Chapter 2
Project Description

2.1 Introduction and Overview

The County of Santa Barbara (County) is proposing a Cannabis Land Use Ordinance and Licensing Program (Project). Consistent with state law, the proposed Project would regulate commercial cannabis activities within unincorporated areas of the County. The Project is intended to balance the diverse demands for cannabis products with the public health, safety, and welfare of the community through the enactment of strong and effective regulatory and enforcement controls. The Project would regulate how, where, and how much cannabis and cannabis products may be commercially cultivated, processed, manufactured, tested, distributed, and sold to provide a reliable and high quality supply. The Project would also protect the environment, neighborhood character, and quality of life for people and communities within the County through the establishment of appropriate land use requirements, agricultural industry support, and an improved tax base.

The Project would involve: amendments to the Santa Barbara County Code (County Code) to establish a new licensing program for cannabis activities; amendments to the County Land Use and Development Code (LUDC), the Montecito Land Use and Development Code (MLUDC), and the County Coastal Zoning Ordinance (CZO) to address cannabis activities; and other amendments to County documents and regulations to address specific aspects of cannabis activities (e.g., regulations regarding smoking in public spaces, and the compatibility of cannabis activities on lands subject to a Williamson Act contract). The Project would adopt new cannabis regulations to address allowed uses and permit requirements for the cultivation, processing, manufacturing, testing, distribution, and sale of medical and non-medical cannabis within the County. The Project may also allow for the possible adoption of amendments to the County Uniform Rules for Agricultural Preserves and Farmland Security Zones, to recognize cannabis cultivation as a compatible agricultural use.

The Program has four components for regulating commercial cannabis activities in the County:

- Amending the LUDC, MLUDC, and CZO
- Implement the Licensing Program through amendments in the County Code to track and oversee cannabis activities in the unincorporated areas of the County.
- Amending other regulations and policies of the County Code, to address specific aspects of cannabis activities.

The proposed Project identifies allowable uses and suitable zones for cannabis-related activities, while prescribing standards to balance the benefits of a robust industry with related community, environmental resource, and public service concerns.

The Board of Supervisors would designate one or more County departments to oversee the licensing of cannabis activities to comprehensively monitor and control commercial cannabis activities throughout the
County. Licensing would be subject to review and payment of fees to allow the County to regulate cannabis activities consistent with the standards of the Project.

Cannabis activities would be permitted uses subject to development standards and, in some cases, require discretionary review. For instance, cannabis cultivation would be permissible in agricultural and select commercial and industrial zones, consistent with recently adopted state laws, and manufacturing of cannabis would become permitted or conditionally permitted in many agricultural, commercial, and industrial zones. Within areas that would allow commercial cannabis activities, including cultivation and manufacturing, cannabis activities would be subject to several standards and limitations (e.g., setbacks from specified features and use prohibitions) based on the permit and license type issued.

### 2.2 Existing Setting

#### 2.2.1 Project Location

The Project would apply to the inland and coastal regions of the County. The County is located on the Pacific Coast of California, extending approximately 45 miles north from the south-facing coastal segment and approximately 65 miles inland from the west-facing coastline. The County has an approximate land area of 3,790 square miles (more than 2.4 million acres) with a population estimated at more than 446,000 residents in 2016 (U.S. Census Bureau 2017). The County includes 8 incorporated cities and 24 unincorporated communities, Vandenberg Air Force Base (VAFB), the Los Padres National Forest (LPNF), as well as the sovereign nation of the Santa Ynez Indian Reservation.
In addition, included in the County’s jurisdiction are the three northernmost Channel Islands, San Miguel, Santa Rosa, and Santa Cruz, located to the south. The County is bounded to the east by Ventura County, the south and west by the Pacific Ocean, and to the north by San Luis Obispo County.

2.2.2 County Cannabis Regions

For planning purposes and to identify the unique characteristics of different areas of the County, five regions of the County have been identified and are used as the geographic basis for this Project. The five regions offer generalized location similarities that are used to facilitate Project data and impact analysis within this EIR, and include the Santa Maria, Lompoc, Santa Ynez, Cuyama, and South Coast regions. (See Figure 2-1.)

Santa Maria Region

The approximately 178,000-acre Santa Maria Region constitutes the northwestern-most portion of the County, extending from the Guadalupe Dunes along the Pacific Ocean approximately 25 miles inland to Tepusquet Canyon near the border of the LPNF. This region includes both the Santa Maria and Los Alamos valleys and intervening Solomon Hills. The area includes over 174,000 acres of agriculturally designated land, the incorporated cities of Santa Maria and Guadalupe, and the unincorporated communities of Casmalia, Orcutt, Garey, Sisquoc, and Tepusquet. The rural areas of this region contain predominately agricultural uses consisting of grazing lands, commercial-scale irrigated row crops and dryland farming, vineyards, and crops grown within greenhouses and hoop houses. Within the County, the Santa Maria Region constitutes the largest commercial agricultural region, producing the majority of the County’s commercial agricultural crops (i.e., fruits, vegetables, and nuts) given this region’s fertile alluvial plains, which are fed by sediments from the Cuyama and Sisquoc Rivers, which merge to become the Santa Maria River. Access to the region is primarily provided by Highway (Hwy) 101 from the County’s southern regions and from the County of San Luis Obispo to the north, Hwy 166 from the Cachuma Valley to the east, and Hwy 135 which extends west from Los Alamos before merging with Hwy 1.

11 The five regions are based on census tract boundaries and generalized distinctions based on topographic, watersheds, and climatic conditions.
2 The Program would apply only in the unincorporated areas of the County. Incorporated cities are noted for informational purposes only.
County Cannabis Regions Utilized for Project Analysis

FIGURE 2-1
Lompoc Region

The approximately 296,000-acre Lompoc Region constitutes the western-most portion of the County. The Lompoc Region is bounded by the Purisima, Santa Rita, Santa Rosa, and White Hills, as well as Point Sal State Beach and the Pacific Ocean to the west. This region consists of the incorporated city of Lompoc, and the unincorporated communities of Vandenberg Village and Mission Hills. In addition, a large portion of the Lompoc Region consists of the federally-owned VAFB, which is located along the region’s western boundary adjacent to the Pacific Ocean. Land uses within the unincorporated areas of the region are mainly agriculturally-designated, and contain open spaces, vineyards, irrigated and non-irrigated agricultural fields, grazing lands, and ranchettes. Oak forest and chaparral vegetation make up the majority of rural landscapes in the region, with sandy beaches and coastal terraces characterizing the coastal areas in the southern and western areas of the region. Access through the region is primarily provided via State Route (SR) 246 and Hwy 1, while well-established arterials and collector roads service the communities surrounding the City of Lompoc.

Santa Ynez Region

The approximately 259,000-acre Santa Ynez Region constitutes the central portion of the County, encompassing the Santa Ynez Valley and bounded by the San Rafael Mountains and Manzana Creek to the north, Arroyo Burro and Oso Canyon Creeks to the east, the ridgeline of the Santa Ynez Mountains to the south, and the Lompoc Valley and Santa Maria Valley to the west. This region consists of LPNF lands to the south and northeast, the incorporated cities of Buellton and Solvang, and the unincorporated communities of Ballard, Los Alamos, Los Olivos, and Santa Ynez. Similar to the Lompoc Region, much of the Santa Ynez Region consists of agriculturally-designated land with vineyards, irrigation and non-irrigated row crops, grazing lands, and ranchettes. In the eastern portions of this region is Lake Cachuma, a County reservoir and its primary source of water supply. Surrounding Lake Cachuma are recreational and open lands. The Santa Ynez River, which
originates in the Santa Ynez Mountains in the east and runs to the Pacific Ocean through the Lompoc Region, transects this region. Hwy 101 provides access to this region from the north and south, Hwy 154 provides access to the South Coast Region to the southeast, and Hwy 246 connects the communities of Santa Ynez, Solvang, and Buellton, as well as the Lompoc Region to the west.

**Cuyama Region**

The approximately 747,000-acre Cuyama Region constitutes the largest area of the County and includes the northeast and eastern-most portion of the County. The federally-managed lands of the LPNF, which extend from the South Coast Region to the northernmost edge of the County along the Cuyama River and San Luis Obispo County line, occupy this region. The region contains the unincorporated communities of Cuyama and New Cuyama. This rural region predominantly supports agricultural and oil-related production and processing uses, with commercial, educational, industrial, recreational, and residential uses generally limited to the Cuyama and New Cuyama communities. LPNF and wilderness lands bound these uses. The Valley’s inland location lends itself to dramatic seasonal temperature variations with freezing winters and hot, dry summers. Despite these weather conditions and the limited availability of groundwater, the alluvial plain of the Cuyama River successfully supports several irrigated and non-irrigated row crops including carrots, onions, garlic, pistachios, and grapes, and field crops, including small grains and alfalfa; and cattle grazing operations occupy the canyon bottoms and foothills of the Sierra Madre Mountains. Access to the region is limited to Hwy 166 from San Luis Obispo County in the north or Kern County to the northeast, which provides the primary transportation corridor through the region. Additionally, Hwy 33 provides access to the Cuyama Valley from Ventura County to the southeast. Outside of these transportation corridors, public roads are limited primarily to paved and unpaved agricultural and collector roads.

**South Coast Region**

The approximate 157,000-acre South Coast Region constitutes the southern-most portion of the County, extending along approximately 47 miles of coastline and up to 7.5 miles inland to the crest of the Santa Ynez Mountains.
The region is bounded to the east by Ventura County, to the north by the LPNF and crest of the Santa Ynez Mountain range, to the south by the Pacific Ocean, and to the west by the western-most Gaviota Coast at Point Conception. Included in this region are the incorporated cities of Santa Barbara, Goleta, and Carpinteria, and the unincorporated communities of Gaviota, Hope Ranch, Goleta Valley, Mission Canyon, Toro Canyon, Montecito, and Summerland. This region consists largely of developed urban areas along the coast from Goleta to Carpinteria, with extensive tracts of agricultural lands bordering these urban areas and more rural agricultural regions located along the Gaviota Coast and within the Santa Ynez Mountain foothills. The eastern-most portions of this region surrounding the City of Carpinteria support one of the largest and most concentrated agricultural greenhouse districts in the County. Hwy 101, which traverses the entire region from southeast to northwest, and Hwy 154, which provides access between Santa Barbara and the communities of the Santa Ynez Valley over the Santa Ynez Mountain Range, provide access throughout this region. Public road infrastructure within this region constitutes the most-densely concentrated and largest interconnected road network of the five regions. Included in this region are dozens of creeks and tributaries forming watersheds that drain from the crest of the Santa Ynez Mountain Range to the coast. In addition, the South Coast Region contains Gaviota State Park, Refugio State Beach, and El Capitan State Beach, as well as the University of California Santa Barbara (UCSB) campus and southern portions of the LPNF.

2.2.3 Regulatory Context

Summary of Existing Cannabis Regulations

The laws and regulations surrounding cannabis activities are complex and vary considerably among the federal, state, and local levels of government. The Federal Controlled Substances Act (CSA) of 1970 makes it a crime under federal law to manufacture, distribute or dispense, or possess cannabis. However, states and local jurisdictions can regulate cannabis if their laws do not positively conflict with the CSA. For example, the California voters’ 1996 passage of Proposition 215 (The Compassionate Use Act) allowed use of medical cannabis statewide without threat of local or state criminal prosecution. Proposition 215 made it legal under state law for patients and their designated primary caregivers to possess and cultivate marijuana for their personal medical use given the recommendation or approval of a California-licensed physician. However, Proposition 215 did not permit commercial cultivation or manufacturing of cannabis products and expressly did not allow unlimited amounts of cannabis to be grown anywhere. In 2004, Senate Bill (SB) 420 broadened Proposition 215 by: further protecting patients and caregivers from state criminal prosecution for additional related activities, such as transporting medical cannabis; allowing patients to form medical cultivation “collectives” or “cooperatives” to grow cannabis for medical use; and establishing a voluntary state ID card system for county health departments to administer.

In 2015, the California Legislature passed the Medical Marijuana Regulation and Safety Act (MMRSA or MCRSA), establishing permitting for marijuana cultivation at the state level (with local approval). The law went into effect on January 1, 2016; however, the state estimates that the program will not be implemented until January 2018, when necessary agencies, information systems, and regulations to begin issuing state commercial cultivation licenses are in effect. In the interim, local governments may choose to adopt new ordinances to permit or license local businesses in preparation for state licensing. Under the MMRSA, facilities currently operating in accordance with state and local laws may continue to do so until their license applications are approved or denied.
On November 8, 2016, voters passed Proposition 64, commonly known as the Adult Use of Marijuana Act (AUMA), for non-medicinal cannabis activities. Subject to specified restrictions, Proposition 64 legalizes cannabis under state law for use by adults 21 or older, including the cultivation of cannabis for personal use. Proposition 64 also sets up a state licensing scheme for commercialization of non-medical marijuana and state licenses for a range of commercial cannabis activities to be issued by January 1, 2018. Proposition 64 imposes state taxes on sales and cultivation, provides for industry licensing and establishes standards for cannabis products. Proposition 64 allows local jurisdictions to regulate (including prohibit) and tax non-medical cannabis. Senate Bill 94, signed by Governor Brown on June 27, 2017, repealed MCRSA and merged its provisions with AUMA unifying medicinal and commercial cannabis administration now referred to as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA).

The following timeline summarizes the regulatory series of events which has occurred in the County of Santa Barbara associated with cannabis since 2010:

- In February 2010, the County Board of Supervisors adopted Ordinance No. 4739, An Interim Urgency Ordinance of the County of Santa Barbara on Establishing a Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries. The moratorium was extended twice and was set to expire on December 6, 2011.

- In November 2011, the County Board of Supervisors adopted Ordinance No. 4806 amending Section 35, Zoning, of the County Code, which prohibited Medical Marijuana Dispensary storefronts similar to the moratorium that was in effect. This action also adopted Ordinance No. 4807 in the MLUDC and Ordinance No. 4808 in the CZO, prohibiting dispensaries in Montecito and the coastal zone.

- In September of 2015, California legislators passed the MMRSA, which established California’s first statewide regulatory system for medical cannabis businesses.

- In response to the passage of MMRSA, in January 2016, the County Board of Supervisors adopted Ordinance No. 4954, adding a new Article X, titled “Medical Marijuana Regulations” to Section 35, Zoning, of the County Code, which prohibited the cultivation and delivery of medical cannabis, except for cultivation for personal medicinal use in accordance with MMRSA, the CSA, and Medical Marijuana Program Act. Article X of the County Code provided a limited exemption for medical cannabis cultivation as a “legal non-conforming use” for cultivation sites existing on January 19, 2016.

- In November 2016, California voters approved Proposition 64 for the AUMA, which legalized the personal (non-medical) use and cultivation of cannabis.

- In April 2017, the Santa Barbara County Board of Supervisors adopted Ordinance No. 4992, the Nonmedical Marijuana Interim Urgency Ordinance imposing a temporary moratorium on any activities that would require a state license under the recently passed AUMA, as well as the prohibition of industrial hemp, until County staff could develop a permanent ordinance to prohibit or regulate non-medical marijuana activities within the County. The moratorium was extended in May 2017 and is set to expire in March 2019.
In June 2017, the California Legislature passed Senate Bill 94 for the Medicinal and Adult-Use Cannabis regulation and Safety Act (MAUCRSA), which effectively combines MMRSA with AUMA to create a hybrid regulatory structure to address both medical and recreational cannabis activities under the state's pending licensing program.

While the state is setting up its commercial cannabis licensing program under the MAUCRSA, local governments can choose to adopt their own ordinances to permit or license local commercial cannabis cultivation. None of the above regulations limit the authority of a local governing body to adopt and enforce local ordinances regulating or completely prohibiting state-licensed cannabis operations. Moreover, local jurisdictions may regulate or ban all outdoor cultivation and may impose reasonable regulations on personal cultivation (Health and Safety Code section 11362.2(3)(b)).

**Current Agricultural Context of Cannabis**

The treatment of the cannabis plant as "agriculture" or an "agricultural product" within the County is partially contingent on adoption of the proposed Project. The following is an overview of state and locally-adopted regulations and policy decisions that have been made related to both agriculture and cannabis.

**California Decisions and Protections for Agriculture**

Under the California Land Conservation Act of 1965 (Williamson Act), a landowner commits a parcel to a 10-year "rolling" period wherein no conversion out of agricultural use is permitted except as provided in the Williamson Act. California Government Code Section 51238.1 allows a board or council to deem compatible any use for Williamson Act contract lands, provided that the use:

- does not significantly compromise the long-term productive agricultural capability of the land;
- does not displace or impair current or reasonably foreseeable agricultural operations (though uses may be deemed compatible if they relate directly to the production of commercial agricultural products); and
- does not remove adjacent contracted land from agricultural or open space use.

Under both the Williamson Act and MMRSA, marijuana is considered to be an agricultural product, and as such, the California Department of Conservation (DOC) previously determined that no regulations provided under the Williamson Act may prohibit the cultivation of medical marijuana on lands enrolled in the Williamson Act (DOC 2016). Given the changes in recent cannabis regulations and passage of MAURCSA in June 2017, the DOC may further review the compatible use status of medical marijuana.
As the largest agriculture-producing state in the country, California passed the “Right to Farm Act” in 1981 to protect farmers from public nuisance concerns. The statute specifically states that it prevails over any contrary provision of a city or county ordinance or regulation, but allows cities and counties to require disclosures to be given to prospective home buyers that a dwelling is near an agricultural operation or agriculturally zoned land. While the law does not convey unlimited right to agricultural businesses to conduct operations in any desired manner, the Act provides that a farming activity cannot be a public nuisance if all the following factors are met (Nuisance General Principles 3482.5[a][1]):

- The agricultural activity is commercial in nature;
- The activity is conducted in a manner consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the same locality;
- The farming activity must have been in operation for at least 3 years; and
- The farming activity was not a nuisance at the time it began.

The California Department of Food and Agriculture (CDFA) CalCannabis division states that California defines medical and adult-use (recreational) cannabis as an agricultural product. However, this identification as an agricultural product at the state level does not extend to other areas of the law (California Department of Food and Agriculture 2017). For example, cannabis may not necessarily constitute an agricultural product with respect to local right to farm ordinances. For this determination, local regulating entities interpret how their local right to farm ordinance relates to cannabis cultivation.

### Santa Barbara County Decisions and Protections for Agriculture

Given the significance and history of agriculture within the County, much of the County’s land use policies, regulations, and rules are focused around encouraging and protecting important farmland and agricultural resources within the County. Specifically, the County has adopted several regulatory policies and programs related to agricultural operations, which include the County’s Right to Farm Ordinance (Ordinance No. 3778), Uniform Rules for Agricultural Preserves and Farmland Security Zones, Santa Barbara County Comprehensive Plan Agricultural Element, and numerous goals, policies, and development standards set forth in community plans.

Santa Barbara County adopted a local right to farm ordinance in 1989 (Santa Barbara County Code, Article V. Right to Farm Ordinance No. 3778). The Right to Farm Ordinance protects agricultural land uses from conflicts with nonagricultural land uses that may result in financial hardship to agricultural
operators or the termination of their operation. Section 4 of the County’s Right to Farm Ordinance states the following, consistent with the Right to Farm Act:

No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after it has been in operation for more than three years if it was not a nuisance at the time it began.

The purpose of the ordinance is to support and encourage continued agricultural operations in the County; preserve and protect agricultural zoned lands for exclusive agricultural use; and forewarn prospective purchasers or residents of property adjacent to or near agricultural operations of the inherent potential problems associated with such purchase or residence including, but not limited to, the sounds, odors, dust, and chemicals that may accompany agricultural operations. Projects that are proposed and/or approved in the County proximate to agriculturally zoned lands are often required to provide notice to future residents, tenants, and users of the Right-to-Farm.

2.2.4 Summary of Cannabis Industry Activities

The existing commercial cannabis industry comprises a range of related activities to produce and sell cannabis only to patients and caregivers with a physician's recommendation consistent with state law. While non-medical use of cannabis is technically legal under the Adult Use of Marijuana Act (AUMA), retail outlets are not permitted to sell to non-medical customers until state regulations and guidelines are implemented in 2018. The existing system involves the following activities to provide cannabis products to meet medical demand, as further detailed below:

- Cultivation and packaging/processing of raw cannabis plant material;
- Manufacturing and packaging/processing of cannabis products;
- Testing of raw cannabis and cannabis products prior to sale;
- Transportation of raw cannabis and manufactured cannabis products; and
- Distribution and sale of raw cannabis and cannabis products.

Cannabis Cultivation

Based on review of available data and meetings with cannabis industry representatives, the County currently contains a wide range of cannabis cultivation types and locations. These include medium to large greenhouse growers, outdoor growers (often in mountainous areas), and indoor growers in commercial and industrial areas. Types of cultivation in the County generally include:

- **Indoor** – cultivation occurs in an enclosed space with full suppression of natural light. Artificial lights, irrigation, dehumidifiers, and HVAC equipment are typically used to control interior climate. Indoor facilities are typically secured and locked to prevent trespassing and theft. Indoor operations may occur within a range of structures, including large farm structures (e.g., barns), garages, or commercial buildings which have been converted for indoor cultivation.

- **Greenhouse and Permanent Agricultural Structures** – cultivation occurs inside a permanent agricultural structure which can provide mixed light sources, such as a greenhouse or Quonset
hut located on a permanent foundation. Passive greenhouses and other agricultural structures use only natural light, though it can be controlled with shading or removable plastic, and typically use drip or recirculating irrigation. Mixed light structures may supplement natural light with light suppression/shielding and artificial lights, along with HVAC and other climate controls, including CO₂ enrichment systems. Light suppression systems (e.g., utilization of blackout curtains) are a common industry technique for plants that benefit from adjusted daylight hours; including poinsettias, kalanchoes, and chrysanthemums. Greenhouses and permanent agricultural structures are typically secured and locked to prevent trespassing and theft.

- **Outdoor** – cultivation occurs in an open-air space with access to only natural light. Cultivated area can either have unobstructed access to sunlight or can be covered with a light-permeable structure (e.g., hoop-house or Quonset hut with transparent cover). Structures used in outdoor cultivation are commonly temporary and do not involve permanent structural elements (e.g., footings, foundations, plumbing, and electrical wiring). Outdoor cannabis cultivation is often secured with fencing and located in relatively inaccessible areas on private properties to dissuade trespassing and theft, or in some cases through trespass on public lands. Often the cannabis plants are not planted directly into native soil, but are in soil-filled containers or bags.

**Cannabis Product Processing**

Existing cultivation sites within the County typically include some form of processing associated with growing the plant, and generally take up less than 2,000 square feet (sf) of floor space, even for larger operations. Processing of cannabis is similar to that for cut flowers, hops, or lettuce operations, which prepare a crop onsite to be transferred from the soil or other growing medium to distribution. For cannabis plants, the product is generally transferred to dispensaries, testers, or manufacturers. Processing does not typically involve liquids or pressure, and is instead reserved for physical manipulation of the raw plant. The plant is dried, picked apart, and the flowers trimmed, with the leaf and prepared buds stored separately until transfer. Drying rooms are sometimes kept at a cooler
temperature, though this is not required. Processing typically results in three outputs, including the cannabis flower, trimmings, and the unusable stems and large leaves of the plant.\textsuperscript{3,4,5}

**Cannabis Product Packaging**

Packaging does not currently comprise a large amount of space at cannabis operator locations, as there were no previously adopted requirements, and it could occur at any location. Bulk packaging is typically conducted on-site after processing for delivery to testers, manufacturers, and dispensaries elsewhere. Processed cannabis flowers are frequently stored within large glass or plastic containers, turkey bags, and similar visible storage vessels. Trimmings are frequently stored for delivery within large Mylar or similar bags to preserve a partial vacuum on the product.

Individual packaging at dispensaries located outside of the County or within local city jurisdictions is limited to over-the-counter glass and plastic containers or bags. Packaging for individual use may occur after manufacturing or at dispensaries, which is directly sold as a product with its own wrapping within plastic bags (i.e., small Mylar, plastic, or snack bags), plastic containers (i.e., film or pill containers), glass containers (i.e., mason jars), among other vessel types.

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\textsuperscript{3} The cannabis flower typically contains most of active cannabis properties, and is also referred to as a “bud” or “nug,” among other colloquial identifiers.

\textsuperscript{4} Excess trimmings closer to the cannabis flower which may still contain viable product that can be used in manufacturing or other later uses, and is also referred to as “shake” or “kief,” among other colloquial identifiers.

\textsuperscript{5} These mostly unusable portions of the plant, or green waste, are typically turned into mulch, and used for other agricultural purposes such as for avocado or orange tree orchards.
means of chemical synthesis, or by a combination of extraction and chemical synthesis, at a fixed location dedicated to packaging or repackaging cannabis. This process may also involve the transition of raw cannabis into other products, such as oil, rosin, hash, or tinctures, which are then often used in other products, such as edibles, salves, and cosmetics. Manufacturing can use intensive processes, such as closed system, super-critical carbon dioxide processes for hash production and heated hydraulic pressing for creating rosin, or less intensive methods, such as screen filtering for straining hash or soaking cannabis in alcohol to create tinctures. A wide range of chemical and base materials are used depending on the manufacturing process, including ethanol, CO₂, butane, propane, and other natural gases, as well as isopropyl (rubbing) alcohol, hydrogen, liquid nitrogen, and lipids (e.g., coconut/olive oil or butter). These chemicals are used during the manufacturing process and typically stored onsite.

Example of a rosin press used for cannabis manufacturing.

Example of agricultural building interior used for cannabis product processing and manufacturing.

Required manufacturing equipment varies depending on the process and can include machinery engineered specifically for extraction, such as closed loop CO₂ extraction machines, distillation machines, rosin presses, and chromatography machines to simple household appliances, such as crockpots, ovens/stoves, and food processors or blenders. Additionally, manufacturers also use machinery to package products, such as capsule fillers. Following extraction, the products are then manufactured into tetrahydrocannabinol (THC) concentrates, edibles, topical products, and cartridges for vape pens for distribution to consumers. Commercial manufacturing process locations can vary in size and range from a 100-square foot room to a 5,000-square-foot warehouse floor.

Detailed descriptions of manufacturing processes are available in Appendix C. Types of cannabis products typically include:

- **Hash** – a product made from filtered cannabis plant matter. Methods of filtering can include screening with mesh, cold water filtration, and heat pressing to form rosin.

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6 The principal psychoactive constituent of cannabis. “Dronabinol” is the international nonproprietary name, or official generic name, used for pharmaceutical reference as an active ingredient.
- **Tinctures** – a product made by dissolving cannabis in alcohol, such as ethanol or glycerin.
- **Infusions** – a product made using heat to infuse foods, oils, or liquids with cannabis.
- **Extractions** – a product made using solvents to dissolve THC from the cannabis plant matter. Processes can be volatile and potentially explosive, such as production of butane hash oil and high-pressure CO2 extract, or non-volatile, such as the production of low-pressure CO2 extract.

These products are created using a variety of manufacturing processes that range from low input/low risk to high input/high risk, as described below. Descriptions of manufacturing processes are available in Appendix C.

- **Infused Products** - Infuses raw cannabis flower/leaves or prepared concentrate into different media (e.g., oil, milk, butter, or other lipids) to make new products such as edibles like baked goods, tinctures, lotions, salves, soaps, and cartridges for vape pens.
- **Non-flammable Extraction** - Using cold water, ice, heat press, lipid (butter, milk, or oil) or other non-chemical extraction method to make bubble hash, kief, rosin, cannabis-infused lipid, or comparable materials; CO2 extraction to make cannabis concentrates/oil (closed loop only) under pressure.
- **Flammable Extraction** - Compressed and uncompressed liquid solvents using pentane, hexane, butane, propane, ethanol, or similar materials to make cannabis concentrates/oil (closed loop only); post-extraction refinement, taking previously extracted cannabis concentrates and further refining through processes such as chromatography, to make distillates.

**Cannabis Product Testing**

Previously regulated under both MCRSA and AUMA, quality control testing is conducted to ensure that products are safe for human consumption. Testing involves shipment of the cannabis product that is ready to be sold from the cultivator or manufacturer to the testing laboratory. Once approved, the cannabis product can be sold to consumers. Testing facilities do not currently have universal standardized requirements to ensure public safety and are not regularly inspected or regulated; therefore, quality may vary widely between testing laboratories. Under new MAUCRSA regulations, which become effective in January 2018, distributors will be required to store cannabis batches on their premise during testing to allow for laboratory employees to obtain samples for transport to and testing at licensed laboratories, of which distributors are required to ensure the testing of all delivered products. Additionally, MAUCRSA would now allow for distributors to sell untested cannabis or cannabis products for a limited time, so long as the products are labeled as untested and comply with other requirements of the Bureau of Marijuana Control.

**Cannabis Product Distribution**

Existing cannabis product distribution consists of preparing the product for transport and physically loading it into appropriate transport vehicles. Dispensaries or manufacturers currently distribute cannabis products when shipments are ready from the cultivators. A third-party entity may also ship cannabis products, though it is not necessary. Due to the size of the product, transport of cannabis products is generally not conducted via semi-trucks; instead, depending on the level of security, the product may be transported via standard pickup trucks (potentially within a lock box or truck vault), locked vans, or armored vehicles. MAUCRSA requires that the transportation of cannabis and cannabis products may only be conducted by persons or employees of persons holding a distributor license. Distributors must also conduct quality assurance review to ensure compliance with testing, labeling,
and packing requirements. For a limited time, cannabis products may be sold prior to issuance of testing licenses, with appropriate labeling. Additionally, transportation safety standards govern the types of vehicles in which cannabis and cannabis products may be distributed and delivered and minimum qualifications for persons eligible to operate such vehicles.

**Cannabis Product Retail (Dispensaries)**

Retail for cannabis products is administered to patients with medical identification for usage of cannabis products. Retail stores, referred to as dispensaries, contain a variety of products which cater to patient preferences for consumption and use. These items include natural cannabis or flowers, concentrates or oils, hash, edibles, vape cartridges, drinks, tinctures, wax, and seeds, among other items. Retail stores vary widely in size, though generally match the surrounding business establishments, such as within strip malls or plazas. Delivery service operators utilize a variety of smartphone applications or other web-based options to connect with consumers, and then deliver the product(s) from personal vehicles. Under MAUCRSA, a retail license would comprise of the retail sale and delivery of cannabis or cannabis products to customers. A retailer may have a licensed premise which is a physical location from which commercial cannabis activities are conducted. A retailer’s premises may be closed to the public, and a retailer may conduct sales exclusively by delivery.

### 2.2.5 Environmental Baseline Conditions

**Estimating the Size of the Cannabis Industry in the County**

In the past century, cultivation of cannabis and manufacturing of cannabis products has been illegal, which means that these activities have not been reliably documented. While it is known that the County currently supports a range of commercial cannabis businesses, much of the extent, location, and productivity of such businesses is unknown. This difficulty in quantification is due largely to the lack of record keeping for past or current cannabis-related activities, since cannabis activities have historically been illegal. Documentation of non-conforming practices within the County has only recently commenced. Some existing medical cannabis activities are non-conforming uses under Article X of Chapter 35 of the County Code, which allows for legal cultivation sites existing on January 19, 2016, to continue operating under a legal, nonconforming status. The precise location and scale of these legal, nonconforming operations is not fully known.

Additionally, an unknown quantity of the existing illegal cannabis industry has operated in the County for several decades. Illegal cannabis activities have been subject to sometimes vigorous law enforcement action, and are partially existing within remote, poorly accessed, and/or well-screened regions of the County. Past anecdotal sources of data have mainly included enforcement and prosecution data related to raids of illegal grow sites within backcountry areas not covered by the Project and, as such, only capture a fraction of the total cannabis activities occurring in the County.
While the amount of cannabis activity currently taking place is difficult to quantify, a range of data sources are available that, taken together, indicate the probable maximum and minimum level of activity. The analysis set forth in this EIR is based on hundreds of sources of data, including County resources, industry and community member interviews, scoping meetings, and registry responses, in order to characterize the amount of current cannabis activity and to illustrate, as much as possible, where these activities are occurring. These resources include the June 2017 Non-Personal Cannabis Cultivation and Related Operations Registry Program (Cannabis Registry) database, the County Sheriff’s Office’s list of enforcement cases, and interviews with community members and industry representatives conducted by staff members from the County and the EIR consulting team.

This EIR discloses the best available information on existing commercial cannabis conditions in the County to characterize a baseline for the purposes of impact analysis. Baseline conditions are defined as the existing physical setting that the Project may affect (State CEQA Guidelines, Section 15125, subd. (a)). This environmental setting constitutes the physical conditions against which the County will determine whether impacts from the Project and alternatives are significant. The approach to impact assessment relative to the established environmental baseline condition is described in Section 3.0.2, Assessment Methodology.

For this EIR, a range of likely levels and locations of commercial cannabis activities is described based on available data sources and field observations. At a minimum, existing cannabis cultivation includes 134 unique, known cannabis activity sites identified in the 2017 Cannabis Registry data as current cultivators within the County, along with 25 sites which are prior medical cannabis cultivators that are not currently cultivating as of 2017. Only 11 percent of respondents indicated that they currently engage in some form of manufacturing onsite, where cultivation of cannabis also occurs (Figure 2-2). Further, of the 506 responses provided, approximately 52 percent were from persons with no known history of engagement in cannabis activities within the County but would wish to seek acquisition of one or several types of licenses under the proposed Project.

**Available Cannabis Activities Data Sources**

- **Community Input**
  - 109 NOP comments received
  - 2 community hearings
  - 7 interviews and site visits on County grow operations

- **2017 Cannabis Registry Data**
  - 506 completed registry responses
  - Data on known demand for County cannabis activities

- **Sheriff’s Office**
  - Data on quantity and quality of county grow sites
  - Photographic examples of environmental impacts
Legal Nonconforming Cannabis Operations

Per Article X, medical marijuana cultivation locations already existing on January 19, 2016, if they are legal under California state law, would become legal nonconforming uses. Under County zoning ordinances, legal nonconforming uses cannot be expanded and the use cannot be changed, or the use must be discontinued. There are several existing operations that may not be considered legal non-conforming that could close or relocate, though an unknown quantity of these sites may remain. Article X provides that any legal, nonconforming status shall terminate six months after the operative date of the applicable County ordinance regarding medical cannabis cultivation that results from the Project or 18 months from the effective date of the applicable ordinance, whichever is longer.

In order to obtain a state license, the legal nonconforming use could apply for a state license, and when the state inquires for local approval, the County may choose to conduct a non-response. After 60 days, a non-response would become a “non-action” by the local jurisdiction, which permits the license to be legal at the state level. If the County decides not to approve the nonconforming use, the state inquiry could be rejected and the license would become invalid. Ultimately, the County does not currently plan on issuing documentation, and so does not hold a mechanism to enable documentation of a legal nonconforming use. However, under the Project, existing medical marijuana cultivation operations that would be considered legal nonconforming operations would be required to seek and obtain both a local and state license to continue to operate within the County.

June 2017 Non-Personal Cannabis Cultivation and Related Operations Registry Program (Cannabis Registry)

The County initiated the Cannabis Registry, which closed in June 2017 and provides information for a sample of 506 existing and proposed cannabis cultivation and related cannabis activity operations located throughout the County. The registry forms were made available to cultivators and manufacturers seeking to obtain a license to engage in commercial cannabis activities in the County once the regulatory and licensing provisions of the proposed Project are adopted. The registration form attempted to capture the location, type, size, number of plants, number of employees, water supply, and other details of each registrant’s cannabis operations site, as well as any plans for expansion or relocation in the future. Furthermore, the registry requested information for whether manufacturing of cannabis products would occur on the same site where cultivation would occur, though details of the type of manufacturing were not requested. The goal of the registry was to establish a pool of registrants within the County to register individuals as a medical cannabis cultivator and/or intent to engage in non-medical cannabis operations. The Project would allow for ongoing submittal of cannabis licensing applications, and could provide licensing priority to registry respondents who have a prior history of medical cannabis cultivation within the County.

The Cannabis Registry data varies widely, and many registrants did not provide locations or complete answers to all questions and data requests set forth in the registry. Additionally, applicants could apply more than once under the same name or within the same property, and provide different answers to questions and data requests between each registry submittal. All data is user-reported so there is no reliable way to confirm the data, and the data does not capture the whole cannabis industry in the County. Despite these data limitations, the 2017 Cannabis Registry provides the best available resource to characterize the types and distribution of existing cannabis cultivation, though not necessarily the total number or volume of production. The registry data provides extensive representative information on existing and potential future cannabis activity operators within the County.
Existing Setting of Cannabis Activities

FIGURE 2-2
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Existing Cannabis Industry within the County

The collated information from data sources characterizes the general range, types, locations, and resource demands of existing cannabis cultivation, manufacturing, and related activities in the County to support an understanding of the environmental baseline for impact analysis. Existing cannabis cultivation includes indoor, outdoor, and greenhouse grows. These existing grows are known to occur in urban and rural communities, within residential, agricultural, commercial-industrial, and remote mountain or canyon areas, including large-scale commercial greenhouses. Cannabis canopies in the County range in size from under 100 square feet (sf) to approximately 1,070,010 sf, or 24.6 acres, at the largest extent, which is located in the Los Alamos community (2017 Cannabis Registry). Existing grow sites are supported by drying and processing rooms within homes, outbuildings, or warehouses and supporting cultivation infrastructure, such as watering, fertilization systems, and lighting. Cannabis products are tested, transported, and distributed within and outside the County to retail outlets, including storefronts and delivery services, depending on specific commercial supplier contractual agreements. There are no testing facilities within the County and products which undergo inspection are tested at third party facilities, with the nearest known testing facilities located in east Los Angeles.

Existing Cultivation within the County

As discussed above, estimates recorded from data, industry, and community interviews in July and August 2017 range from 134 up to hundreds of commercial cultivators in the County, but these values are difficult to define verify at present. From the 2017 Cannabis Registry, 134 unique, known cannabis locations have been identified and are used to describe geographic distribution; however, 216 registry respondents indicated they are currently

According to the County’s 2017 Cannabis Registry data, there are approximately 396 total acres of existing cannabis canopy cultivation in 2017.
cultivating. Inclusion of all 216 respondents to the 2017 Cannabis Registry represents a conservative estimate of existing cannabis activities within the County, and is used for the Program EIR baseline when characterizing operational trends of the existing cultivators who currently farm an existing 396 acres of cannabis canopy. For comparison purposes, two of the County's top commercial crops, strawberries and wine grapes occupied 8,055 and 21,349 acres respectively in 2016 (County of Santa Barbara 2016).

All 506 registry responses are used when describing and projecting future potential buildout. Using the raw 2017 Cannabis Registry data, with knowledge of reasonably presuming the potential for duplication and self-reporting biases, the demand for new cannabis canopy coverage could be approximately 730 acres, for a projected total of approximately 1,126 acres, representing 2.8 times more cannabis canopy coverage than the 396 existing acres, as further discussed in Section 3.0.2, Assessment Methodology.

The data from the 2017 Cannabis Registry indicate that existing cannabis cultivation sites tend to be concentrated in certain regions and communities, primarily in the South Coast region and within the Lompoc and Santa Ynez regions (Table 2-1). Of the 134 known cultivation activity sites, at least 31 percent are located in the South Coast region, concentrated in Carpinteria agricultural areas and urban foothills. Within other regions of the County, approximately 25 percent is located primarily in the northeast interior Lompoc region, and 22 percent scattered throughout the Santa Ynez valley region.

Table 2-1. Unique Known Cannabis Activity Site Locations and Percentages

<table>
<thead>
<tr>
<th>County Region</th>
<th>Cannabis Activity Sites</th>
<th>Percent of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Santa Maria</td>
<td>12</td>
<td>9%</td>
</tr>
<tr>
<td>Lompoc</td>
<td>34</td>
<td>25%</td>
</tr>
<tr>
<td>Santa Ynez</td>
<td>30</td>
<td>23%</td>
</tr>
<tr>
<td>Cuyama¹</td>
<td>16</td>
<td>12%</td>
</tr>
<tr>
<td>South Coast</td>
<td>42</td>
<td>31%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>134 known cannabis activity sites</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Source: 2017 County Licensing Registration Data.
¹A majority of these sites are located within the Tepusquet area.
EXISTING CULTIVATORS BY REGION

- South Coast: 31%
- Santa Maria: 9%
- Santa Ynez: 23%
- Cuyama: 12%
- Lompoc: 25%

EXISTING CULTIVATION TYPES

- 41% Outdoor
- 3% Indoor
- 57% Mixed-Light

Source: 2017 Cannabis Registry

EXISTING CULTIVATORS BY COMMUNITY

- Carpinteria: 20%
- Lompoc Valley: 22%
- Goleta Valley: 1%
- Eastern Goleta Valley: 1%
- Isla Vista: 0%
- Los Alamos: 4%
- Toro Canyon: 1%
- Guadalupe/Casmalia: 0%
- Montecito/Summerland: 1%
- More Mesa: 4%
- Orcutt/Garey: 2%
- Santa Maria Valley: 4%
- Santa Ynez/Solvang: 7%
- Cuyama: 2%
- Buellton: 14%
- Mission Canyon: 1%
According to the 2017 Cannabis Registry, 57 percent of the cultivation occurs primarily under mixed-light conditions, inside greenhouses or agricultural hoop-houses, while approximately 41 percent occurs primarily outdoors under direct sunlight with minimal or no supplemental artificial lighting. Only 3 percent of respondents indicated they currently cultivate entirely indoors in a residence or garage. About 61 percent of existing cultivation sites have a residential unit on site that is occupied by the current operator of the site. Approximately 19 percent of cannabis canopies are under 1,000 sf, while approximately 65 percent are larger than 5,000 sf. (See Table 2-2.) The average canopy size is approximately 34,227 sf with a median canopy size of approximately 22,000 sf. From the 2017 Cannabis Registry data, the largest cultivation operations range in total canopy area from 12.4 to 24.6 acres in size. The 2017 Cannabis Registry indicates a total of 396 acres of existing cultivation occurring Countywide, however this quantity is subject to variable data.

Table 2-2. Existing Cultivation Canopy Sizes

<table>
<thead>
<tr>
<th>Canopy Size (sf)</th>
<th>Percent of Total (^1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 1,000</td>
<td>31%</td>
</tr>
<tr>
<td>1,000 to 5,000</td>
<td>17%</td>
</tr>
<tr>
<td>5,000-10,000</td>
<td>6%</td>
</tr>
<tr>
<td>10,000-22,000</td>
<td>12%</td>
</tr>
<tr>
<td>22,000-100,000</td>
<td>22%</td>
</tr>
<tr>
<td>100,000-1,071,010</td>
<td>13%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Source: 2017 County Licensing Registration Data.

\(^1\) Sum discrepancies due to decimal rounding.

Of the 506 applications, 47 percent of applicants indicated they were prior cultivators, and 43 percent indicated they are current cultivators, indicating that nearly half of all applicants have experienced cannabis cultivation. All applications that indicated manufacturing exists onsite also indicated that they cultivate cannabis or have previously. These values indicate that there could be at least double the amount of licensed cannabis activity (in addition to actions such as manufacturing, distribution, and retail) with implementation of the Project compared to what is occurring currently or has occurred recently within the County. Cannabis activities associated specifically with manufacturing, packaging, distribution, and retail have not been permitted previously within the County, and these percentages do not reflect the potential increase of cannabis activities associated with those newly permitted license steps.
Harvest vs. Non-harvest

As indicated by the 2017 Cannabis Registry, cannabis harvesting can occur year-round, and with high variability between cannabis activity sites. As many as 22 percent of registrants indicated only one harvest is conducted per year, while 18 percent indicated their cultivation site completes at least five or more harvests per year. Usually there is an increase of seasonal employees who work during harvest times.

The 2017 Cannabis Registry indicated for current cannabis cultivators, that there are approximately 867 employees who commute during non-harvest times, while approximately 1,668 employees commute during harvest times (indicating that there are 802 seasonal workers during harvest). This indicates that the number of individuals who commute during harvest times nearly doubles compared to non-harvest times. Employees who commute only during harvest time may be seasonal workers who work at multiple cannabis activity sites, so this quantity may be overstated. Nevertheless, the total potential number of commuters at one time may be nearly double that of how many work during non-harvest times at cannabis activity sites.

Additional 2017 Cannabis Registry Cultivation Data

- 12 percent of registrants indicated they are currently coastal
- 90 percent of current cultivators indicated they have a water conservation plan
- 25 percent indicated they use a generator onsite
- 23 percent indicated they use pesticides
- 2 percent indicated they use rodenticides
- Table 2-3 below summarizes the existing water sources for County cannabis activities

Table 2-3. Existing Water Sources of Cannabis Activities

<table>
<thead>
<tr>
<th>Water Source</th>
<th>Existing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Well</td>
<td>65%</td>
</tr>
<tr>
<td>Water District</td>
<td>12%</td>
</tr>
<tr>
<td>City Water</td>
<td>4%</td>
</tr>
<tr>
<td>Shared well serving multiple properties</td>
<td>10%</td>
</tr>
<tr>
<td>Other</td>
<td>10%</td>
</tr>
</tbody>
</table>

Source: 2017 County Licensing Registration Data.

Total sum discrepancies due to decimal rounding.
Existing Product Manufacturing within the County

Due to the nature of cannabis product manufacturing activities, many of which can be conducted at a very small scale, it is not possible to describe with certainty the number, size, location, or specific processes or technologies of existing cannabis product manufacturing activities within the County.

The manufacturing data gathered from the 2017 Cannabis Registry is based upon respondents who indicated only whether their cannabis operations currently include some form of cannabis manufacturing onsite where they currently cultivate. However, while the 2017 Cannabis Registry did not collect data regarding type of manufacturing operation, size, amount of product manufactured, and type of product manufactured, interviews with members of the local cannabis industry provided some information about existing cannabis manufacturing within the County. From the 2017 Cannabis Registry and interviews with local operators, dozens of manufacturers likely exist within the County, of which 24 were identified from the 2017 Cannabis Registry.

Based on data from the 2017 Cannabis Registry, existing cannabis product manufacturers are located throughout the County and concentrated largely in Carpinteria, Lompoc Valley, and Santa Ynez/Solvang. These activities require employees onsite. Smaller and/or less labor-intensive operations may typically require less than 5 employees, but larger and/or more complex operations commonly require 6 or more employees.

Anecdotal data available from local dispensaries (located in incorporated cities) indicates that sales of cannabis flowers/buds account for over half of sales, with concentrates (e.g., oils) or hash and edibles accounting for the second most sales. A range of other products (e.g., vape cartridges, drinks, tinctures, wax, seed, and retail) make up remaining sales. It is unknown what portion of these products are manufactured within the County, if any.

- According to cannabis industry growers, the total area necessary for manufacturing to accommodate 10 to 20 acres of cannabis cultivation is estimated at between 1,000 to 5,000 sf (comfortable at with 2,000 sf a reasonable estimate), though this varies depending on the type of manufacturing processes involved and size of required equipment.
- Cannabis industry representatives indicated that a bulk of cultivated plant products are exported out-of-County for manufacturing (largely to the Los Angeles or inland California areas), however a few industrial-commercial manufacturing sites are located within the County.

Existing Product Packaging within the County

No current regulations exist for cannabis packaging for commercial cannabis operations within the County, and quantifiable data is difficult to discern regarding the square footage or material use of the packaging process. As described in Section 2.2.5, Summary of Cannabis Industry Activities, packaging processes vary widely but typically require less floor area than cultivation activities and may often be located near or within spaces utilized for product processing (e.g., drying, trimming, storage) spaces.

Existing Cannabis Testing within the County

There are no known testing facilities within the County; therefore, based on available data, it appears that cannabis product testing occurs outside of the County. Products that are tested undergo inspection at third party facilities, with some of the closest known facilities located in the Los Angeles region.
Existing Cannabis Distribution within the County

Vehicles used for distribution of cannabis products within the County are typically small trucks and/or vans with varying levels of security. According to cannabis industry growers, the total area typically used for a commercial distribution center to accommodate 10 to 20 acres of cannabis cultivation is estimated at 5,000 sf; however, the patterns of distribution within the County vary widely between operations.

Existing Cannabis Retail within the County (Dispensaries)

Retail for cannabis products within Santa Barbara County is generally limited to a few storefront entries within the incorporated cities or via delivery services. There are at least three legal dispensary retail storefronts in Santa Barbara County, all within the South Coast cities of Goleta and Santa Barbara; none are located within the unincorporated areas. According to the 2017 Cannabis Registry data, 3 percent of respondents indicated they conduct direct sales onsite. The majority of retail business within the County is conducted via delivery services. Based on research performed by EIR consultant staff, as of August 2017, smartphone applications indicated that there is access to at least 7 doctors, 4 storefronts, and 92 delivery service operators throughout the County.

Environmental Effects of the Existing Cannabis Industry

Based on 2017 Cannabis Registry data, a total of 396 acres are currently under cultivation in the County as of 2017. The environmental setting includes unincorporated County landscapes that are altered by past, ongoing, and future cannabis activities. While secondary effects of road clearing and construction of ancillary structures and other features may lead to greater ground disturbance, the total amount of land directly impacted by plants appears to be relatively limited compared to certain other land uses. For example, cultivation of fruit and nuts occupies over 18,000 acres of the County's landscape, and cultivation of wine grapes occupies over 21,000 acres of the County, with associated potential for impacts to habitats and water quality. While some cultivators and manufacturers operate in warehouses and greenhouses in less sensitive locations, cultivation in more remote and sensitive areas may be more likely to create impacts to streamside habitats and water quality, as well as land...
use compatibility impacts in effected residential communities, such as in Santa Ynez, Carpinteria, and Santa Ynez.

Some existing illegal grows within the County clear cut trees and vegetation, which could potentially have adverse impacts to wildlife or cause erosion and sedimentation issues. Photo: Santa Barbara County Sheriff.

Current cultivation and manufacturing sites vary widely in their location, characteristics, maintenance, cultivation practices, and related effects on the environment. As discussed above, a comprehensive survey of existing cannabis cultivation sites could not feasibly be performed beyond the 2017 Cannabis Registry, contact with industry insiders and community members, and County department insight, so it is not possible to fully characterize the total amount of current cannabis cultivation by acreage, annual production quantities, or the precise mix of cultivation types or precise effects on the environment. Additionally, it is not possible to determine exact percentages of manufacturing technique types used within the County due to limited data.

As detailed further below, the County Sheriff’s Office noted that adverse effects on resources have occurred within the County via illegally diverted creeks and from unpermitted vegetative clearings that have occurred on hillsides and ridgelines. These records are contrasted with other low-impact operations visited during preparation of this EIR that employ many sustainable practices, such as pesticide-free cultivation, water recycling, and use of areas that were previously cultivated with other crop types and abandoned processing facilities to minimize adverse environmental consequences.

**Unlicensed Commercial Cannabis Activities**

As described above, the understanding of the actual size and character of cultivation outside of the County’s 2017 Cannabis Registry is based on anecdotal input from the County Sheriff’s Office, Fire Department, and local knowledge from community members in the cannabis cultivation community. Estimates of the number of growers and the amount of cultivation by known cultivators from data sources represent an unclear size of the industry, as it includes unreliable data and may exclude many other operations by unidentified growers in the County.

As evidenced in other states where medical and recreational cannabis cultivation and manufacturing has have been legalized, including the state of Colorado (Colorado), illegal markets for cannabis product are thriving, changing, and growing. Legal recreational cannabis is satisfying only 59 percent of the need for marijuana in Colorado. The remaining 41 percent of users are turning to the illegal market and medical marijuana growers. Due to operating expenses including taxation on cannabis at government-licensed dispensaries, many users are looking to unlicensed sources, including home-based cultivators and delivery services, to obtain cannabis. Further, demand from residents living in nearby states where cannabis is still illegal supports illegal cannabis activities. In the state of Oregon (Oregon), as much as 80 percent of the state’s cannabis crop is exported. Much of this export is shipped to the East Coast, where residents in states with high demand but harsh
penalties are able to take advantage of the quality facilitated by legal cannabis systems in other states (Newsweek 2016).

There is high potential for future unlicensed cultivators and manufacturers to remain or increase in the County. License requirements such as site improvements, conducting site-specific technical studies, County permit requirements, payment of fees, and taxation may create a burden on small to medium cannabis cultivators that may be difficult to succeed and result in the potential license registrant to abandon the project; it is also likely that not every manufacturer will be granted a license for similar reasons. Those that choose not to seek a license may cease cannabis activities, but unlicensed cannabis activities may continue to occur, increase, and change. Additionally, based on the sources described above, the cannabis industry may be larger than reflected in the County's 2017 Cannabis Registry. The cannabis industry changes over time; changes of products and technologies occur that can result in corresponding changes to processing and manufacturing systems. Cultivation and production can therefore increase, and movement of operations to differing sites occurs. Given the potential for an expanding illegal market in the state and the County, the effectiveness of enforcement programs in the County and proposed Project requirements to encourage legalization of cannabis activities countywide are addressed in this EIR.

Other County Department Data Sources

The County maintains a limited range of data related to existing cannabis activities from the existing enforcement program, including those from the County Sheriff's Office and the County Fire Department. Input from these departments indicate the following:

County Sheriff’s Office

- The anecdotal estimation of the total number of cannabis activity sites within the County and LPNF from the County Sheriff’s Office is focused on backcountry grows, and is estimated at well over a hundred sites. In the backcountry, there seems to be additional grows when water is available and these sites are not expected to cease due to their remoteness and associated ability to remain covert. These sites can consist of a couple hundred plants, but typically what is found can range between 3,000 to 10,000 plants.

- The County Sheriff’s Office indicated that many remote cases within the County have resulted in environmental damage associated with leaching off the natural runoff, diverting natural streams, limited grading, and temporary development and habitation. Some of the cases involved use of volatile...
manufacturing processes, such as open blasting for butane honey oil (BHO) or similar unregulated compressed processes.

- “Very few busts” of grow sites have occurred since the passage of Proposition 64, and most of the enforcement cases have occurred in the backcountry and on grows in the national forest. The severe statewide drought appears to have reduced the amount of cultivation in the backcountry. In 2011, approximately 150,000 plants were seized from the backcountry, while approximately 10,000 plants were cleared from the backcountry in 2016 after several years of drought conditions.\(^8\)

- Although no “hard data” was available, the County Sheriff’s Office provided information for the Tepusquet Canyon area east of the City of Santa Maria. There were eight reports received by the Sheriff’s Office between July 2016 and July 2017 within this area, including illegal sales, descriptions of a large operation using water trucks (of which Planning and Development took enforcement action, though no marijuana was discovered onsite), and reports of a brush fire in a marijuana grow.

\(^8\) Primarily within the National Forest (excluded from the Project area).
Other areas have also included complaints within ranchette communities (i.e., some areas of Santa Ynez Valley, and Dove Meadow) of multi-acre grows with lighting and public safety complaints; such complaints include industrial-scale transport in a predominantly residential neighborhood.

**County Fire Department**

- The County Fire Department indicated *via personal communication* that fires are not recorded by the cause of the fire. Instead, fires are typically recorded by descriptors such as “one-story structure fire” or “two-story structure fire”. An informal estimate was given regarding the occurrence of fires associated with commercial cannabis activities at one fire per year within the County.

### 2.3 Proposed Project

#### 2.3.1 Project Overview

The proposed Project is a regulatory program designed to manage and monitor commercial cannabis activities and operations in the unincorporated areas of the County. The proposed Project would include adoption of zoning amendments and other amendments to the County Code, as well as establishment of a licensing program to regulate how and where commercial cannabis activities could occur to balance creation of a legal, sustainable cannabis industry with protection of the environment and neighborhood quality of life. The Project would also specify and regulate how and where cannabis products, including extracts, tinctures, infusions, hash, and oil, may be manufactured and licensed in the County. Consistent with state law, the Project is intended to balance the demands for cannabis and cannabis products with the health, safety, and welfare of the community and the environment.

The Project would apply to unincorporated regions of the County where proposed amendments to the County LUDC, Montecito LUDC, and CZO would allow for commercial cannabis cultivation, manufacturing, distribution, retail sales, and testing. The location, extent, and type of cannabis activities would be consistent throughout all unincorporated regions of the County, including within the coastal zone boundary. Areas of land under the jurisdiction of other agencies, including incorporated cities, the federal government (LPNF, Channel Islands National Park, and VAFB), the University of California Santa Barbara (UCSB), and sovereign nations (Santa Ynez Indian Reservation) would not be affected. While the Project would apply to applicable zoning districts...
countywide, the 2017 Cannabis Registry data indicates that the most demand for cannabis activities occurs in the South Coast Region, which currently contains the highest number of registrants for licensing of existing and future cannabis activities, followed by the Lompoc Region and Santa Ynez Region. Existing manufacturing operations are currently concentrated within Carpinteria (14 percent) and Lompoc Valley (14 percent) areas and registrants have indicated their desire to expand manufacturing operations.

2.3.2 Project Objectives

The California Environmental Quality Act (CEQA) Guidelines require that the EIR project description include a statement of objectives sought by the proposed Project. The primary objectives of the Project are to:

1. Develop a robust and economically viable legal cannabis industry to ensure production and availability of high quality cannabis products to help meet local demands, and, as a public benefit, improve the County’s tax base;

2. Provide opportunities for legal commercial cannabis cultivation, testing, packaging, transportation, distribution, manufacturing, and retail sale in appropriate unincorporated areas of the County, consistent with state law and County regulations;

3. Develop a new regulatory program allowing for the orderly development and oversight of commercial cannabis activities and businesses, consistent with state law and existing agricultural industry practices, standards, and regulations;

4. Encourage commercial cannabis businesses to operate legally and secure a license to operate in full compliance with County and state regulations, maximizing the proportion of licensed activities and minimizing unlicensed activities;

5. Provide an efficient, clear, and streamlined commercial cannabis licensing and permit process and attainable regulations and standards to facilitate participation by commercial cannabis business in the unincorporated areas of the County;

6. Minimize adverse effects of commercial cannabis activities on the natural environment, natural resources, and wildlife, including riparian corridors, wetlands, sensitive habitats, and water resources;

7. Promote energy and resource efficiency in all cannabis activities, consistent with existing agricultural and other industry practices, standards, and regulations;

8. Establish land use requirements for commercial cannabis activities to minimize the risks associated with criminal activity, degradation of visual resources and neighborhood character, groundwater basin overdraft, obnoxious odors, noise nuisances, hazardous materials, and fire hazards;

9. Develop a regulatory program that protects the public health, safety, and welfare through effective enforcement controls (i.e., ensuring adequate law enforcement and fire protection services) for cannabis activities in compliance with state law, to protect neighborhood character and minimize potential negative effects on people, communities, and other components of the environment; and
10. Limit potential for adverse impacts on children and sensitive populations by ensuring compatibility of commercial cannabis activities with surrounding existing land uses, including residential neighborhoods, agricultural operations, youth facilities, recreational amenities, and educational institutions.

2.3.3 Summary of Proposed Project

The Project includes new definitions, development standards, and commercial development standards as they apply to medical and non-medical cannabis activities. These definitions and development standards serve to regulate commercial cannabis activities. Specifically, the proposed Project would allow certain types of cannabis activities by zone district, as described below:

- Permit cultivation of cannabis in Agricultural I (AG-I), Agricultural II (AG-II), General Commercial (C-3), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2) zone districts.
- Permit manufacturing of non-volatile extraction in AG-I, AG-II, C-3, M-RP, M-1, M-2, Limited Commercial (C-1), Retail Commercial (C-2), Service Commercial (CS), Mixed Use (MU), Community Mixed Use – Los Alamos (CM-LA), Old Town – Residential/Light Commercial (OT-R/LC), Old Town – Residential/General Commercial (OT-R/GC), and Shopping Center (SC) zone districts.
- Permit manufacturing of volatile extraction in AG-I, AG-II, M-1, and M-2 zone districts.
- Permit testing in C-3, M-RP, M-1, M-2, and Professional and Institutional (PI) zone districts.
- Permit commercial retail sales in C-1, C-2, C-3, CS, SC, MU, CM-LA, OT-R/LC, OT-R/GC, and M-1 zone districts.
- Permit commercial distribution in AG-I, AG-II, C-3, M-RP, M-1, and M-2.
- Prohibit cannabis activities in all other zone districts including all Residential, Mountainous Areas, Highway Commercial (CH), Resort/Visitor Serving Commercial (C-V), Coastal Dependent Industry (M-CD), Coastal Related Industry (M-CR), Public Works Utilities and Private Service Facilities (PU), Recreation District (REC), Resource Management (RES), and Transportation Corridor (TC) zone districts.

Post-processing and packaging would be considered an ancillary use to the cannabis activities located within all zone districts which permit cannabis activities.

The Project would also be subject to all requirements of the state cannabis regulations; as of December 2017, this includes the November 17, 2017, Bureau of Cannabis Control emergency rulemaking action to adopt the Medicinal and Adult Use Cannabis Regulation and Safety Act. This regulation provides requirements for license acquisition, security measures (e.g., cameras, alarms), waste, packaging labels, setbacks from a school, daycare, or youth center, distributor testing responsibility, vehicle security, testing measures and certification, enforcement, and disciplinary actions, among other items.

A description of permitted license types and associated cannabis activities applicable to the proposed Project, as well as a list of the permitted license types by zone district as provided by the Project are further detailed in Tables 2-4 and 2-5, respectively, with corresponding eligible areas of the County mapped in Figures 2-3 and 2-4. Focus area figures, including the areas surrounding Santa Ynez, Santa Maria, Lompoc, Goleta, Santa Barbara, and Carpinteria, have also been included in Appendix C.
### Table 2-4. Description of Proposed Cannabis License Types Allowed Under the Project

<table>
<thead>
<tr>
<th>License Type</th>
<th>Designation</th>
<th>Description of Allowed Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type 1</td>
<td>Cultivation; Specialty Outdoor; Small</td>
<td>Outdoor; no artificial lighting; 5,000 sf or smaller canopy size on one premises, or for up to 50 mature plants on noncontiguous plots.</td>
</tr>
<tr>
<td>Type 1A</td>
<td>Cultivation; Specialty Indoor; Small</td>
<td>Indoor; exclusively utilizes artificial lighting for 501 to 5,000 sf of total canopy size on one premises.</td>
</tr>
<tr>
<td>Type 1B</td>
<td>Cultivation; Specialty Mixed-light; Small</td>
<td>Utilizes natural and supplemental artificial lighting; 2,501 to 5,000 square feet of total canopy size on one premises.</td>
</tr>
<tr>
<td>Type 1C</td>
<td>Cultivation; Specialty Cottage; Small</td>
<td>Utilizes natural and artificial lighting; maximum of 2,500 sf; up to 25 mature plants for outdoor cultivation, or 500 sf or less size for indoor cultivation, on one premises.</td>
</tr>
<tr>
<td>Type 2</td>
<td>Cultivation; Outdoor; Small</td>
<td>Outdoor; no artificial lighting; 5,001 and 10,000 sf, inclusive, of total canopy size on one premises.</td>
</tr>
<tr>
<td>Type 2A</td>
<td>Cultivation; Indoor; Small</td>
<td>Indoor; exclusively utilizes artificial lighting; 5,001 and 10,000 sf, inclusive, of total canopy size on one premises.</td>
</tr>
<tr>
<td>Type 2B</td>
<td>Cultivation; Mixed-light; Small</td>
<td>Utilizes natural and supplemental artificial lighting; 5,001 and 10,000 sf, inclusive, of total canopy size on one premises.</td>
</tr>
<tr>
<td>Type 3</td>
<td>Cultivation; Outdoor; Medium</td>
<td>Outdoor; no artificial lighting; 10,001 sf to 1 acre, inclusive, of total canopy size on one premises. CDFA shall limit the number of licenses allowed of this type.</td>
</tr>
<tr>
<td>Type 3A</td>
<td>Cultivation; Indoor; Medium</td>
<td>Indoor; exclusively utilizes artificial lighting; 10,001 and 22,000 sf, inclusive, of total canopy size on one premises. CDFA shall limit the number of licenses allowed of this type.</td>
</tr>
<tr>
<td>Type 3B</td>
<td>Cultivation; Mixed-light; Medium</td>
<td>Utilizes natural and supplemental artificial lighting; 10,001 and 22,000 sf, inclusive, of total canopy size on one premises. CDFA shall limit the number of licenses allowed of this type.</td>
</tr>
<tr>
<td>Type 4</td>
<td>Cultivation; Nursery</td>
<td>Cultivation of cannabis solely as a nursery.</td>
</tr>
<tr>
<td>Type 5</td>
<td>Cultivation; Outdoor; Unlimited</td>
<td>Outdoor; no artificial lighting; greater than 1 acre, inclusive, of total canopy size on one premises.</td>
</tr>
<tr>
<td>Type 5A</td>
<td>Cultivation; Indoor; Unlimited</td>
<td>Indoor; exclusively utilizes artificial lighting; greater than 22,000 sf, inclusive, of total canopy size on one premises.</td>
</tr>
<tr>
<td>Type 5B</td>
<td>Cultivation; Mixed-light; Unlimited</td>
<td>Utilizes natural and supplemental artificial lighting; greater than 22,000 sf, inclusive, of total canopy size on one premises.</td>
</tr>
<tr>
<td>Type 6</td>
<td>Manufacturing; Non-volatile</td>
<td>Sites that manufacture cannabis products using nonvolatile solvents, or no solvents.</td>
</tr>
<tr>
<td>Type 7</td>
<td>Manufacturing; Volatile</td>
<td>Sites that manufacture cannabis products using volatile solvents.</td>
</tr>
</tbody>
</table>
Table 2-4.  Description of Proposed Cannabis License Types Allowed Under the Project (Continued)

<table>
<thead>
<tr>
<th>License Type</th>
<th>Designation</th>
<th>Description of Allowed Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type 8</td>
<td>Testing</td>
<td>A facility for testing of all cannabis and cannabis products (both medicinal and adult use).</td>
</tr>
<tr>
<td>Type 10</td>
<td>Retailer</td>
<td>The retail sale and delivery of cannabis or cannabis products to customers. A retailer shall have a licensed premise which is a physical location from which commercial cannabis activities are conducted. A retailer’s premises may be closed to the public. A retailer may conduct sales exclusively by delivery.</td>
</tr>
<tr>
<td>Type 11</td>
<td>Distributor</td>
<td>A facility for the distribution of cannabis and cannabis products. A distributor licensee shall be bonded and insured at a minimum level established by the licensing authority.</td>
</tr>
<tr>
<td>Type 12</td>
<td>Microbusiness</td>
<td>Cultivation of cannabis on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer, and retailer under this division, provided such licensee can demonstrate compliance with all requirements imposed by the state on licensed cultivators, distributors, Level 1 manufacturers, and retailers to the extent the licensee engages in such activities. Microbusiness licenses that authorize cultivation of cannabis shall include the license conditions described in subdivision (b) of MAUCRSA Section 26060.1.</td>
</tr>
</tbody>
</table>

1Type 5 licenses will not be issued prior to 2023.
Table 2-5.  Allowed Cannabis License Types by Zone District

<table>
<thead>
<tr>
<th>Land Use and Development Zones</th>
<th>Cannabis Cultivation-Limited (Type 1 - 3)</th>
<th>Nursery (Type 4)</th>
<th>Cannabis Cultivation-Unlimited (Type 5)(^{3})</th>
<th>Non-volatile Manufacturing (Type 6)</th>
<th>Volatile Manufacturing (Type 7)</th>
<th>Testing (Type 8)</th>
<th>Retail (Type 10)</th>
<th>Distribution (Type 11)</th>
<th>Microbusiness (Type 12)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AG-I</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>CUP</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>MCUP</td>
<td>--</td>
</tr>
<tr>
<td>AG-II</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>CUP</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>CUP(^{1})</td>
<td>--</td>
</tr>
<tr>
<td>C-1</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>CUP</td>
</tr>
<tr>
<td>C-2</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>CUP</td>
</tr>
<tr>
<td>C-3</td>
<td>P(^{2})</td>
<td>P(^{2})</td>
<td>P(^{2})</td>
<td>--</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>CUP</td>
<td></td>
</tr>
<tr>
<td>CS</td>
<td>--</td>
<td>--</td>
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<td>P</td>
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<td>P</td>
<td>CUP</td>
<td></td>
</tr>
<tr>
<td>SC</td>
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<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>PI</td>
<td>--</td>
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<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>M-RP</td>
<td>P(^{2})</td>
<td>P(^{2})</td>
<td>P(^{2})</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>M-1</td>
<td>P(^{2})</td>
<td>P(^{2})</td>
<td>P(^{2})</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>P</td>
<td>CUP</td>
<td></td>
</tr>
<tr>
<td>M-2</td>
<td>P(^{2})</td>
<td>P(^{2})</td>
<td>P(^{2})</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>CUP</td>
<td></td>
</tr>
<tr>
<td>M-1(^{4})</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>CM-LA</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>OT-R/LC</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>OT-R/GC</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>--</td>
<td>P</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Eligible Acres in County(^{5})</td>
<td>671,023</td>
<td>671,023</td>
<td>671,023</td>
<td>671,718</td>
<td>670,875</td>
<td>2,279</td>
<td>890</td>
<td>671,023</td>
<td>629,994</td>
</tr>
</tbody>
</table>

P = Land Use Permit/Coastal Development Permit (for lands within the coastal zone); CUP = Conditional Use Permit; MCUP = Minor Conditional Use Permit; -- = Use not allowed
\(^{1}\)Only allows delivery retail and not store front type retail
\(^{2}\)Indoor only
\(^{3}\)Type 5 licenses will not be issued prior to 2023
\(^{4}\)Consistent with the Santa Barbara County Comprehensive Plan, cannabis licensing in MU zones shall comply with all requirements for Special Purpose Zones – MU including requirements for Development Plan and associated permit approvals.
\(^{5}\)Total acreage does not include consideration of Project setback and additional requirements which may further limit total area of eligibility by zone district.

Notes: Where a zone district is not included in this table, the Project would not allow for any cannabis activities. These districts include all Residential [except under certain local and state conditions], Mountainous Areas, CH, C-V, CN, NTS, M-CD, M-CR, PU, REC, RES, and TC zone districts.
Project Eligibility for Cannabis Activities

LEGEND
- Santa Barbara County Boundary
- Coastal Zone Boundary
- Incorporated City
- UCSB
- Vandenberg Air Force Base
- Chumash Tribal Land
- State Park within County
- Los Padres National Forest
- Parcel with School and 600-Foot Buffer
- Project Area of Eligibility

SCALE IN MILES

FIGURE 2-3
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Program Eligibility in the South Coast Region

FIGURE 2-4
Targeted Regulation and Licensing Structure

One of the objectives of the Project is to organize the regulation of cannabis activities within the County to allow for a licensing system that allows for and encompasses the entirety of the processes involved in the cannabis industry, from propagation and cultivation of a plant to the sale of final products to a customer for adult recreational use. In this way, the draft local regulations are intended to mirror the State’s cannabis licensing structure (Figure 2-5).

Figure 2-5. Cannabis Supply Chain and Required License Type 9

9 Under a Type 12 license, cultivation must occur consistent with Type 2 license requirements, manufacturing must occur consistent with Type 6 license requirements, distribution must occur consistent with Type 10 license requirements, and retail operations must occur consistent with Type 11 license requirements.
Proposed Development Standards for Commercial Cannabis Activities

As previously mentioned, the Project would include development standards which apply to all cannabis activities within the County. Proposed under Section 35.42.070, Cannabis Regulations, these regulatory development standards include a range of exclusions, such as setbacks from schools and standard operating procedures for specific cannabis businesses. Such development standards would require:

Setbacks

- No cannabis cultivation site, non-volatile manufacturing operation, or retailer be located within 600 feet from the property line of the lot in which cannabis operations are proposed, to the property line of a lot containing a school providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center that is in existence at the time the license is issued.

- No volatile manufacturing operations be located within 1,200 feet from the property line of the lot in which cannabis operations are proposed, to the property line of a lot containing a school providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center that is in existence at the time the license is issued.

Manufacturing Standards

- All cannabis manufacturing operations ensure that cannabis is obtained from permitted and licensed cultivation sources and shall comply with State regulations to ensure that all manufactured cannabis products are properly packaged, stored, labeled, transported, and inspected prior to distribution at a legally permitted and licensed dispensary.

- Manufacturing facilities comply with all requirements of the State and County for the manufacturing of cannabis.

- The permittee of a volatile manufacturing operation shall train the employees of the cannabis manufacturing facility on the best management practices including proper use of equipment and hazard response protocols in the event of equipment failure.

Retail Standards

- Retail operations implement and maintain sufficient security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products in compliance with Section 19334 of the California Business and Professionals Code. Onsite consumption is permitted within a private residence pursuant to SB 94. In addition, the cannabis land use ordinance would allow on-site consumption within establishments that are permitted and licensed to conduct retail sales of cannabis and cannabis products.

Testing Standards

- Cannabis testing facilities adopt standard operating procedures using methods consistent with general requirements for the competence of testing and calibration activities, including sampling, using standards methods established by the International Organization for Standardization that are approved by an accrediting body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement.
General Development Standards

In addition to the development standards listed above, proposed zoning amendments include general commercial development standards, which include the following requirements for site fencing, lighting, noise and odor controls, and site security requirements:

- Approved **fencing** shall be permanent in nature and shall not consist of materials such as tarps, dust guard fencing, privacy netting, or polyethylene plastic.
- All **lighting** shall be shielded to prevent light trespass into the night sky and/or glare onto lots other than the lots that constitute the project site or rights-of-way.
- Greenhouses using **artificial light** shall be completely shielded between sunset and sunrise.
- The **use of a generator** as an energy source for cultivation cannabis activities, outside of temporary use in the event of a power outage or emergency, is prohibited.
- All **noise** shall be located, shielded, or controlled to avoid exposure of incompatible noise to nearby sensitive receptors, in compliance with the Santa Barbara County Noise Element.
- Prevent individuals from **loitering** on the premises of a dispensary if they are not engaging in activities expressly related to the operations of the dispensary.
- Establish **limited access areas** accessible only to authorized dispensary personnel.
- Secure **storage** of cannabis and cannabis products in a locked safe room, safe, or vault, in a manner as to prevent diversion, theft, and loss, except for limited amounts of cannabis and cannabis products used for display purposes, samples, or immediate sales.
- All cannabis sites and facilities shall install **security cameras** on site.

Personal Use

The Project would set forth regulations for the personal use of cannabis. Specifically, the Project would permit the personal use of cannabis in all zone districts that allow for residential uses without a land use entitlement, provided that the personal use of cannabis complies with the following standards:

- Only adults 21 years or above may use and grow cannabis for personal use within a legally established dwelling.
- The individual, possesses, stores, or cultivates cannabis exclusively for their personal use, and does not provide, donate, sell, or distribute cannabis to any other person.
- Personal growing of cannabis is limited to six plants per legally established dwelling.
- Outdoor cultivation shall not be permitted.
- The growing area shall not impact areas that are required to satisfy the parking requirement for the primary use of the lot.
- None of the cannabis cultivation or consumption activities shall be detectable (e.g., due to odor or lighting) outside of the building in which the activities occur.
- No cannabis shall be cultivated in accessory structures.
Cannabis cultivation for personal use does not require a license under state law and would not be subject to County or state review or approval. Personal use cultivation of cannabis would be allowed without a land use entitlement from the County. Personal use cultivation would be subject to County code enforcement only in response to complaints.

**Commercial Cannabis Licensing Program**

The proposed amendments to the County Code would create the Commercial Cannabis Licensing Program. To provide a comprehensive licensing program to monitor and control commercial cannabis activities throughout the County, the Planning and Development Department would issue required land use permits, to which the County would issue the licenses based on successful approval of the required permits. The licensing program would allow cannabis activities and businesses in accordance with MAUCRSA, as discussed above, along with local requirements.

Table 2-6 summarizes the general County planning permitting process, which indicates which approvals are necessary, and who would review a particular application pursuant to permit appeals. Notably, other entitlements may be required for any associated structural development, such as approval of a development plan for certain sized greenhouses.

### Table 2-6. Planning Permitting Process

<table>
<thead>
<tr>
<th>Type of Action</th>
<th>Director</th>
<th>Zoning Administrator</th>
<th>Planning Commission</th>
<th>Board of Supervisors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit</td>
<td>Decision (one or both)</td>
<td>Appeal</td>
<td>Appeal</td>
<td></td>
</tr>
<tr>
<td>Conditional Use Permit, Minor</td>
<td>Decision</td>
<td>Appeal</td>
<td>Appeal</td>
<td></td>
</tr>
<tr>
<td>Conditional Use Permit</td>
<td></td>
<td>Decision</td>
<td>Appeal</td>
<td></td>
</tr>
</tbody>
</table>

**LUDC, MLUDC, and CZO Amendments**

To address commercial cannabis activities, the Project would amend existing sections of the LUDC, MLUDC, and CZO, which currently prohibit commercial cannabis cultivation, to include language on allowable cannabis land use types in applicable zone districts, and add new sections that set forth regulations for commercial cannabis activities and allowed cannabis license types and permit requirements by applicable zone district. Additionally, the Project would add new definitions for cannabis and cannabis-related activities.

**Amendments to Uniform Rules for Agricultural Preserves and Farmland Security Zones**

Amendments to the Uniform Rules for Agricultural Preserves and Farmland Security Zones would clarify the compatibility of cannabis activities on land reserved for agricultural uses within the County. Because the lands are reserved for agricultural uses, growing activities associated with the cannabis plant would need to be found consistent with the intent for the land, including preventing the degradation of the land’s resource viability. Consistent with CDFA CalCannabis, the Project would
consider medical and adult-use (recreational) cannabis as an agricultural product, and would extend this identification to the local level (California Department of Food and Agriculture 2017). An A Project alternative detailed in Chapter 4, Alternatives, discusses a situation in which cannabis cultivation is would be instead determined to be a compatible use, while all other cannabis activities would not be permitted on agricultural preserve lands.

2.4 Required Actions and Approvals

The County is the Lead Agency for the proposed Project, consistent with State CEQA Guidelines Section 15065(b). As such, the County will use this EIR to both evaluate the potential environmental impacts that could result from implementation of the Project, and develop changes in the proposed Project and/or adopt mitigation measures which would address those impacts. The County Board of Supervisors will consider adoption of the Project after certification of the Final EIR. Pursuant to State CEQA Guidelines Section 15093, the decision-makers must “...balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered ‘acceptable.’” If the County, as Lead Agency, approves the proposed Project, a statement of overriding considerations must be written, which shall state the specific reasons to support its action based on the Final EIR and/or other information in the record.

Implementation of the proposed Project would require the following County Board of Supervisors’ regulatory and/or legislative actions, with recommendations from the Montecito and County Planning Commissions, as well as subsequent California Coastal Commission action:

1. Adoption of environmental findings, certification of the Final EIR, and, if needed, adoption of a Statement of Overriding Considerations for any unavoidable, significant environmental impact that will result from the Project;
2. Adoption of amendments to the County Code to establish a local licensing program for cannabis activities, and to address other aspects of cannabis activities;
3. Adoption of amendments to the LUDC, MLUDC, and CZO to establish the land use regulations that pertain to cannabis activities;
4. California Coastal Commission certification of amendments to the Local Coastal Program (LCP), including the Article II Coastal Zoning Ordinance; and
5. Updates to provide consistency with County codes, including, but not limited to, amendments within the following Comprehensive Plan chapters:
   - Chapters 22 and 24A, to address business license code and allow for collection of fines;
   - Chapter 16, to address food and food product permitting code;
   - Chapter 37, to address the smoking code;
   - Chapter 6, to address outdoor festivals; and
   - Chapter 13A, to address drug paraphernalia.