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To: [CannabisEIR <CannabisEIR@santacruzcounty.us>](mailto:CannabisEIR@santacruzcounty.us)

Date: 10/31/2017 2:57:26 PM

Subject: Santa Cruz County EIR Comments

Attachments: Draft EIR Comments - RE Setbacks.pdf

Dear Santa Cruz County Planning Department,

We are writing you today to submit our comments to the Draft Environmental Impact Report (EIR), specifically regarding how setbacks for drug treatment facilities are treated.

We are of the opinion that drug treatment facilities should be treated the same as habitable structures when determining the setback calculation. We recognize the need to keep controlled substances away from people who are recovering from substance abuse problems; however, measuring the setback distance based on property line to property line is unduly punitive for several reasons, and we believe the setback should be measured as the distance of the drug treatment facility from the cultivation area. Our reasoning is outlined in the attached document, and summarized below:

- In an agricultural county parcels can be quite large, and measuring the setback as property line to property line could exclude many otherwise suitable parcels where the cultivation area could be thousands of feet away from the drug treatment facility or property line of the drug treatment facility
- Marijuana that is grown indoors or in mixed light greenhouses should have minimal to no impact on the drug treatment facility, considering the smell mitigation measures that are being contemplated in the draft EIR. There should be exceptions to the setback requirement based on cultivation methodology.
- There are going to be extensive security protocols in the final legislation, and all cultivated areas will need to be secured or fenced in. Given that the drug treatment facility property line is the furthest a patient could venture without trespassing, and that the cultivation area will be heavily secured, a 300 to 600 foot setback from property line to property line is more than is needed to prevent trespassing from or distraction to recovering drug patients. 200 feet is consistent with the existing commercial agriculture buffer distance within which no habitable structure can be constructed adjacent to CA zoned property. The existing 200 foot CA buffer is already written in to county code and should be satisfactory to protect all neighboring uses except schools.
- Zoning should be taken in to account when determining setbacks, as Commercial Agriculture (CA) zoned land is imbued with the Right to Farm. Cultivation should be guided to CA land as this is the most desirable area for the County to concentrate cultivation. There should be exceptions to agricultural zoned land, where cultivation complies with the General Plan.
- If drug treatment facilities setbacks must be measured by property line to property line, the setback requirement should be reduced from 300-600 feet to 100-200 feet consistent with the "Project" and "More Permissive Project" EIR recommendations habitable structure setbacks. As aforementioned, 200 feet is consistent with the existing commercial agriculture buffer distance.

The above points and attached comments letter are endorsed by the individuals / companies below. We greatly appreciate your time considering these issues.

Sincerely,

Matt Groves - Green Bear Organics
Aziz Nashat - Green Bear Organics
Jake McCuen - Green Bear Organics
Hope Barajas - Green Bear Organics
David Doriot - Lifted, Elevated Edibles
Angela Evans - Lifted, Elevated Edibles
Alex Miller - Lifted, Elevated Edibles
Fraeja Doriot - Lifted, Elevated Edibles
Evan De Sieyes - de Sieyes Brothers LLC
Nick De Sieyes - de Sieyes Brothers LLC