is safety a lesser issue within Residential-Ag neighborhoods?

Trucked Water:

The More Permissive Project (DEIR para. 2.2, p. 2-34) "*would allow ... importing water by truck for initial filling of water storage tanks*". However, according to (DEIR para. 4.2.3, p. 4-33) would "*Allow imported/trucked water for irrigation and potable use*"

+ Which is correct, is trucked water allowed only for initial filling or can trucked water also be used for irrigation and potable use?

+ After filling the tanks, if normal use draws down water faster than on-site refilling, will

additional trucked water be allowed?

+ How often (if allowed) would additional water trucks be allowed?

Enforcement:

Several accounts have been published In the Santa Cruz Sentinel newspaper (October, 2017) about the Bear Fire and the decades old difficulty the county has enforcing zoning compliance. Various county officials from compliance officials, a deputy sheriff, and a member of the Board of Supervisors have all described a baseline in-which the county is "overwhelmed" trying to enforce existing land-use regulations.

+ Why is it reasonable to expect that the county will have the resources (money and/or staffing) to ensure regulatory compliance for 500-1000 licensed commercial cannabis industrial sites located in Residential-Ag neighborhoods scattered hither and yon throughout the county?

+ Doesn't having fewer licenses in less remote, locations increase the probability that the licensed commercial cannabis industrial sites can be monitored to ensure compliance with the regulations?

More Permissive parcels, setbacks, etc:

After several years of proposing, passing and repealing variations of an ordinance that a) provides a legal supply of Cannabis for Santa Cruz County Medical Cannabis Dispensaries and that b) doesn't have negative impacts to neighborhoods or the environment, the BOS established the C4 committee to study the issues and make recommendations. At the conclusion of the C4 study, the recommendations, reports, analysis data, etc. were presented to the BOS and turned over to Staff. Staff wrote the Draft Ordinance (DEIR Appendix-C, SCCC 7.128 and 7.132). The draft ordinance specifies the regulations for legal Commercial Cannabis Industry within Santa Cruz County. These regulations cover many topics, including the baseline for parcel sizes, setbacks, etc. The DEIR compares several programs and recommends the Most Permissive Alternative as the recommended alternative. The Most Permissive Alternative decreases parcel size (DEIR Table 2-2, p, 2-29), increases canopy size (DEIF Table 2-3, p. 2-20), and reduces setbacks (DEIR Table 2-7 and Table 2-8, p. 2-33) within Residential-Ag neighborhoods.

Due to the complexity and potential significant impacts to the whole county, rather than start with the Most Permissive Alternative, it would seem prudent to start the licensing program with the Staff proposal written in response to the C4 reports. If more parcels need to be opened to Commercial Cannabis Industry, the parcel sizes, setbacks, etc. can be adjusted later. Starting with the Most Permissive Alternative opens large portions of the county to convert to Cannabis Industrial use. If the Most Permissive Program over achieves, and/or has negative impacts to neighborhoods or environment, it will be difficult to change to more restrictive regulations. As they say, "You can't get the Genie back in the bottle"

+ What is the basis of justification for the specification of 2.5 acre minimum parcel sizes rather than the recommended 5 acre parcel sizes for Residential-Ag neighborhoods? i.e.. How was this specific number selected?

+ What is the basis of justification for the specification of 10,000 sq-ft as the maximum canopy sizes rather than the recommended 5,000 sq-ft canopy size for these smaller parcels in Residential-Ag neighborhoods? i.e. How was this specific number selected?

+ What is the basis of justification for reduction of setbacks by a factor of 2 [for most setbacks] within Residential-Ag neighborhoods? i.e. How were these specific numbers selected?

+ Were these changes made (as alluded to) to maximize the number of existing commercial cannabis industrial sites that could be licensed at their existing location?

+ What is the analysis that drove the selection to these numbers and what is the analysis of the impacts upon Residential-Ag neighborhoods?

In any business or employment, relocation is a fact of life. If a restaurant or retail outlet loses its lease, the only alternatives are to either close shop or relocate. If employer relocates a business, then the employee must either find new employment or relocate. It seems as if the Most Permissive Alternative specifications of the Cannabis Licensing Ordinance were selected, not on the basis of recommendations, but rather to allow preexisting sites to continue without relocation.

+ Why are preexisting Commercial Cannabis Industrial sites getting special treatment in that the regulations are being set for the convenience of the owners of the preexisting Commercial Cannabis Industrial sites rather than according to the draft ordinance specified in Appendix-C of the DEIR?

+ Wouldn't it be better for the county to provide relocation assistance rather than open up massive sections of the county to the Cannabis Cultivation Industry?

Orderly Development:

Minimum parcel size, setbacks, etc. (DEIR para 4.2.3, p. 4-33) can be changed at the discretion of the Licensing Official. This seems to create a conflict with Program Objective #1, #3 (DEIR para. 2.3.1, p. 2-26) to "*allow orderly development*" and "*provide efficiency and clarity ... permit processes, regulations and standards*".

+ How does a person considering purchase of a Residential-Ag parcel that may not meet the minimum requirements for a commercial cannabis industrial site determine if a waiver will or will-not be granted?

+ How does a resident or purchaser of a Residential-Ag home know if the surrounding homes might be granted a waiver for a Commercial Cannabis Industry at a future date?

+ Is there a public hearing and/or, are the surrounding neighbors, landowners, and other impacted parties at least notified if a nearby Residential-Ag parcel is being considered for a waiver?