City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: March 10, 2016

AGENDA DATE: March 17, 2016

PROJECT ADDRESS: 118 North Milpas Street (MST2015-00319)
"The Canopy"

TO: Planning Commission

FROM: Planning Division, (805) 564-5470, extension 4539
Beatriz Gularte, Senior Planner BEG
Tony Boughman, Assistant Planner TB

I. PURPOSE OF HEARING

The purpose of this hearing is for the Planning Commission to consider the appeal of the Staff Hearing Officer (SHO) approval on January 20, 2016 of a Medical Marijuana Storefront Collective Dispensary Permit at 118 North Milpas Street.

II. PROJECT DESCRIPTION

The project approved by the SHO consists of a proposal for a Medical Marijuana Storefront Collective Dispensary Permit. The dispensary would be located in an existing 2,264 square foot commercial building. Interior and exterior improvements are proposed.

The discretionary application required for this project is a Medical Marijuana Storefront Collective Dispensary Permit (SBMC §28.80.030).

The appellant, Pete Dal Bello, requests that the Planning Commission deny the project (refer to Exhibit A, Appellant's Letter).

III. RECOMMENDATION

That the Planning Commission consider whether the application meets the twelve criteria for issuance of a Storefront Collective Dispensary permit in SBMC §28.80.070.B in determining whether to affirm, reverse, or modify the decision of the SHO. Please refer to the SHO staff report (Exhibit B) for staff's analysis of the application and the complete list of criteria for issuance which the Planning Commission must consider in deciding on the appeal.

Staff recommends that the Planning Commission denies the appeal and approves the Storefront Collective Dispensary Permit, including the Conditions of Approval as shown in SHO Resolution 006-16 (Exhibit C).

Vicinity Map - 118 North Milpas Street

IV. SITE INFORMATION

Applicant:	Ryan Howe		
Property Owner:	Merry Milpas LLC		
Site Information			
Parcel Number:	017-091-016	**Lot Area:**	4,449 sq. ft.
General Plan:	Commercial/High Density Residential	**Zoning:**	C-2, Commercial
Existing Use:	Vacant commercial building	**Topography:**	Flat
Adjacent Land Uses			
North – Residential **South** – Residential		**East** – Residential **West** – Residential and Commercial	

V. STAFF HEARING OFFICER DECISION

On January 20, 2016, the SHO approved the request for a Medical Marijuana Storefront Collective Dispensary permit. The application was found to meet the location criteria, and the criteria for issuance of a permit (Exhibit D). The SHO imposed additional conditions of approval on the project at the hearing.

The following is a summary of SHO Conditions of Approval that were added at the hearing:

A. **Elimination of Curb Cut** to provide additional on-street parking

B. **Operating Plan** shall be amended as follows:

1. A minimum of two security guards on duty during operating hours
2. Security camera monitoring shall have 24 hour remote live feed offsite
3. Explain that a member may obtain medical marijuana only after an initial waiting period
4. A complete list of available products, merchandise, and services to City staff
5. Marketing concepts will be conducted at offsite locations
6. Clarify what rules of conduct will be displayed in the waiting room
7. Post inside the dispensary a State Law Compliance Warning
8. All patients and caregivers enter through the front doors outside of the fenced area
9. Dispensary Management shall place trash outside of the fenced area on pickup day

C. **Patient Agreement Form** shall be amended as follows:

1. Add zero tolerance policy regarding loitering and using cannabis or alcohol on the property. In the event of infraction, membership shall be terminated
2. Add that membership is limited to only one collective within the City

D. **Interior Signage** with rules, state law, minors, and hours shall be approved by City staff

The full text of the conditions of approval in SHO Resolution 006-16 is shown in Exhibit C.

VI. APPEAL ISSUES

Mr. Dal Bello's appeal letter provides a narrative of neighborhood history, relates events that occurred during the application process, and expresses concerns about:

- Allowing a medical marijuana dispensary in this neighborhood;
- Crime and safety in the area;
- Impacts to on-street parking; and
- Notification of the SHO hearing.

Below is staff's discussion of the appellant's concerns and how those concerns relate to criteria to be considered in issuing a Storefront Collective Dispensary Permit.

A. Dispensary in Milpas Area

The appellant spoke in opposition to having a dispensary at this location. Concerns were expressed by 21 of the 23 members of the public who spoke and/or submitted written comments that a dispensary should not be allowed in the Milpas area (Exhibit E). As described in the SHO staff report and SHO hearing, the application complies with the "Limitations on the Permitted

Location of a Storefront Collective Dispensary" in SBMC §28.80.050. In brief, these limitations are:

- Parcel is zoned for commercial use and located on the 00 to 400 blocks of North Milpas Street;
- Visible, ground floor storefront location with good public views of the entrance and windows;
- Not within 1000 feet of another dispensary;
- No other Storefront Collective Dispensaries in the Milpas area; and
- No more than three Collective Dispensary permits in the City.

The ordinance, SBMC Chapter 28.80, which allows this use at this location was adopted by the City Council on March 25, 2008 and a revised ordinance was adopted by the City Council on June 29, 2010. The revised ordinance specifies the five areas of the City where a dispensary could be allowed. How were the 00 to 400 blocks of N. Milpas selected as an allowed area for a dispensary? The history of the ordinance shows that locational limitations for dispensaries had much review during the drafting process, and throughout reviews at public hearings by the Planning Commission, Ordinance Committee, and adoption by the City Council. Appropriate zoning was determined to be the commercial zones, particularly the General Commercial (C-2) zone. Within the City's commercial zones, the downtown area, as well as areas in close proximity to parks and schools were excluded, and five areas of allowed locations were specified in the ordinance: Outer State Street, Upper De La Vina, Mission Street, West Pueblo Medical Facility, and Milpas Street. The portion of North Milpas Street in proximity to Santa Barbara Junior High School was excluded. The considerations about locational limitations included discussion about locating dispensaries in proximity to residential areas. A limitation to stay some distance away from residential zones was rejected, in part to allow dispensaries on the narrow commercially zoned North Milpas Street corridor. A buffer prohibiting dispensaries any significant distance from the adjoining residential zones would have deleted much of the Milpas area. At this time, excluding the Milpas area from the ordinance would require an ordinance amendment to SBMC Chapter 28.80 approved by the City Council.

B. Neighborhood Safety

The appellant provided a report listing police calls for service at the vicinity of the subject property to demonstrate that this location has crime issues even without an operating dispensary. Attached to his appeal letter is a report of 911 calls dated January 25, 2008 to January 21, 2015. None of these calls were related to the current dispensary applicant or new property owner (since May 28, 2015).

In deciding on issuance of a dispensary permit, consideration must be given to Criterion 2, that the proposed location is not identified by the City Chief of Police as an area of increased or high crime activity. The City Police Department did confirm that 118 North Milpas Street is not an area of increased or high crime activity. Staff considers the proposed operations and security plans to be responsive to safety concerns, and consistent with Criteria 7, 8, and 9 as described in the SHO staff report (Exhibit B), and the SHO approved the application.

C. Parking

The appellant is concerned that, by not providing any on-site parking, this operation will have negative impacts to the availability of surrounding on-street parking for businesses and residents. Similar concerns were expressed by 12 of the 23 public commenters. The parking requirement for a dispensary is stated in the dispensary ordinance to be the "commercial" parking requirement (SBMC §28.80.080.D.6). The commercial parking requirement does not consider the popularity of a particular tenant or operation, it is determined by the square footage of the building, and the commercial use category in the City's Parking Ordinance, SBMC §28.90.100.I.

The requirement for commercial use is one parking space per 250 square feet of net floor area of the building. Both the previous retail use, and the proposed dispensary use in this building fall under the commercial parking requirement, and both are conforming commercial uses in the C-2 Commercial zone. Since both are commercial uses, provision SBMC §28.90.001.N in the parking ordinance regarding change of use does not apply. For this building, the conforming parking requirement would be nine spaces, however this property is legal, nonconforming with no onsite parking. For properties which are nonconforming to the required parking, the parking ordinance provides that the nonconforming situation may continue, except that additional parking must be provided if the building square footage is increased, or the use of the building is changed to a use that requires more parking (SBMC §28.90.001.B). Because the application does not involve new square footage or a change in use that requires more parking, no new parking is required. The conforming parking requirement for bicycles would be one space, and the site plan includes bicycle racks for four bicycles.

Parking is a zoning requirement; it is not a criterion for consideration in the issuance of a dispensary permit. However, as a practical matter, staff requested that the applicant be able to explain how he envisions parking to work for his proposed operation. The applicant provided a "parking plan" to staff to show how he will advise employee members and patient members of the availability of surrounding on-street parking, and of alternatives such as buses and bicycling. Because parking is not a criterion for issuance, this parking plan was not included in the proposed application. The parking plan was discussed at the SHO hearing but was not made a part of the approved application.

During the application review process, the applicant consulted with staff about closing the existing driveway in front of his property in order to provide more on-street parking. Because of the expense, he did not include this work in his proposal but said he would consider doing it once the dispensary was operating. The elimination of the curb cut and installation of new curb would result in the addition of one or two on-street public parking spaces, depending upon vehicle size and driver behavior. The SHO made completion of this work with a Public Works permit a condition of approval.

Criterion 8 refers to controlling patrons' conduct with regard to traffic control problems, or interference of the operation of another business. Criterion 9 refers to no adverse effect, not overly burdening a specific neighborhood, and not resulting in nuisance activities including illegal parking. Staff does not consider these criteria applicable to this property's nonconforming parking situation.

D. Public Notification

Proper notification was done in accordance with the Brown Act, and with City requirements in SBMC 28.87.380 (Notice of Hearing), and consistent with Government Code Sections 65090 and 65091. The application had public hearings at the Architectural Board of Review Consent Agenda (ABR), and the SHO. Ten days prior to both hearings, notices were mailed to owners of property within 300 feet, and a sign was posted at the site. Five to six days prior to the ABR and SHO hearings, meeting agendas were posted at 630 Garden Street and on the City website. Twelve days prior to the SHO hearing, a legal ad appeared in the Santa Barbara News Press.

Two notices were sent to Dal Bello properties prior to the ABR and SHO hearings. Mr. Dal Bello was added to the mailing list as an interested party for the SHO hearing as a result of making public comment at the ABR hearing. Mailed notification to neighboring tenants is not required or City policy, however, the standard large yellow Notice of Development sign was posted at the front of the site at least 10 days prior to ABR and SHO hearings. Prior to the SHO hearing, the Staff Hearing Officer and planning staff read all written public comments received.

VII. ENVIRONMENTAL REVIEW

Staff has determined that the project qualifies for a categorical exemption from further environmental review under Section 15301(a) (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines. The project involves a tenant improvement in an existing commercial building.

VIII. FINDINGS

The Planning Commission finds the following:

The application complies with the location criteria of SBMC §28.80.050, as outlined in Section V.A of the SHO staff report, and with the criteria for issuance of a Storefront Collective Dispensary permit set forth in SBMC §28.80.070.B, as explained in Section V.B of the SHO staff report and the applicant's submittal.

Exhibits:

A. Appellant's Letter, dated January 26, 2016
B. SHO Staff Report, January 20, 2016
C. SHO Resolution 006-16
D. SHO Minutes, January 20, 2016, and Written Public Comment
E. Application, Executive Summary, and Operating Plan
F. Medical Cannabis Dispensaries Ordinance (SBMC Chapter 28.80)

Peter T. Dal Bello

16 Alameda Padre Serra Rd.
Santa Barbara, CA 93103-2804
(805) 966-5400
petedalbello@cox.net

TABLE OF CONTENTS:

1. Letter from Pete Dal Bello (7 pages)
2. Copy of Notice of Jan. 20, 2016 Public Hearing (1 page)
3. City of Santa Barbara Dispensary Permits (2 pages)
4. Map of Milpas Dispensary Area (1 page)
5. Map of West Pueblo Medical Dispensary Area (1 page)
6. Cover of The Canopy Supplemental Plan (1 page)
7. Canopy Parking Plan (1 page)
8. 911 Calls regarding 118 N. Milpas St. (2 pages)
9. Selected completed surveys regarding proposed Milpas dispensary (9 pages)
10. Historical Business License Listing (1 page)
11. Information from the Assessor's Office (2 pages)
12. Articles from the Ventura County Star and L.A. Times (5 pages)

RECEIVED
JAN 28 2016
CITY OF SANTA BARBARA
PLANNING DIVISION

EXHIBIT A

Pete Dal Bello

16 Alameda Padre Serra Rd.
Santa Barbara, CA 93103-2804
(805) 966-5400
petedalbello@cox.net

January 27, 2016

Dear Sir or Madam,

Attached please find a $240 check (#1210 and payable to the "City of Santa Barbara") to file an appeal against the approved application for a medical marijuana dispensary (also known as The Canopy Club) at 118 N. Milpas St. I disagree with Staff Hearing Officer Susan Reardon and her Jan. 20 decision will be appealed to the Planning Commission.

I have also included a page with a table of contents that is an inventory of the written correspondence (13 copies, as requested on the City of Santa Barbara's Written Correspondence page) of more than 30 pages each for the members of the Planning Commission and appropriate staff.

My name is Pete Dal Bello and I am a Santa Barbara native. I've also known the Eastside for all 44 years of my life. Now that I have filed my appeal, I will be informing the Neighborhood Advisory Council, Community Neighborhood Alliance, Milpas Community Association, Santa Barbara News-Press City Editor Scott Steepleton, my other friends in the media, as well as many of my Eastside neighbors. Copies of these pages will also be given to the Mayor and City Council, as well as the City Administrator and City Attorney on Feb. 2.

My family owns the properties at 135 N. Milpas St. and 132 Juana Maria Ave. It is interesting that my mother, an owner of the mentioned properties that are both within 300 feet from the proposed dispensary, never received a notice of the public hearing on Jan. 20. I also was never updated by the Architectural Board of Review (ABR) even though I filled out the information form on Nov. 16, 2015, where I spoke in opposition to the proposed dispensary, to stay updated about this property. If I wasn't active in following city government, my mother would have no knowledge that Ryan Howe and Merry Milpas, LLC were planning to open a dispensary that would lower property values - for both her, as well as other homeowners and business owners.

I know this neighborhood and I have talked to many of those that live near 118 N. Milpas St. I found that other homeowners, in addition to my mother, didn't receive a notice of the Jan. 20 hearing. Considering that renters also live near the proposed dispensary, they should have also been informed as - like the homeowners that live in the neighborhood, also have to deal with the negative problems that already exist on the Milpas corridor. As expected, not one neighbor wanted the medical marijuana dispensary on Milpas.

Remember, three to five medical marijuana dispensaries in this neighborhood were closed down only three years ago. It is interesting that the city appears more concerned that Howe follow building codes than they are about the concerns of the neighborhood.

This is a neighborhood that is angry that it has this issue forced on them again. In addition to being scarred, they are scared for the safety of their children and those attending nearby schools. This is a neighborhood that has known crime, homeless, and gang activity for decades so these concerns should be considered.

Speaking of crime, it is unfortunate that crime at 118 N. Milpas was not thoroughly examined at the Jan. 20 hearing. On Jan. 21, I went to the police department and they printed out the included two pages of 911 calls (from 2008-2015 for a total of 50 calls for just this address) at 118 N. Milpas. This includes an armed robbery in 2011 and a fire - most likely arson - in 2013. Keep in mind that all of these things happened before there was any talk of a dispensary at this location.

These problems make many people, myself included, in the neighborhood wonder about what is next?

It will be interesting to soon learn how many 911 calls were placed for the entire 100 block of North Milpas.

What concerns does our own Santa Barbara Police Department, which is already understaffed, have about the proposed medical marijuana dispensary at 118 N. Milpas?

Another concern at 118 N. Milpas is parking. This was a major concern of Reardon. Being a former reporter, I took notes throughout the hearing.

"Parking is a big issue for me," Reardon said. "This is a different business than the typical operation."

On Jan. 22, I went to City Hall and visited the Business License Department. Included in this packet is a list of all the businesses that had licenses from Jan. of 1993 to Dec. 31, 2013. The businesses and their business license dates are as follows: Top Gear Motorcycles (Jan., 1993 to Dec. 31, 2003), Joyeria Latina Americana (June, 2001 to June 30, 2011), Tellez's Towing (Sept., 2011 to Sept. 30, 2013) and MJ Stereo & Smoke Palace (Oct., 2011 to Dec. 31, 2013).

Also on Jan. 22, actually right before I went to City Hall, I was at the Assessor's Office at the County Administration Building. I have included two pages regarding the property from that office.

Case Planner Tony Boughman said at the Jan. 20 hearing that there was "no on-site parking" at 118 N. Milpas.

Reardon also expressed concern regarding the "loading and unloading of product (marijuana)."

The prior tenant had three parking spaces. I've included a copy of Howe's parking for the dispensary. Joyeria Latina Americana, which rented there for 11 years, mentioned that he had three parking spaces.

The ordinance needs to be amended because there was never a requirement for Howe to provide parking. The parking of the proposed dispensary at 118 N. Milpas is reliant on street parking and alternative parking.

The photos on the front of the supplement plan of "The Canopy" shows at least 10 chairs/stools for visitors.

Where are these people going to park?

Howe doesn't live on the Eastside, but at the Jan. 20 hearing he said that he goes to Milpas nearly every day. He is wrong that "there's adequate parking" on the 100 block of N. Milpas during the day time hours of 8 a.m. to 6 p.m. He is also wrong in saying that there are "10-15 spots (open parking spaces available) at any given moment."

As someone who has known the Eastside for all 44 years of my life, I know that parking was already a problem on this block before there was any talk of a dispensary at this location. My

family owns the property at 135 N. Milpas (which is the corner of N. Milpas and E. Yanonali) and our tenant is the Los Amigos Barber Shop. My mother owns the house that she grew up in at 132 Juana Maria Ave. This one-block street, which is behind the 100 block of N. Milpas and the side of Milpas of the proposed dispensary at 118 N. Milpas, is already impacted from cars parking there so they can frequent businesses on Milpas. Juana Maria, which has many small children, is a residential-only area so the only cars parking on that street should be the residents of Juana Maria and vehicles of the people visiting residents of Juana Maria.

My favorite Mexican restaurant is Taqueria El Bajio, which is located next door to the barber shop at 129 N. Milpas St. Parking is already so impacted in the area that when I go there to eat, I can't park on Milpas St. I can't park on Yanonali St. I can't park on Juana Maria Ave. I have to park on Alisos St. - two blocks away from the restaurant.

Now with parking already a problem, here comes Howe and the proposed medical marijuana dispensary at 118 N. Milpas. At the Jan. 20 hearing, Howe said that "five to 10 patients" will be served per hour and "13-14 patients max (maximum)."

Since the dispensary would be open for 10 hours, that means that there could be 140 members coming to the dispensary a day. That 140 figure also doesn't include his employees. There will be six to eight employees working at the dispensary. Where are they going to park?

The included map of the Canopy Parking plan says that only members of The Canopy Club (medical marijuana dispensary) can park on N. Milpas. This would cover both sides of Milpas from E. Montecito St. to Quinientos St.

The parking plan also says that members and employees can park (see blue color on map) on E. Yanonali. This would be between Milpas and Quarantina St. It also says that members and employees can park from Mason St. to Quarantina. The plan also says that members and employees can park on Nopal St., between E. Montecito and Quinientos.

The blue section of the map only factors in parking on Monday through Friday. It doesn't factor in parking on Saturday, when most residents are home as they take their cars to work during the week. Just this fact alone should concern the city.

The map is also incorrect in referring to the streets in the blue area as "Commercial, Industrial). The industrial area begins on Quarantina and they are not asking their members/employees to park on Quarantina.

Mason is commercial, but it is also residential (which was not listed on the map).

Yanonali is commercial, but it is also residential (which is also not listed on the map).

Nopal is zoned for commercial use, but it is also residential (which is also not listed on the map).

Keep in mind that the main reason why the proposed dispensary at 2609 De la Vina St. failed was because of the lack of parking.

Howe said at the hearing that "most members will be walking and biking."

Unless I have missed it, there is not a bike rack in the plans for outside the proposed dispensary. There is room for an area for people to park their bikes, but it should be specified as part of the landscaping plan, since it is outdoors, and there should be significant bike parking due to both Howe's probable client/customer/pedestrian base, as well, as bicycling being a popular mode of transportation in the city of Santa Barbara.

Members would be walking two to three blocks to the proposed dispensary. While walking two to

three blocks back with marijuana or possibly another product, they are at a higher risk of being mugged - especially on Milpas or a neighboring street as a troublemaker could be watching them leave the dispensary from a distance.

Howe is also not factoring in that not every person coming in to the dispensary will be a member or an employee. There will also be pedestrians entering the store who aren't members, pedestrians entering the store interested in becoming members (The Canopy Parking Plan says that the "Canopy will present each member with an approved parking map during their mandatory consultation session."), as well as the mail carrier and possibly FedEx delivery, etc.

At the Jan. 20 hearing, I learned that there would be two security guards at the proposed dispensary - one inside the building and one outside the building. The guards, though, are not permitted to carry a gun so they are really more like bouncers than security guards.

Before the hearing, I learned that the property will have bullet-proof glass. How many businesses have this concern? I don't know of any business on the Eastside that has bullet-proof glass, not even the bank across the street has bullet-proof glass.

At the Jan. 20 hearing, I learned that the Architecture Board of Review (ABR) said that Howe's plan was "perfectly OK" and that the ABR had "no suggestions or changes." The ABR had a meeting on Nov. 16, 2015, which I attended and also spoke in opposition to the dispensary. The ABR said that they would keep me informed on the proposed 118 N. Milpas project, and I filled out the required form to keep me informed, but they never contacted me. As mentioned, I learned about the ABR's decision at the Jan. 20 hearing - more than two months after their decision.

There is also the concern about the curb cut at 118 N. Milpas. At the Jan. 20 hearing, I learned that there is "no requirement to remove the existing curb cut." Since the driveway will not be used, the Public Works Department (since the ABR failed to make this requirement) should have it be removed and replaced with a section of sidewalk at Howe's expense. This would be a total expense of anywhere from $1,500 to $7,000, but it is necessary for the safety of pedestrians, vehicles and bicycles.

On Saturday, January 23, I saw Sebastian Aldana, Jr. at Eller's Donut House at 22 N. Milpas St., #B, as I quickly stopped in to buy a cup of coffee before heading off to a morning meeting in Hope Ranch for my 2017 city council campaign.

I remembered that during the Jan. 20 hearing, it was mentioned that there were only nine surveys turned in. I asked Aldana about that because during the public comment section of the hearing he said that there were 19 surveys turned in. I remember meeting him a week before at Taqueria El Bajio on Milpas when he asked if I would like to fill out one of the surveys. I mentioned that I know my mother, who owns property on both Milpas and Juana Maria, would be interested and so he naturally gave me two surveys. My mother and I each filled them out and returned them to Aldana so I asked him at Eller's about the surveys and about the Jan. 14 town hall meeting that was canceled.

I met Aldana the week before because when he told me about the Jan. 14 town hall meeting I told him that I would mention it during the public comment segment of the Jan. 12 city council meeting.

At Eller's Donut House, Aldana told me that there were 19 surveys and he turned in 14 on Tuesday morning and five on Tuesday afternoon. He said that 18 surveys were against the dispensary and one was neutral and requesting more information. By 4 p.m. that Tuesday afternoon, the day before the hearing, Boughman had not even looked over the surveys and just attempted to scan them to Reardon.

Aldana said that the town hall meeting was canceled because Howe didn't supply the PDF flyer. Aldana said that Howe sent him an e-mail that "the city asked Ryan not to hand out any flyers or

promotional material until he received the final permit."

When I asked Aldana if he knew which city employee told Howe that, he said that Howe told him it was Boughman who gave Howe that information.

Aldana told me that he met with Boughman on Friday, Jan. 22, and he asked Boughman about what Howe said. Boughman said that Howe was incorrect and that Boughman only mentioned not to do any improvements until Howe received the final permit.

It appears to me that Howe misled Aldana.

Aldana also mentioned to me that he asked Boughman about his crime report. Boughman replied that he e-mailed Captain Altavilla of the Santa Barbara Police Department and asked a simple question.

"Is the 100 block of North Milpas a high-crime area?" Boughman asked and Altavilla replied, "No."

That was the report, according to Boughman.

Since my family owns two properties within a 300-foot radius of the proposed dispensary, and since I'll be running for city council in 2017, I asked Aldana if he had xerox copies of the surveys and he said that he did. We agreed to meet at 8 p.m. on Jan. 25 at Carl's Jr. at 7 S. Milpas St. so he could show me the surveys. I made copies of a few of them and provided them in this packet. I asked him to keep his copies of all 19 surveys in case I have to contact him again in the future.

Seeing that there really were 19 surveys - not the nine surveys that the city mentioned at the Jan. 20 hearing - it leads me to believe that Reardon and her staff did not read all 19 surveys.

Most people that work for the city, including two employees at the Jan. 20 hearing, have no idea about what this neighborhood goes through on a daily basis. One mispronounced "Nopal" and both mistakenly said that Milpas was in the "industrial area." As someone who has known the Eastside for 44 years, I think I'm qualified to tell you that Milpas is a residential/business area. The industrial area begins - two long blocks away - on Quarantina St.

They also wouldn't want to deal with the daily problems caused by the homeless, who walk up and down Milpas from Path, formerly known as Casa Esparanza, add the Rescue Mission and all the other halfway houses in the neighborhood where individuals are trying to get their lives together. While we are a compassionate city, we can all agree that the homeless loiter and solicit for money - thus hurting local business. In fact, I took a picture of a homeless man sleeping on the front porch of 118 N. Milpas the day before I spoke about this property at the Nov. 16 ABR meeting. I spoke about my concerns regarding safety and parking issues, which are among the reasons for this appeal as neither issue has been properly addressed.

I also find it interesting that 118 N. Milpas is located next door, next door, to a sober living facility where a dozen men are trying to get their lives together.

As the founder and president of the International Chiari Association (ICA), I know that medical marijuana has helped people with many health problems. I have had several discussions with both Howe and Jose Ruiz. Ruiz is with Legal Marijuana Consultants (LMC)

Instead of being on Milpas, which has already seen its share of dispensary-related problems, which the city is either unaware or completely incompetent since federal agents shut so many down on the Milpas corridor.

Milpas should have never even been considered as one of the five allowable areas for a medical marijuana dispensary. If the city is so intent on adding another medical marijuana dispensary (as

one exists at 3617 State St.) then it should look at the West Pueblo Medical area (which is one of the allowable locations) and near medical offices. The West Pueblo Medical area, unlike Milpas, is also not near any schools.

There is also, as mentioned, the concern of crime. Here are the security risks for medical marijuana dispensaries:

*** Counter theft

*** Smash-and-grab attacks

*** Internal theft

*** Gang-driven robbery and violence (Keep in mind that dispensaries in California will be a target of drug cartels because they will want to defend their drug trade turf.).

In 2009, 16.9% of dispensaries in Colorado were robbed according to a Denver Police Department survey.

Thieves focus on dispensaries because there is a high resale value on the black market for marijuana. Dispensaries are also targeted because they operate almost always on a cash basis. This is because federal law makes most banks unwilling to establish relationships with marijuana business owners.

Since 2012, there have been at least 45 robberies related to the sale, purchase or possession of marijuana in the city of Oceanside. Of those robberies, 24 were committed using firearms and 11 involved weapons (knives, stun guns, etc.).

Oceanside adopted an ordinance outlawing dispensaries this month. It is looking at regulations that would permit delivery services.

What are the Santa Barbara Police Department's regulations regarding delivery services? More than 20 delivery services exist in this area.

Camarillo already prohibits medical marijuana dispensaries from operating in the city. It also prohibits the delivery of medical marijuana, except by a primary caregiver to a qualified patient.

Camarillo Police Commander Monica McGrath said medical marijuana dispensaries are cash-only businesses, which raises the level of theft and robberies where they are located.

McGrath mentioned that 26 out of 52 dispensaries in San Bernardino have been closed because of numerous violations. She is quoted in the Ventura County Star (Jan. 15, 2016 - article included) that crime rates in areas surrounding dispensaries have "skyrocketed."

"It creates a situation where we need to ensure public safety, and there's no stringent safeguards without the ban," McGrath said.

McGrath added that medical marijuana cultivation is hard to regulate, and police often will investigate complaints and find other elements of crime.

Why are we putting the Milpas community at risk for more crime? Even one crime is one too many. I wouldn't want to be a person supporting 118 N. Milpas and be asked why someone was robbed or suffered a worse crime. If something does happen, I feel that the supporters of the proposed dispensary should be held accountable.

When you make your decision, please realize that this is more than about building codes. Put yourself in the shoes of the people that live there and already face such concerns as crime and the homeless on a daily basis.

Now add the negative elements associated with a medical marijuana dispensary, if approved, would bring to this community.

Let's let common sense prevail by putting the concerns of the Milpas neighborhood first.

As mentioned, the West Pueblo Medical area is a much better fit. It would already be near medical offices, our hospital and there are no schools nearby.

I trust that you will consider and agree with me, the neighborhood businesses and residents that would be affected negatively, that a medical marijuana dispensary does not, does not, belong at 118 N. Milpas St.

Thank you for your time and I look forward to going before the Planning Commission and representing the Eastside. Everyone knows that I will always look out for this city, especially this part of town that I know so well.

Sincerely,

Pete Dal Bello

City of Santa Barbara
California

NOTICE OF A PUBLIC HEARING OF THE STAFF HEARING OFFICER TO THE PROPERTY OWNERS WITHIN 300 FEET OF A PROJECT

WEDNESDAY, JANUARY 20, 2016, 9:00 A.M.* (SEE NOTE BELOW)
DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET

APPLICATION OF RYAN HOWE, 118 NORTH MILPAS STREET, 017-091-016, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH RESIDENTIAL (MST2015-00319)

Proposal for a Medical Marijuana Storefront Collective Dispensary in an existing commercial building. Interior tenant improvements, minor exterior alterations, and landscaping are proposed.

The discretionary application required for this project is a Storefront Collective Dispensary Permit (SBMC §28.80.030).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(a), Existing Facilities.

You are invited to attend this hearing and address your verbal comments to the Staff Hearing Officer. Written comments are also welcome up to the time of the hearing, and should be addressed to the Staff Hearing Officer Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990 or via email to SHOSecretary@SantaBarbaraCA.gov. This is the only notification you will receive for this development application. The scope of this project may be modified under further review. If you have any questions, wish to review the plans, or wish to be placed on a mailing list for future agendas for this item, please contact Tony Boughman at (805) 564-5470, extension 4539, or by email at TBoughman@SantaBarbaraCA.gov. Office hours are 8:30 a.m. to 4:30 p.m., Monday through Thursday, and every other Friday. Please check our website under *City Calendar* to verify closure dates.

If you, as an aggrieved party or applicant, disagree with the decision of the Staff Hearing Officer regarding the outcome of this application, you may appeal the decision to the Planning Commission. The appeal, accompanied by the appropriate filing fee per application, must be filed at the Planning & Zoning Counter within ten calendar days of the Staff Hearing Officer's decision. If you challenge the permit approval in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Staff Hearing Officer at or prior to the public hearing.

AMERICANS WITH DISABILITIES ACT: If you need auxiliary aids or services or staff assistance to attend or participate in this meeting, please contact the SHO Secretary at (805) 564-5470, extension 3308, or by email at SHOSecretary@SantaBarbaraCA.gov. If possible, notification at least 48 hours prior to the meeting will usually enable the City to make reasonable arrangements. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

* **NOTE:** On Thursday, January 14, 2016, an Agenda with all items to be heard on Wednesday, January 20, 2016, will be available at 630 Garden Street and online at www.SantaBarbaraCA.gov/SHO. Please note that online Staff Reports may not include some exhibits. Agenda items are subject to change. It is recommended that applicants and interested parties plan to arrive at 9:00 a.m. Continuances will not be granted unless there are exceptional circumstances.

* Meetings can be viewed live on City TV-18, or on your computer at www.SantaBarbaraCA.gov/CityTV. A rebroadcast schedule can be found at www.SantaBarbaraCa.gov/CityTVProgramGuide.

City of SANTA BARBARA

(http://www.santabarbaraca.gov/default.asp)

Medical Marijuana Storefront Collective Dispensaries Permits

Planning Central

As of August 17, 2015, the City has one approved Medical Marijuana Dispensary in the Outer State Street area, at 3617 State Street. The City has two pending applications, one in the Upper De la Vina area, at 2609 De la Vina Street, and one in the Milpas area at 118 N. Milpas Street.

Medical Marijuana Storefront Collective Dispensaries are regulated by Chapter 28.80 of the Zoning Ordinance, (Medical Cannabis Dispensaries). The major provisions are as follows *(scroll to bottom of screen for maps and documents)*:

1. Maximum of three (3) storefront collectives (Citywide).
2. Allowable locations limited to the following areas:
   Milpas (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21266), Mission (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21267), Outer State (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21268), Upper De la Vina (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21265), and West Pueblo Medical (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21269).
3. Prohibition of storefront collectives in existing, mixed-use buildings with residential condominiums.
4. Storefront collective membership limited to Santa Barbara County residents.
5. Require 24 hour waiting period to join a storefront collective.
6. Cultivation, membership and financial record required to be maintained, with inspection by City staff.
7. Medical records may be inspected by City staff with a search warrant or inspection warrant.
8. Dispensary inspection by City staff with limited notice.
9. Security provided by a separate, "Private-party operator" security company, which is licensed by the State.
10. Hours of operation: 8:00 a.m. - 6:00 p.m. Monday through Saturday.
11. Applications are appealable to the City Council.
12. Annual review of the storefront collective operation by the Police and Community Development Departments.

Applications submitted will be reviewed for completeness and compliance with the ordinance. These applications will be processed one-at-a-time until the open spots in their respective areas are filled. It is possible that some of these applications will not be approved. If this is the case, then newer applications will be processed in the order that they are deemed complete.

As part of the application, you must prepare a document that shows how your dispensary complies with the operational requirements AND the criteria for approval in the Ordinance. For your convenience, the requirements and the criteria for approval are in this Medical Cannabis Dispensary Permit Application Document.

Staff recommends the following steps before beginning the process:

1. Read the Medical Cannabis Dispensaries Ordinance SBMC 28.80.
2. Contact Danny Kato, Senior Planner, at DKato@SantaBarbaraCA.gov (mailto:DKato@SantaBarbaraCA.gov)to get an update on the progress of any pending applications.
3. Find a location that meets the requirements of the ordinance
4. Develop your collective operational plan. We recommend as much detail as possible to show that the storefront collective is not a retail business. Information to consider includes: compliance with Proposition 215, SB 420 and the Attorney General's Guidelines, location of cultivation in SB County, methods to ensure a closed loop between cultivator-members and non-cultivator-members, and compensation for cultivators and other members.
5. Review the Planning Commission Staff Report for the approved dispensary, which is available here (http://www.santabarbaraca.gov/SBdocuments/Advisory_Groups/Planning_Commission/Archive/2015_Archives/03_Staff_Reports/2015_06_04_June_04_2 20_Memorandum.pdf).
6. Review the videos of the Staff Hearing Officer and Planning Commission hearings for the approved dispensary. - Find the video for the April 15, 2015 Staff Hearing Officer hearing at this webpage (click here (http://www.santabarbaraca.gov/gov/brdcomm/nz/sho/videos.asp)).
   - Find the video for the June 4, 2015 Planning Commission hearing at this webpage (click here (http://www.santabarbaraca.gov/gov/brdcomm/nz/planning/videos.asp)).

(http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21263)

Application Packet (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21263) (5.05 MB)

(http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21264)
Approval Criteria (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21264) (84 KB)

(http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=46954)
Livescan Form Medical Marijuana (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=46954) (397.4 KB)

(http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21266)
Map - Milpas area (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21266) (627 KB)

(http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21267)
Map - Mission area (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21267) (691.1 KB)

(http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21268)
Map - Outer State area (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21268) (474.4 KB)

(http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21265)
Map - Upper De la Vina area (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21265) (510.1 KB)

(http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21269)
Map - West Pueblo Medical area (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21269) (465.9 KB)

(http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21270)
MMSCD Ordinance 5526 (http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=21270) (1.3 MB)

City of Santa Barbara
735 Anacapa Street
Santa Barbara, CA 93101

The Planning Counter
630 Garden Street
Santa Barbara, CA 93101
(805) 564-5578

Office Hours
8:30 AM to 4:30 PM (PT)
Monday thru Thursday and alternate Fridays.

City of Santa Barbara
735 Anacapa Street
Santa Barbara, CA 93101

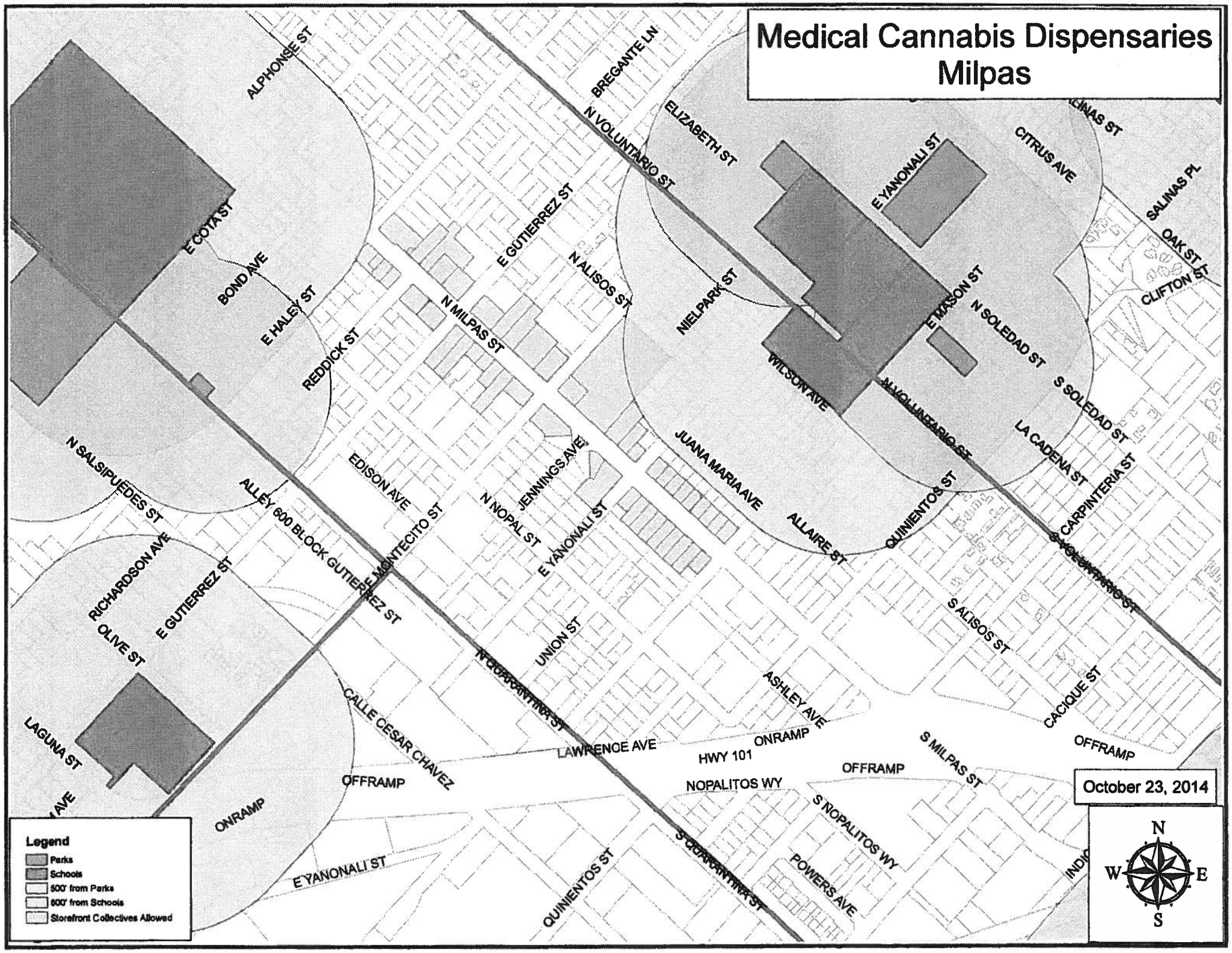
The Planning Counter
630 Garden Street
Santa Barbara, CA 93101
(805) 564-5578

Office Hours
8:30 AM to 4:30 PM (PT)
Monday thru Thursday and alternate Fridays.

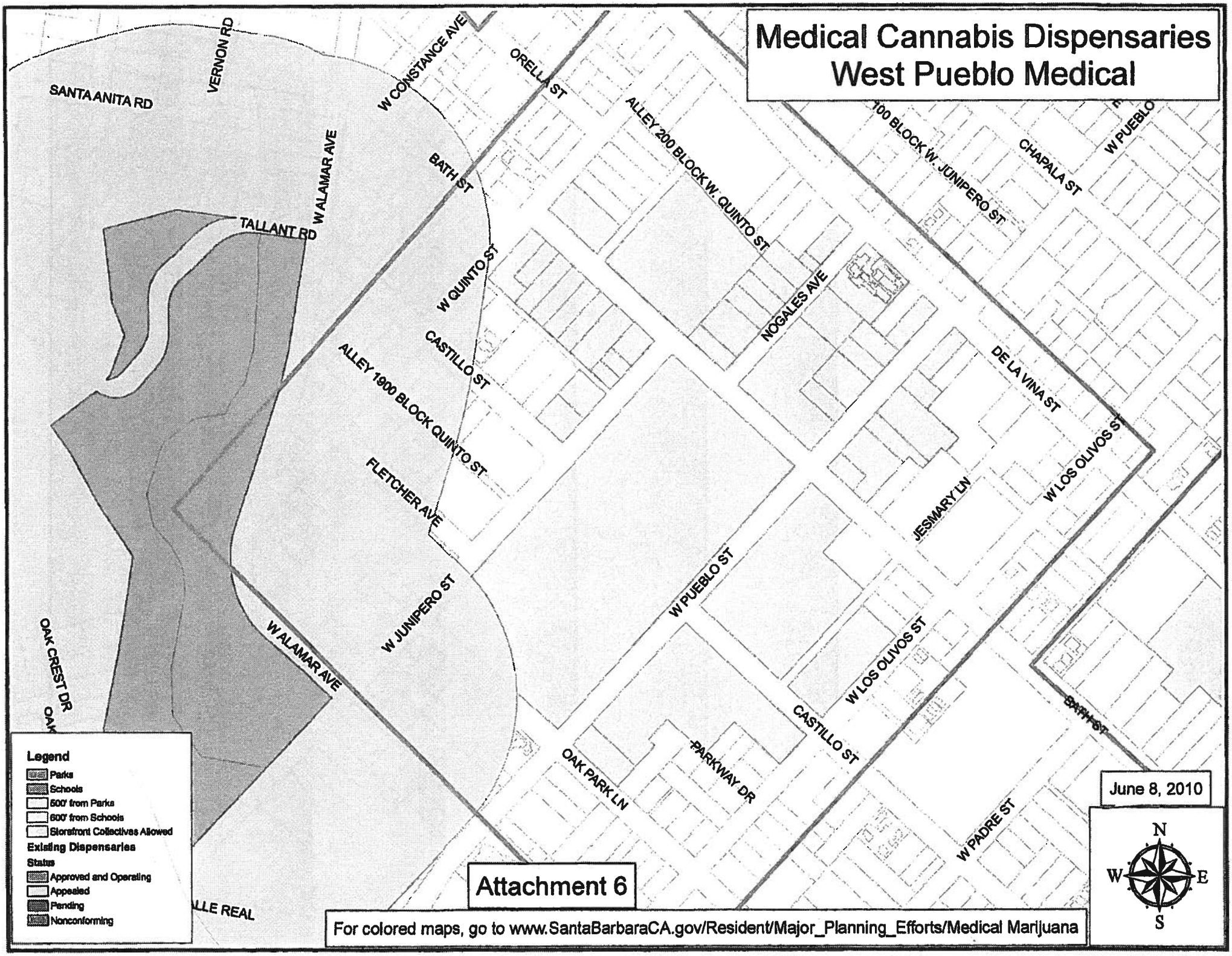
Powered by

(http://www.civicasoft.com/)

Medical Cannabis Dispensaries
Milpas

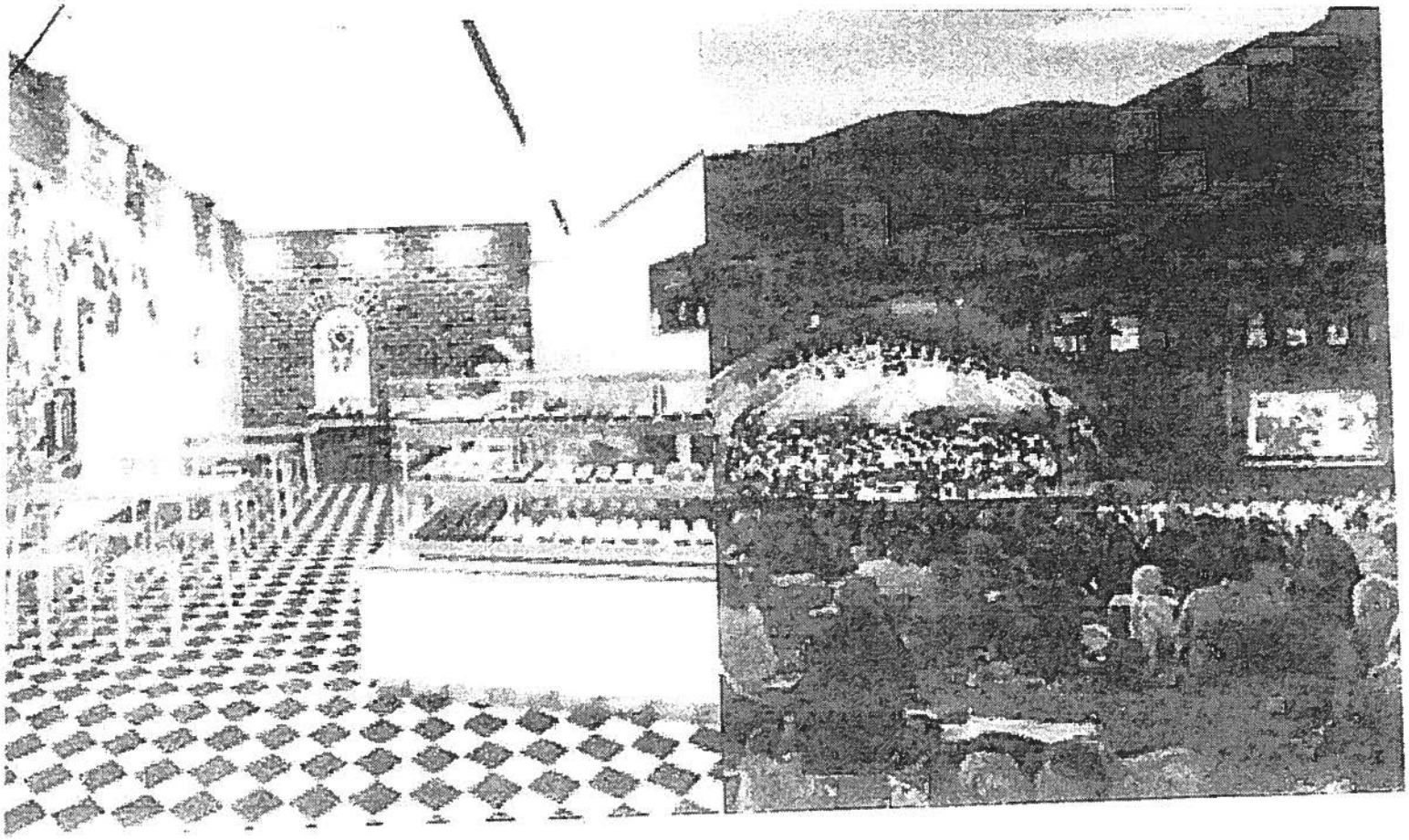


Medical Cannabis Dispensaries
West Pueblo Medical



Attachment 6

For colored maps, go to www.SantaBarbaraCA.gov/Resident/Major_Planning_Efforts/Medical Marijuana

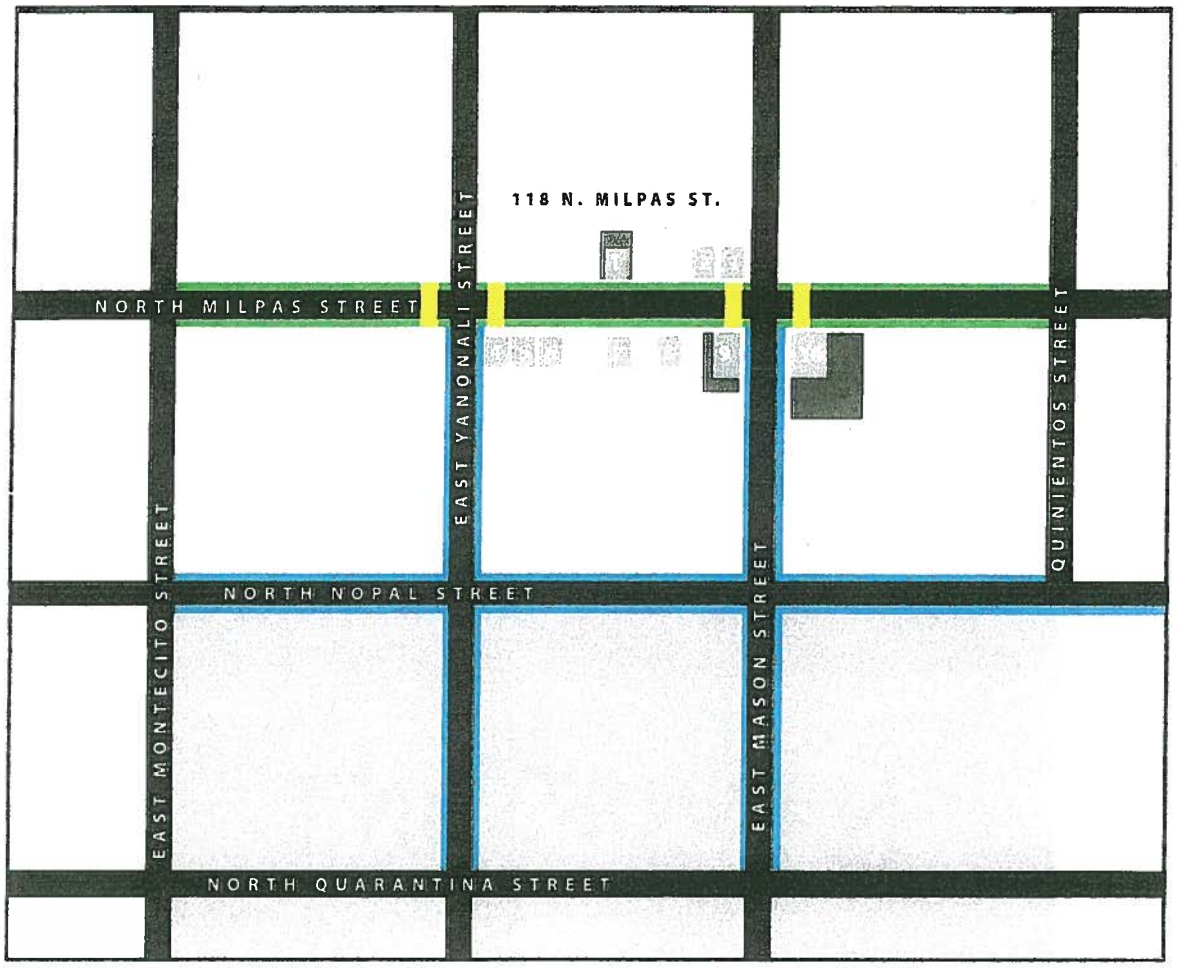


The Canopy

Supplemental Plan for Parking, Additional Community Security, and Non-Profit Status for 118 North Milpas Street

As Part of the Collective Dispensary Storefront Application Dated November 18th, 2015

CANOPY PARKING PLAN



THE CANOPY CLUB

118 N. Milpas Street

MEMBERS/EMPLOYEES (Blue)

Monday – Friday. (Commercial, Industrial)

-Park on Mason St. between Milpas St. and Quarantina St.
-Park on Yanonali St. between Milpas St. and Quarantina St.
-Park on Nopal St. between Montecito St. and Quinientos St.

MEMBERS ONLY (Green)

Monday – Saturday, 9:00 am to 6:00 pm

90 Minute Parking on Milpas St. between Montecito St. and Quinientos St.

CROSSWALK

**No parking in neighborhoods. Canopy will present each member with an approved parking map during their mandatory consultation session.*

KEY

1. 118 N. Milpas St.
2. Julios Business Services
3. Tax Accountant
4. Los Amigos Barber
5. Taqueria El Bajio
6. Corridan Gallery
*7. Aikido of Santa Barbara**
*8. IHSP Santa Barbara**
*9. Wells Fargo**
*10. McDonalds**

**parking lot*

SANTA BARBARA PD
CAD Call Print Synopsis

Search Criteria: which_cad='P' and address matches '118 N MILPAS*'

Number of Records Returned: 50

Call Date	Time	Call Number	Call Type Original/Final	Location	Founded	Report #	Cleared By
Jan-25-2008	05:10:37	5645	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	NO	2008-5645	UNFOUNDED
Jun-23-2008	19:34:48	44070	CHECK THE WELFARE	118 N MILPAS ST SANTA BARBARA	YES	2008-44070	REPORT
Aug-07-2008	13:06:37	57163	VANDALISM INVESTIGATION	118 N MILPAS ST SANTA BARBARA	YES	2008-57163	AC returned to owner
Sep-11-2008	03:51:14	66351	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	YES	2008-66351	UNFOUNDED
Sep-11-2008	06:15:39	66358	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	NO	2008-66358	UNFOUNDED
Oct-24-2008	19:16:34	77440	PEDESTRIAN CONTACT	118 N MILPAS ST SANTA BARBARA	YES	2008-77440	CITATION
Jan-11-2009	00:48:36	2510	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	YES	2009-2510	UNFOUNDED
Mar-04-2009	02:50:43	15496	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	NO	2009-15496	UNFOUNDED
Jul-06-2009	22:20:56	48402	CHECK THE WELFARE	118 N MILPAS ST SANTA BARBARA	YES	2009-48402	GOA
Aug-16-2009	18:19:42	60615	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	YES	2009-60615	UNFOUNDED
Nov-30-2009	11:23:03	88927	CHECK THE WELFARE	118 N MILPAS ST SANTA BARBARA	YES	2009-88927	WARNING
Dec-12-2009	22:42:32	91932	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	YES	2009-91932	NO ACTION/PUBLIC ASSIST
Apr-07-2010	13:43:20	24444	ROBBERY JUST OCCURRED	118 N MILPAS ST SANTA BARBARA	YES	2010-24444	REPORT
Apr-07-2010	13:51:42	24447	CRIME SCENE INVESTIGATION	118 N MILPAS ST SANTA BARBARA	YES	2010-24447	REPORT
Apr-08-2010	18:59:46	24770	FOLLOW UP	118 N MILPAS ST SANTA BARBARA	YES	2010-24770	NO ACTION/PUBLIC ASSIST
May-10-2010	09:28:37	32652	SUSPICIOUS SUBJECT	118 N MILPAS ST SANTA BARBARA	YES	2010-32652	NO ACTION/PUBLIC ASSIST
May-20-2010	22:17:28	35277	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	NO	2010-35277	UNFOUNDED
Nov-09-2010	12:48:35	81800	SUSPICIOUS VEHICLE	118 N MILPAS ST SANTA BARBARA	YES	2010-81800	UNFOUNDED
Nov-19-2010	19:46:03	84624	SUSPICIOUS VEHICLE	118 N MILPAS ST SANTA BARBARA	YES	2010-84624	UNFOUNDED
Nov-30-2010	17:28:09	87292	FOLLOW UP CASE	118 N MILPAS ST SANTA BARBARA	YES	2010-87292	CANCELLED
Nov-30-2010	17:54:31	87303	FOLLOW UP CASE	118 N MILPAS ST SANTA BARBARA	YES	2010-87303	FOLLOW UP
Jan-15-2011	16:09:08	3503	TRAFFIC STOP	118 N MILPAS ST SANTA BARBARA	YES	2011-3503	CITATION
Feb-04-2011	11:15:50	8863	TRANSPORATION	118 N MILPAS ST SANTA BARBARA	YES	2011-8863	REPORT
Feb-11-2011	08:11:18	10587	ALARM-AUDIBLE ALARM	118 N MILPAS ST SANTA BARBARA	NO	2011-10587	UNFOUNDED
Feb-12-2011	08:13:18	10972	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	NO	2011-10972	CANCELLED
May-31-2012	12:13:04	37950	PARKING VIOLATION	118 N MILPAS ST SANTA BARBARA	YES	2012-37950	GOA
Jul-13-2012	10:58:34	50257	DISTURBANCE-JUST OCCURRED	118 N MILPAS ST SANTA BARBARA	YES	2012-50257	NO ACTION/PUBLIC ASSIST
Aug-20-2012	12:47:55	61463	911 CELL OR LANDLINE HANG UP	118 N MILPAS ST SANTA BARBARA	NO	2012-61463	CANCELLED

SANTA BARBARA PD
CAD Call Print Synopsis

Call Date	Time	Call Number	Call Type Original/Final	Location	Founded	Report #	Cleared By
Sep-07-2012	14:55:18	66280	SUSPICIOUS SUBJECT	118 N MILPAS ST SANTA BARBARA	YES	2012-66280	MISDEMEANOR CITE
Sep-09-2012	22:00:32	66845	SUSPICIOUS CIRCUMSTANCES	118 N MILPAS ST SANTA BARBARA	YES	2012-66845	REPORT
Sep-09-2012	22:12:52	66847	CRIME SCENE INVESTIGATION	118 N MILPAS ST SANTA BARBARA	YES	2012-66847	CSI
Sep-09-2012	23:23:19	66870	CRIME SCENE INVESTIGATION	118 N MILPAS ST SANTA BARBARA	YES	2012-66870	CSI
Oct-27-2012	22:44:29	79747	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	NO	2012-79747	UNFOUNDED
Oct-30-2012	23:37:17	80532	PREMISE CHECK	118 N MILPAS ST SANTA BARBARA	YES	2012-80532	PREM CHECK
Nov-09-2012	08:56:33	83048	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	YES	2012-83048	UNFOUNDED
Jan-02-2013	19:30:12	427	VEHICLE CONTACT	118 N MILPAS ST SANTA BARBARA	YES	2013-427	PARKING CITE
Jan-11-2013	18:03:06	2619	SUSPICIOUS CIRCS INVESTIGATION	118 N MILPAS ST SANTA BARBARA	YES	2013-2619	REPORT
Mar-24-2013	19:14:34	21673	TRAFFIC STOP	118 N MILPAS ST[DRIVEWAY MJ STEREO] SANTA BARBARA	YES	2013-21673	CITATION
Apr-09-2013	04:04:18	25582	ALARM-AUDIBLE BURGLARY ALARM	118 N MILPAS ST SANTA BARBARA	NO	2013-25582	UNFOUNDED
Jun-08-2013	19:02:48	41489	DISTURBANCE-IN PROGRESS	118 N MILPAS ST SANTA BARBARA	YES	2013-41489	GOA
Jun-24-2013	11:44:01	45347	ASSIST FIRE DEPARTMENT	118 N MILPAS ST SANTA BARBARA	YES	2013-45347	OTHER AGENCY REFERRAL
Jun-30-2013	08:52:29	46802	ALARM-AUDIBLE ALARM	118 N MILPAS ST SANTA BARBARA	YES	2013-46802	FI/STREET CHECK
Jul-22-2013	11:32:02	52547	ALARM-AUDIBLE ALARM	118 N MILPAS ST SANTA BARBARA	NO	2013-52547	NO ACTION/PUBLIC ASSIST
Aug-10-2013	16:38:52	58941	ASSAULT JUST OCCURRED	118 N MILPAS ST SANTA BARBARA	YES	2013-58941	CITATION
Aug-26-2013	21:07:37	63149	PARKING VIOLATION	118 N MILPAS ST SANTA BARBARA	YES	2013-63149	PARKING CITE
Sep-12-2013	14:58:59	67701	PEDESTRIAN CONTACT	118 N MILPAS ST SANTA BARBARA	YES	2013-67701	ARREST
Nov-25-2013	13:35:48	86599	FOLLOW UP	118 N MILPAS ST SANTA BARBARA	YES	2013-86599	FOLLOW UP
Jan-06-2014	12:05:56	1253	TA-UNKNOWN INJURY	118 N MILPAS ST SANTA BARBARA	YES	2014-1253	REPORT
Jan-06-2014	12:16:17	1256	CRIME SCENE INVESTIGATION	118 N MILPAS ST SANTA BARBARA	YES	2014-1256	CSI
Jan-21-2015	12:59:25	4832	BURGLARY- INVESTIGATION	118 N MILPAS ST SANTA BARBARA	YES	2015-4832	REPORT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:
I lived next door to a marijuana dispensary for five years and it was not a positive experience.

- Parking in my small neighborhood, two blocks from Milpas, was severely impacted. Day and night. I imagine the same will be true for this dispensary
- Strangers knocked on my door at all hours, thinking my home was the dispensary. The people in charge of the dispensary had zero control over their clientele and were useless in maintaining and resolving problems. I can't see how this situation would be different.
- Litter became a huge problem in my neighborhood with the increase in visitors. The dispensary brought so many people to our street, and with it, their trash and messes.
- After clients picked up their marijuana they would smoke it in their cars in full view of kids and families nearby. Very little concern was given to our neighborhood needs

I believe this dispensary will be detrimental to the Milpas Community and those responsible for allowing it to come to Milpas should be held personally responsible.

Name: Abbey Fragosa

Address: 709 Bird Avenue

City, State, zip Santa Barbara, CA 93103

Contact number or email: 805-705-8713 abbeyfragosa@yahoo.com

Survey commenced January 13, 2016

January 18, 2016

City of Santa Barbara
Staff Hearing Officer Secretary
sent by: email to:

Attn: SHOfficer Secretary and Tony Boughman
SHOS@santabarbaraca.gov
TBoughman@santabarbaraca.gov

I am Rose M. Aldana a resident near your proposed project and am responding to your City of Santa Barbara memorandum of the upcoming meeting, January 20, 2016 regarding Medical Marijuana Dispensary at 118 N. Milpas Street, Santa Barbara, CA 93103. I am a property owner and live near the subject property.

It is understood that Medical Marijuana is needed for many people as a cure of their illness, which I am compassionate about. It is the request of this letter though, that this business be placed in another location within District 1, away from school pathway of student pedestrians or innocent pedestrians or passers by along Milpas Street and the Eastside residential neighborhood. It should be placed in a storefront location along East Gutierrez Street (ie: SB Home Improvement Center) or near, East Cota (ie: brick building near Santa Barbara St) or any other storefront location away from Milpas and the Eastside residences... or a Commercial Condo away from schools and families.

Please remember the conflict the 2- Marijuana Dispensaries had to the Santa Barbara Eastside neighborhood and Milpas Corridor 3 years ago and they were closed down after the neighborhood concerns, rally's, uproar of the negativity the businesses were having on the neighborhood.

1. The building location in question does not have parking for its employees or customers. The neighborhood residential parking would be taken and the residential parking is currently limited as it is.

2. The business calls for 2 security guards, however the guards are not permitted to pack a gun for security of the business. So they are not Security Guards, they are just bouncers.

3. This location was a jewelry store that was robbed at gunpoint in the past about 3-4 years ago. In the event there is to be a robbery of this Marijuana Dispensary an innocent pedestrian can be pulled and used as a shield to get in the business. This is a

safety hazard for Public Safety anyone walking by or to the bank as they would go about their daily schedule.

4. This facility is very close to city and private schools, Franklin Elementary, Santa Barbara Middle School and Santa Barbara High School.

Please do not give a business permit for this business at this location and take full consideration of the huge negative impacts that were happening when the Milpas / Haley St. 2- Marijuana dispensaries were in place. We do not need a repeat of the negative impacts again. The Santa Barbara Eastside businesses and residents are just feeling the ease since the dispensaries were closed down, and we do not need any negative Public Safety problems to start up again due to this business on Milpas Street. The neighborhood is making every effort to seek neighborhood improvements to better the neighborhood for all associated.

I appreciate your professional consideration, of this location as any other business would have to qualify for and comply with appropriate zoning rules and regulations for parking and safety of a location for business. Please have them locate a business site as stated above, which is not in a residential neighborhood or near schools as stated above as well.

I am submitting this letter to you via email and I may attend the 9am meeting on January 20, 2016 to voice my opinion for Public Safety and that this business be made to comply with the appropriate rules and regulations required of any other business for parking and safety, if not please read my letter.

Respectfully submitted,

Rose M. Aldana

Rose M. Aldana
10 South Alisos Street
Santa Barbara, CA 93103
805.708.7719

- Santa Barbara Eastside property owner and resident
- President, Community Neighborhood Alliance, a non-profit 501-c3

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify: see attached sheet

Name: William Fedderson

Address: 125 N Milpas St

City, State, zip Santa Barbara CA 93103

Contact number or email: william@luminare-design.com

Survey commenced January 13, 2016

from: William Fedderson
Designated agent and property manager for 125 N Milpas St, Santa Barbara, Ca 93103. I represent the Owner of the property, (3) tenants in Apartments A and B and the owners of the Corridan Gallery / Luminare Design company in the front building unit A.

We are not opposed to Medical Marijuana Dispensary at 118 N Milpas Street in itself. After carefully considering the informational materials about "The Canopy" organization, we feel that the scope of their stated intentions is too much for the property at 118 N Milpas and the neighborhood.

Our objections are:

1) A very practical consideration about parking. There is insufficient off street parking for 6-8 employees or clients coming to the store. The parking conditions on Milpas Street are already very poor. Clients of the existing businesses complain that they cannot find a place to park and go on without stopping.

2) Confusion of objectives - space considerations. The materials about "The Canopy" list unrelated businesses and objectives including Concerts and Street Fairs. Obviously no room for those activities here. Even offices and staff rooms required to organize these events would take up too much space. The other objectives of "Lectures and Learning", "a range of ...products including..teas. organic juices, Eastern and Indian homeopathic medicinal treatments....natural foods, herbs, oils, pain relief sprays, tinctures, lotions and...a line of active wear." would require a space much larger than that at 118 N Milpas St. I see no areas for shipping/receiving, storage or retail display for all these goods.
For some reason the "Organizers" seem to be pointing attention away from the actual business they will be operating. They are apparently qualified to run concert and film promotions, perform therapeutic coaching, or home healthcare consulting, but does this qualify them to operate a Medical Marijuana dispensary?

3) Security - This brings us back to the core business proposed; the Medical Marijuana Dispensary. There have been at least two other Dispensaries on Milpas Street. They were extensively remodeled to provide literally "bullet proof" security. The building at 118 N Milpas Street has a long way to go to become that secure. This is really a consideration for the new owners. Remember that after investing large sums of money in fees and construction to remodel the dispensaries, they were shut down by the City.

In summary, This project does not seem to be well thought out and does not fit the location.

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify: attached

Name: Edgar Lopez

Address: 105 Juana Maria Ave

City, State, zip Santa Barbara Ca 93103

Contact number or email: edgarlopezs@aol.com

Survey commenced January 13, 2016

Edgar Lopez
105 Juana Maria Ave.
Santa Barbara, CA 93103
email: edgarlopezs@aol.com

January 18, 2016

Staff Hearing Officer Secretary
P.O. Box 1990
Santa Barbara, CA 93102-1990

RE: Application of Ryan Howe, 118 North Milpas Street., Santa Barbara, CA 93103, 017-091-016
Proposal for a Medical Marijuana Storefront Collective Dispensary.

Dear Staff Hearing Officer Secretary:

As a Santa Barbara native and home owner, I strongly oppose the medical marijuana storefront in my neighborhood. This proposal will bring more crime and drugs to our resource challenged neighborhood. Our neighborhood has an elementary school just around the corner from the proposed site. Our kids will be exposed to criminals, gangs and outsiders with no personal investment in our community.
Why not instead install another community center/workshop with accessible technology for our youth. It is shocking to read their proposed plans for "positive" community outreach aimed to influence an area with many at risk students.

The real estate in my neighborhood will suffer a negative impact, making home sales harder and prompting an inevitable decline in home values if this proposed project goes through.
The proposed site sadly falls in line with Santa Barbara's move toward gentrification disguised as "beautification" of the area. Gentrification will ultimately negatively impact minority owned small businesses with higher rents, displacing the community reponsible for making Milpas Street diverse and unique. Milpas Street must have businesses that generate jobs and opportunities for our youth, not a marijuana store that jeopardizes our safety and community we have worked so hard to build up.

Sincerely,

Edgar Lopez

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

· The location of this purposed facility seems inappropriate.

1. Parking in this neighborhood is already at a premium. On Mondays and Tuesdays when there is street cleaning parking is very difficult.

2. There are 2 elementary schools in this neighborhood. Any facility which possibly invites disruptive behavior could spill over into the neighboring school campus areas.

3. Any facility which requires "guards" to maintain possible trouble should not be located close to a family centered neighborhood where parents or their children are walking to and from stores, schools, church, etc.

Name: Pandra Moriarty Pandra Moriarty

Address: 117 North Alisos St.

City, State, zip Santa Barbara, CA 93103

Contact number or email: 1-805-963-8751

Survey commenced January 13, 2016

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

- SANTOS GUZMAN - OWNER OF EL BAJIO RESTAURANT @ 129 N. MILPAS IS IN TOTAL DISAGREEMENT of the PROPOSED MEDICAL MARIJUANA STOREFRONT Collective DISPENSARY DUE TO LACK of parking SPACES ON MILPAS ST. & ON His PROPERTY
- TO CLOSE TO 2 ELEMENTARY SCHOOLS
- INSTEAD of IMPROVING OUR Neighborhood I feel it WILL BRING A Negative IMPACT for All BUSINESS IN the AREA
- BAD IMAGE for MILPAS ST.
-

Name: SANTOS GUZMAN

Address: 129 N MILPAS ST

City, State, zip S B CA 93103

Contact number or email: 805 4524846

Survey commenced January 13, 2016

Santos Guzman

Historical Business License Listing

Date 1/22/2016
Page 1

Account Name	Business Address		Contact		
TOP GEAR MOTORCYCLES 1/1993	118 N MILPAS ST	SANTA BARBARA, CA 93103-3304	MARTYN COX	Expired	12/31/2003
JOYERIA LATINA AMERICANA 6/2001	118 N MILPAS ST	SANTA BARBARA, CA 93103-3304	VERONICA TORRES	Expired	6/30/2002
TELLEZ'S TOWING 9/2011	118 N MILPAS ST	SANTA BARBARA, CA 93103-3304	FRANCISCO J TELLEZ	Expired	9/30/2013
MJ STEREO & SMOKE PALACE 10/2011	118 N MILPAS ST	SANTA BARBARA, CA 93103-3304	SAMI IBRAHIM	Expired	12/31/2013
LESLEY ALEXANDER-Property Owner 1/2009	118 N MILPAS ST	SANTA BARBARA, CA 93103-3304	LESLEY ALEXANDER		

Office of Joseph E Holland County Clerk, Recorder, Assessor

Assessor's Office - Property Details 017-091-016

- Search
  - APN Situs
  - Deed Situs
- Reports
  - Sales
  - Secured Roll
  - Unsecured Roll

<< < 2014 RSP > >>

< 017-091-016 > on 05/28/2015 Sale

History

Owner: MERRY MILPAS, LLC

History

Situs: 118 N MILPAS ST SANTA BARBARA 93103

Value	History
Land	$500,000
Structures	$400,000
Living Improv	$0
Trade Fix	$0
Imp. Subtotal	$400,000
PP Declared	$0
Unit Value	$0
Mobil Home	$0
PP Subtotal	$0
Value (Gross)	$900,000
HO Xmps	
Other Xmps	$0
Value (Net)	

Mailing Address	History
284 ROYAL LINDA DR	
GOLETA CA 93117	

APN Characteristics			
Use Code:	1100 - Retail Stores, Single Story		
TRA:	002-001	Acreage:	0.1
Non Tax Code:		Ag Preserve ID:	
Jurisdiction:	City of Santa Barbara	Assessor Map	Aerial Map

Deeds/Events APN History

Recorded & Non-recorded Docs:

Doc Number	Doc Date	Doc Type	Pcor Status	Event Date	Trans. %	Reapr. %	Recorded Amt	Trans Reappraisable Status
2015-027344	05/28/2015	GDEE	P	05/28/2015	100.00 %	100.00 %	$900,000	Reappraisable
2011-072682	12/13/2011	QCDE	P	12/13/2011	100.00 %	2.50 %	$0	Reappraisable
	12/15/2011	DIE		07/17/2011	22.50 %	0.00 %		Non-reappraisable
1994-018689	03/03/1994	DEE	N	03/03/1994	45.00 %	0.00 %	$0	Non-reappraisable
1992-001342	01/08/1992	DEE	N	01/08/1992	40.00 %	0.00 %	$0	Non-reappraisable
1988-044578	07/21/1988	DEE	N	07/21/1988	35.00 %	0.00 %	$0	Non-reappraisable
1987-058795	08/04/1987	DEE	N	08/04/1987	0.00 %	0.00 %	$0	Non-reappraisable
	07/22/1987	DIE	I	07/22/1987	40.00 %	40.00 %	$0	Reappraisable

1 2

Pending Docs:

Permits:

Permit #	Permit Date	Proposed NC Date	Completion Date	Category	Agency
R2-14-1112	05/21/2015		05/27/2015	Interior Remodel	Santa Barbara - City
R1-14-1112	05/18/2015		05/27/2015	Interior Remodel	Santa Barbara - City
14-1112	08/28/2014		12/31/2014	Interior Remodel	Santa Barbara - City
13-2223	10/24/2013		12/31/2014	Other	Santa Barbara - City

Disaster Events:

This service has been provided to allow access of County Assessor's public information. Every reasonable effort has been made to ensure the accuracy of the data provided; nevertheless, some information may not be accurate. The County of Santa Barbara Office of the Clerk-Recorder-Assessor assumes no responsibility arising from outside use of this information. THE DATA IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Please contact the appropriate office if you have any questions or concerns.

Office of Joseph E Holland County Clerk, Recorder, Assessor

Assessor's Office - Property Details 017-091-016

- Search
  - APN Situs
  - Deed Situs
- Reports
  - Sales
  - Secured Roll
  - Unsecured Roll

<< < 2014 601 > >> < 017-091-016 > on 01/01/2014 Inflation Factor

Owner: COATES, KENNETH/BARBARA FAMILY 1991 TRUST 1/10/91 Hide History

Owner Name	Assessee Code	Total Benf %
COATES, KENNETH/BARBARA FAMILY 1991 TRUST 1/10/91	Primary assessee/owner	47.50 %
ALEXANDER, LESLEY J TRUST 7/20/88	Assessee/owner 2	52.50 %
COATES, BARBARA JONES TRUSTEE	Bare legal title owner - no beneficial interest (not owner)	0.00 %
ALEXANDER, LESLEY J TRUSTEE	Bare legal title - no beneficial interest owner 2	0.00 %

Situs: 118 N MILPAS ST SANTA BARBARA 93103 History

Value	History
Land	$180,057
Structures	$159,148
Living Improv	$0
Trade Fix	$0
Imp. Subtotal	$159,148
PP Declared	$0
Unit Value	$0
Mobil Home	$0
PP Subtotal	$0
Value (Gross)	$339,205
HO Xmps	$0
Other Xmps	$0
Value (Net)	$339,205

Mailing Address	History
605 SAN ROQUE RD	
SANTA BARBARA CA 93105	

APN Characteristics			
Use Code:	1100 - Retail Stores, Single Story		
TRA:	002-001	Acreage:	0.1
Non Tax Code:		Ag Preserve ID:	
Jurisdiction:	City of Santa Barbara	Assessor Map	Aerial Map

Deeds/Events APN History

Recorded & Non-recorded Docs:

Doc Number	Doc Date	Doc Type	Pcor Status	Event Date	Trans. %	Reapr. %	Recorded Amt	Trans Reappraisable Status
2015-027344	05/28/2015	GDEE	P	05/28/2015	100.00 %	100.00 %	$900,000	Reappraisable
2011-072682	12/13/2011	QCDE	P	12/13/2011	100.00 %	2.50 %	$0	Reappraisable
	12/15/2011	DIE		07/17/2011	22.50 %	0.00 %		Non-reappraisable
1994-018689	03/03/1994	DEE	N	03/03/1994	45.00 %	0.00 %	$0	Non-reappraisable
1992-001342	01/08/1992	DEE	N	01/08/1992	40.00 %	0.00 %	$0	Non-reappraisable
1988-044578	07/21/1988	DEE	N	07/21/1988	35.00 %	0.00 %	$0	Non-reappraisable
1987-058795	08/04/1987	DEE	N	08/04/1987	0.00 %	0.00 %	$0	Non-reappraisable
	07/22/1987	DIE	I	07/22/1987	40.00 %	40.00 %	$0	Reappraisable

1 2

Pending Docs:

Permits:

Permit #	Permit Date	Proposed NC Date	Completion Date	Category	Agency
R2-14-1112	05/21/2015		05/27/2015	Interior Remodel	Santa Barbara - City
R1-14-1112	05/18/2015		05/27/2015	Interior Remodel	Santa Barbara - City
14-1112	08/28/2014		12/31/2014	Interior Remodel	Santa Barbara - City
13-2223	10/24/2013		12/31/2014	Other	Santa Barbara - City

Disaster Events:

This service has been provided to allow access of County Assessor's public information. Every reasonable effort has been made to ensure the accuracy of the data provided, nevertheless, some information may not be accurate. The County of Santa Barbara Office of the Clerk-Recorder-Assessor assumes no responsibility arising from outside use of this information. THE DATA IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Please contact the appropriate office if you have any questions or concerns.

VENTURA COUNTY STAR

Local

Friday, January 15, 2016

FELINES FOUND

Two mountain lion kittens are implanted with tracking devices after researchers found their den in a remote area in the western Santa Monica Mountains.

Council targets cannabis in Camarillo

City aiming for deadline on regulations

By Michele Willer-Allred
Special to The Star

The Camarillo City Council unanimously agreed to prohibit the cultivation of medical marijuana and other commercial cannabis activities in the city.

Wednesday's approval came on the first reading of an ordinance that will amend a city code covering medical marijuana. The ordinance will return to the council for final approval on Jan. 27. It would take effect Feb. 26.

Like other California cities and counties, Camarillo is adopting an ordinance before a state law takes effect. The state will assume authority over medical marijuana for cities and counties that do not have land-use rules that regulate or prohibit commercial medical marijuana by March 1.

Camarillo already prohibits medical marijuana dispensaries from operating in the city. The city also prohibits the delivery of medical marijuana, except by a primary caregiver to a qualified patient.

"The city does not currently have any expressed regulations regarding marijuana cultivation, but may implement them under state law if they choose to do so," Camarillo City Attorney Brian Pierik said.

The Camarillo Planning Commission voted in December to recommend that the council adopt the ordinance prohibiting cultivation of medical marijuana.

Pierik said there is evidence of secondary impacts, including criminal acts at medical marijuana facilities.

Police Cmdr. Monica McGrath said medical marijuana dispensaries are cash-only businesses, which raises the level of theft and robberies where they are located.

As an example, she cited San Bernardino, where 26 out of 52 dispensaries have been closed because of numerous violations, and she said crime rates in areas surrounding dispensaries have "skyrocketed."

"It creates a situation where we need to ensure public safety, and there's no stringent safeguards without the ban," McGrath said.

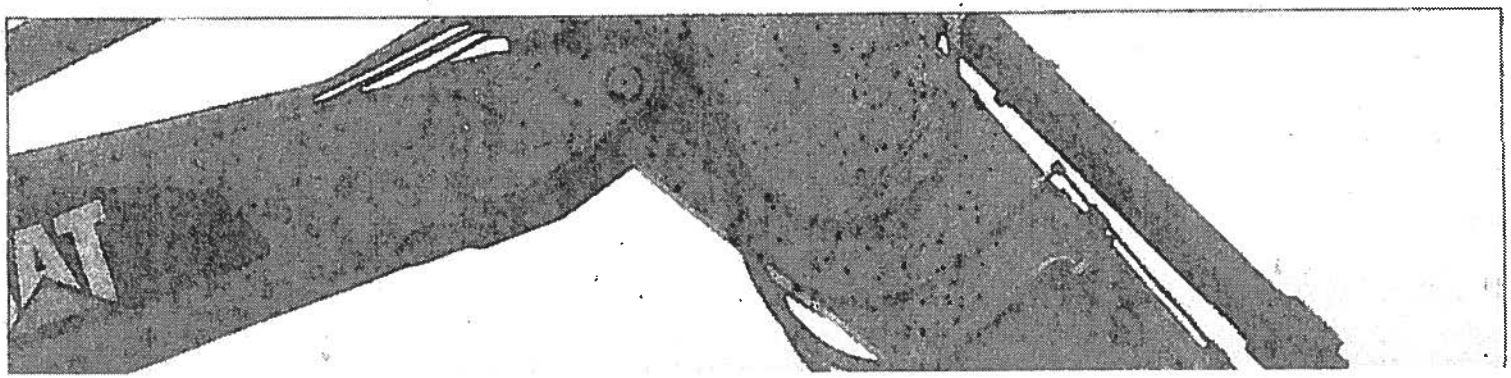
McGrath said medical marijuana cultivation is hard to regulate, and police often will investigate complaints and find other elements of crime.

Camarillo resident Jameson Lingl told council members that his mother opted to use medical marijuana instead of painkillers for a back injury she suffered while working as a nurse. She grows her own medical marijuana, and he's afraid that she will have to go to a marijuana dispensary that can be unsafe.

He said the city should look into regulating who can grow marijuana and make exceptions.

During the meeting, there was some confusion on the interpretation of the ordinance and whether it would allow people to

See MARIJUANA, 3B



ALZHEIMER'S ASSOCIATION

Chapter to retain its ties

P-47, were implanted with tracking devices after mother, based on her recent GPS locations. The Officials said inbreeding is a threat to the long-term Mountains to the Sierra Madre, officials said.

time in the district and I am honored to have the her job Jan. 6 at a salary of $78,540.

ALZHEIMER'S

from 1B

The decision means the chapter's 18-member board of directors will become an advisory arm, giving up governance to the national organization.

As before, about 60 percent of the funding will be controlled locally and donors still will be able to restrict how their gifts are spent, said Rhonda Spiegel, chapter CEO.

She said little, if anything, outside of governance will change.

"We are the Alzheimer's Association. Our mission is the Alzheimer's Association, and there's no reason for us to be anything but the Alzheimer's Association," she said.

Federal government officials have set a goal of finding a way to prevent or effectively treat Alz- at controlling and ending the disease.

"We had always hoped all of the chapters would move forward with us," said Kate Meyer, spokeswoman for the Alzheimer's Association.

"We're going to move forward and serve our constituents."

Leaders of a chapter serving about 275,000 people with Alzheimer's in Los Angeles, San Bernardino and Riverside counties told the national group they were seceding earlier this month.

The decision allows all of the money raised in the region to stay there, said Susan Galeas, CEO of a group now called Alzheimer's Greater Los Angeles.

"We just felt it was better if 100 percent of the funds raised through our generous supporters stayed local," she said, noting that the region in- the goal of a world without Alzheimer's.

Money funds research, she said, noting that the association is the largest nonprofit funder of Alzheimer's research in the world.

"If all of our money remained local, we couldn't provide the support to public policy to get federal funds for research," she said.

Galeas said her group wanted the independence to focus its research money on local centers such as UCLA, USC and Cedars-Sinai.

"This was about autonomy and really meeting local needs," she said.

Leaders of some groups that work with the California Central Coast Chapter said they didn't know enough about the decisions to weigh in on the impact.

"My daddy always taught me unless you

MARIJUANA

from 1B

grow medical marijuana plants at home.

The city currently allows the growing of six mature or 12 immature marijuana plants, and a patient can have up to 8 ounces of dried marijuana.

Pierik said the new ordinance would prohibit growing medical marijuana plants. Patients would still be allowed the 8 ounces of dried marijuana with a prescription, and primary caregivers or the patient would still be allowed to obtain medical marijuana from a legal dispensary outside the city.

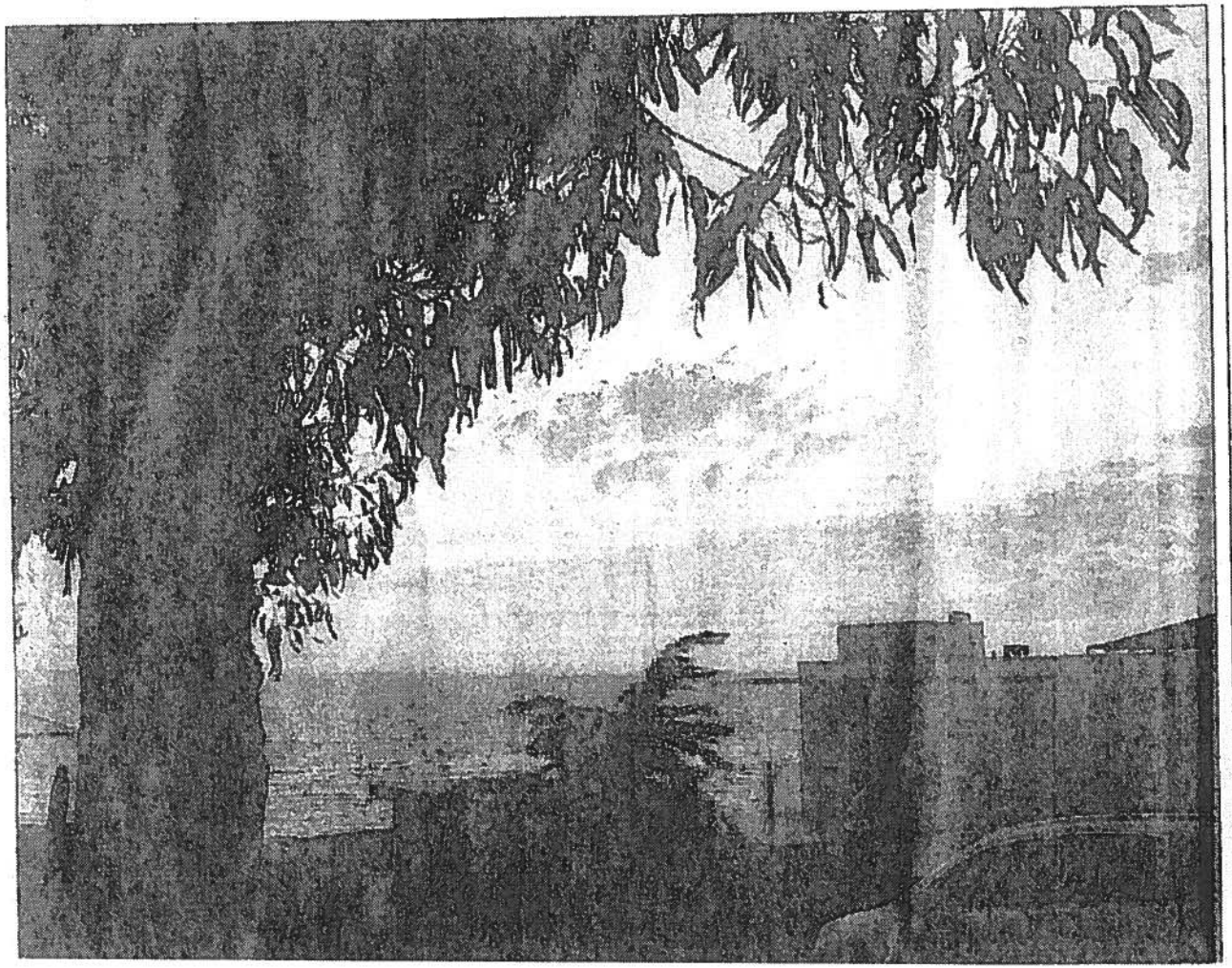
Councilman Bill Little said he had no problem supporting the ordinance because he believes medical marijuana is a gateway to recreational use and legalizing marijuana.

Councilwoman Jan McDonald said supporting the ordinance is an opportunity for the council and future councils to have local control of the issue.

"If we don't take action tonight, it's in the hands of the state of California," McDonald said. "My personal approach to everything is if you can have local control of anything, you take it."

2016 VENTURA COUNTY
Battle of the Badges

THE STATE



Oceanside may allow pot delivery

Medical marijuana patients' stories nudge officials to seek rules for such a move.

By Edward Sifuentes

OCEANSIDE — In an unexpected turn, Oceanside officials agreed this week to move toward allowing licensed medical marijuana businesses to deliver within the city.

The City Council signaled the move while discussing state regulations — set to take effect this year — allowing the licensing of medical marijuana busi-

"We do have to consider the safety of our residents," Sanchez said. "If we are going to allow some kind of delivery, I would want to have regulations like registering with the police department, like having drivers be 21 and over and having some kind of bond to ensure that — if there is some kind of trouble — there is some responsible way of addressing it."

Councilman Chuck Lowery voted against the proposal because he wanted to offer an alternative: legalizing delivery services within the city immediately.

"I would suggest that we allow for delivery to qualified patients from licensed dispensaries that operate out-

Oceanside may allow pot delivery

Medical marijuana patients' stories nudge officials to seek rules for such a move.

By Edward Sifuentes

OCEANSIDE—In an unexpected turn, Oceanside officials agreed this week to move toward allowing licensed medical marijuana businesses to deliver within the city.

The City Council signaled the move while discussing state regulations — set to take effect this year — allowing the licensing of medical marijuana businesses in cities that haven't expressly banned them.

By a 4-1 vote, lawmakers adopted an ordinance outlawing dispensaries, but asked city staff to come up with regulations that would permit delivery services.

Oceanside has a history of strict policies against pot shops and consistently has cracked down on stores that opened illegally in the city. But several council members said they had been moved by the testimonies of medical marijuana patients who spoke during Wednesday's meeting about how the drug had helped them.

Councilwoman Esther Sanchez said a friend suffering from terminal cancer who recently decided to stop treatment has used medical marijuana for pain management.

"I personally understand

"We do have to consider the safety of our residents," Sanchez said. "If we are going to allow some kind of delivery, I would want to have regulations like registering with the police department, like having drivers be 21 and over and having some kind of bond to ensure that — if there is some kind of trouble — there is some responsible way of addressing it."

Councilman Chuck Lowery voted against the proposal because he wanted to offer an alternative: legalizing delivery services within the city immediately.

"I would suggest that we allow for delivery to qualified patients from licensed dispensaries that operate outside the city of Oceanside," Lowery said.

"That will resolve the issue. We don't have to wait for staff to do some kind of study."

Oceanside police recommended against allowing delivery services because they said medical marijuana businesses were magnets for crime.

Since 2012, there have been at least 45 robberies related to the sale, purchase or possession of marijuana in Oceanside, according to a police memo. Of those robberies, 24 were committed using firearms and 11 involved weapons such as knives or stun guns.

In one of the robberies, a 19-year-old man delivering marijuana to several individuals was shot twice and left paralyzed, Lt. Adam Knowland said

have some kind of ... safe access" to medical marijuana, Sanchez said.

On Oct. 11, Gov. Jerry Brown signed a package of bills — collectively referred to as the Medical Marijuana Regulation and Safety Act — that establishes a licensing system for cultivation, delivery and dispensing activities throughout the state. Unless local governments have ordinances in place by March 1 that regulate or ban those activities, the state rules will apply.

Oceanside council members said they wanted to make sure the city had its own rules in place.

the police department's standpoint, the violence alone creates a public safety issue," Knowland said.

Councilman Jerry Kern said the city has to balance the competing interests of keeping the public safe and allowing patients access to medical marijuana.

"I think this is a good compromise," Kern said. "We protect ourselves from the state legislation, and we also go forward with our own."

edward.sifuentes@sduniontribune.com
Sifuentes writes for the San Diego Union-Tribune.

Costa Mesa eases campaign sign rules

By Bradley Zint

Campaign signs throughout Costa Mesa are going to be more loosely regulated in the upcoming election season.

After a unanimous City Council decision this week, signs placed in the public right of way — generally defined as the parkways between curbs and sidewalks — will be allowed every day, instead of just Friday through Sunday.

The signs also can be placed six weeks ahead of an election, rather than four weeks, as city staff had suggested.

Signs will continue to be prohibited in front of City Hall, center medians, fire stations and public parks.

The changes come after a U.S. Supreme Court ruling in an Arizona case required cities to equally regulate any temporary sign, whether commercial or political.

Costa Mesa staff contended that the city's previous rules, such as restricting signs in the public right of way to certain days, wouldn't be acceptable in light of the court's ruling because such regulations would amount to unfair restrictions on free speech.

To that effect, the council on Tuesday also withdrew a rule that limited sign owners to 10 placed citywide. The council and city staff considered the rule impractical and impossible to enforce.

The council's moves do not affect signs on private property, with one exemption for church sites. Signs will be allowed on church properties if their leaders give permission.

Campaign signs have been a source of exasperation for all sides in recent elections after they were vandalized, stolen or removed for violating a placement rule.

In 2014, two city contractors removed more than 1,800 signs at a taxpayer cost of $9,600, mostly because they were in public areas outside the permitted times.

Councilwoman Katrina Foley said changing the rules is appropriate, but she believed campaign signs "don't win elections." Rather, she said, they can help the community feel more democratic and patriotic.

"I think [city staff members] spend way too much time, energy and resources on managing sign placements," Foley said.

Councilwoman Sandy Genis agreed, saying it might be easier if Costa Mesa had more of a "free-for-all."

"It seems like we might be eliminating headaches," Genis said.

bradley.zint@latimes.com
Zint writes for Times Community News.

City of Santa Barbara
California

STAFF HEARING OFFICER
STAFF REPORT

REPORT DATE: January 13, 2016

AGENDA DATE: January 20, 2016

PROJECT ADDRESS: 118 North Milpas Street (MST2015-00319)
"The Canopy"

TO: Susan Reardon, Senior Planner, Staff Hearing Officer

FROM: Planning Division, (805) 564-5470
Beatriz Gularte, Senior Planner ALD for CEG
Tony Boughman, Assistant Planner TB

I. PROJECT DESCRIPTION

The project consists of a proposal for a Medical Marijuana Storefront Collective Dispensary Permit. The dispensary would be located in an existing 2,264 square foot commercial building. Interior and exterior improvements are proposed.

II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Medical Marijuana Storefront Collective Dispensary Permit (SBMC §28.80.030).

III. RECOMMENDATION

If approved as proposed, the project would conform to the City's Zoning Ordinance. Therefore, staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.

Vicinity Map - 118 North Milpas Street

IV. SITE INFORMATION

Applicant:	Ryan Howe		
Property Owner:	Merry Milpas LLC		
Site Information			
Parcel Number:	017-091-016	**Lot Area:**	4,449 sq. ft.
General Plan:	Commercial/High Density Residential	**Zoning:**	C-2, Commercial
Existing Use:	Vacant commercial building	**Topography:**	Flat
Adjacent Land Uses			
North – Residential **South** – Residential		**East** – Residential **West** – Residential and Commercial	

V. ZONING ORDINANCE CONSISTENCY

Medical Cannabis Dispensaries are governed by Chapter 28.80 of the Santa Barbara Municipal Code (SBMC). The following discussion provides an analysis of the proposed project's consistency with that Chapter.

A. Storefront Collective Dispensary Limitations

The proposed dispensary complies with the location limitations in SBMC §28.80.050. The parcel is commercially zoned and located in the allowed 00 to 400 blocks of North Milpas Street. The one-story commercial building is set back approximately five feet behind the sidewalk and provides good visibility of the entrance, and visibility into and out of the dispensary through the large front windows. A separate accessible entrance on the south side of the building is set back approximately 22 feet and also has good visibility. The location is not within 1,000 feet of another dispensary, it would be the only dispensary in the Milpas Street area, and it would not result in more than three permitted dispensaries in the City.

B. Issuance Criteria

The Zoning Ordinance requires that the Staff Hearing Officer consider the following issuance criteria in determining whether to grant or deny a Storefront Collective Dispensary permit (SBMC §28.80.070.B):

1. That the Collective Dispensary permit and the operation of the proposed Dispensary will be consistent with the intent of the Compassionate Use Act of 1996 and the SB 420 Statutes for providing medical marijuana to qualified patients and primary caregivers, and with the provisions of this Chapter and the Municipal Code, including the application submittal and operating requirements herein.

The applicant states in his introduction letter that the proposed Storefront Collective Dispensary, "The Canopy", will operate under the laws of the Compassionate Use Act of 1996 (Proposition 215) and Senate Bill 420 (Exhibit B, page 5). The operations plan, security plans, and signed affidavits indicate compliance with the dispensary ordinance and Municipal Code.

2. That the proposed location of the Storefront Collective Dispensary is not identified by the City Chief of Police as an area of increased or high crime activity.

The location is not identified by the City Police Department as an area of increased or high crime activity.

3. For those applicants who have operated other Storefront Collective Dispensaries within the City, that there have not been significant numbers of calls for police service, crimes or arrests in the area of the applicant's former location.

The applicant has not operated any other Storefront Collective Dispensaries in the City.

4. That issuance of a Collective Dispensary permit for the Collective Dispensary size requested is appropriate to meet needs of the community for access to medical marijuana.

The proposed interior tenant improvements in the existing 2,264 square foot one-story commercial building will create separate areas for waiting, dispensing, office, and secured storage (Exhibit B pages 8 & 29). The proposed size is appropriate to safely and efficiently operate a dispensary to meet the needs of the community.

5. That issuance of the Collective Dispensary permit would serve needs of City residents within a proximity to this location.

The dispensary would be located in the Milpas neighborhood and would be centrally located among the neighborhoods on the east side of the City. Of the five allowed dispensary location areas within the City, the Milpas Street area is the only one located on the east side of the City. The location on the Milpas Street thoroughfare would provide easy access, and is reasonably close to Metropolitan Transit District (MTD) bus stops.

6. That the location is not prohibited by the provisions of this Chapter or any local or state law, statute, rule, or regulation, and no significant nuisance issues or problems are likely or anticipated, and that compliance with other applicable requirements of the City's Zoning Ordinance will be accomplished.

The proposed location is not prohibited, and it complies with the location limitations in SBMC §28.80.050. The parcel is commercially zoned and located in the area of Milpas Street where dispensaries are allowed. The commercial building has good public visibility and no significant nuisance issues or problems are likely or anticipated with regard to this location.

7. That the Dispensary's Operations Plan, its site plan, its floor plan, the proposed hours of operation, and a security plan have incorporated features necessary to assist in reducing potential crime-related problems and as specified in the operating requirements section. These features may include, but are not limited to, security on-site; procedure for allowing entry; openness to surveillance and control of the premises; the perimeter, and surrounding properties; reduction of opportunities for congregating and obstructing public ways and neighboring property; illumination of exterior areas; and limiting furnishings and features that encourage loitering and nuisance behavior.

The application proposes physical improvements shown on the site plan consisting of security cameras, and a see-through fence to control the exterior of the property. The floor plan is configured to provide a large waiting area to reduce the chance of loitering outside, high quality doors and locks, a secure wall and controlled access between the waiting and dispensing areas, and provides a built-in vault for secure storage. The operations plan gives detailed descriptions of the means by which the proposed operation will comply with requirements (Exhibit B, pages 9 & 19). Members are informed, and must sign a membership agreement which lists requirements and prohibitions (Exhibit B, page 47). The security plan proposes two security guards on site during business hours, a registered alarm system (required by ordinance), and interior and exterior security cameras with recordings secured in the vault (Exhibit B, page 31).

***8.** That all reasonable measures have been incorporated into the Dispensary security plan or consistently taken to successfully control the establishment's patrons' conduct resulting in disturbances, vandalism, crowd control inside or outside the premises, traffic control problems, marijuana use in public, or creation of a public or private nuisance, or interference of the operation of another business.*

Two security guards are proposed to be on site during business hours. Security guards' responsibilities will include screening new and prospective members, monitoring and controlling the conduct of members and removal of graffiti. The application proposes a "zero tolerance" clause in the membership agreement regarding members and employees loitering and/or using cannabis within 200 feet of the dispensary. This form includes items regarding courteous behavior, being respectful to neighboring businesses and residences, not littering or loitering, and not medicating in or around the premises. Staff expects to review an updated membership agreement form including the zero tolerance clause, and the proposed onsite signage addressing member behavior (Exhibit B, pages 10, 31 & 47).

***9.** That the Storefront Collective Dispensary is likely to have no potentially adverse effect on the health, peace, or safety of persons living or working in the surrounding area, overly burden a specific neighborhood, or contribute to a public nuisance, and that the Dispensary will generally not result in repeated nuisance activities including disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passerby, excessive littering, excessive loitering, illegal parking, excessive loud noises, especially late at night or early in the morning hours, lewd conduct, or police detentions or arrests.*

The proposed security plan and operations plan should avoid nuisance behavior and adverse effects on health, peace, and safety of persons in the surrounding area. Adequate lighting exists, and security cameras would be inside and outside the building. One of the two security guards would patrol the exterior of the premises at least once per hour, and ensure the street and sidewalk are free of loitering, and that other businesses are not negatively affected. The patrolling guard would watch for alcohol or cannabis use, address nuisance issues, pick up litter, and report graffiti. Hours of operation are limited to 8 AM to 6 PM, Monday through Saturday. Therefore, the dispensary operation is not likely to have adverse effects on the health, peace, or safety of persons living or working in the surrounding area; overly burden a specific neighborhood; or contribute to a public nuisance (Exhibit B, pages 11 & 31).

***10.** That any provision of the Municipal Code or condition imposed by a City-issued permit, or any provision of any other local or state law, regulation, or order, or any condition imposed by permits issued in compliance with those laws, will not be violated.*

No violations of municipal code provisions, conditions of any City-issued permits, or any other local or state law, regulation or order, or any condition imposed by permits issued in compliance with any local or state law have been identified. The Staff Hearing Officer has the authority to suspend or revoke the Storefront Collective Dispensary Permit pursuant to SBMC Section 28.80.120 if it appears to that Officer that the Dispensary permittee has violated any of the requirements of Chapter 28.80, or the dispensary is being operated in a manner which violates

the operational requirements or operational plan required by the Dispensary Ordinance, or it is operated in a manner which conflicts with state law.

11. That the Applicant has not made a false statement of material fact or has omitted to state a material fact in the application for a permit.

The applicant, Ryan Howe, signed a statement that all information in the application is true. Staff has not discovered any false statements or omissions of material facts in the application materials.

12. That the Applicant has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices with respect to the operation of another business within the City.

The applicant passed the required background check. The applicant included a signed statement in his application that he has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices with respect to the operation of another business within the City.

PARKING

The dispensary ordinance specifies that a dispensary shall be considered a commercial use relative to the parking requirement (SBMC §28.80.080.D.6). This location has never had any onsite parking, and is therefore legal, non-conforming to the commercial parking requirement to provide one space per 250 square feet of floor area (SBMC §28.90.100.1). The application proposes four bicycle parking spaces on site. The conforming parking requirement would be nine onsite vehicle spaces and one bicycle space. The configuration of the site makes onsite parking infeasible, as commercial parking is not allowed to back out onto Milpas Street and there is not enough space to turn a vehicle around on the site. The applicant anticipates using on street parking for employees and members. Because additional parking is not a zoning requirement, nor is it a criterion for the issuance of a Storefront Collective Dispensary Permit, staff does not consider parking to be a significant issue. Once the dispensary is open and operating, the applicant may request that Transportation Engineering staff conduct an on-street parking occupancy study to determine if a 15 minute green curb zone in front of the building would be beneficial for the project. Many of the dispensary members are anticipated to be disabled; however, the City is moving away from adding on-street blue zones for the disabled for private residences or businesses.

VI. ENVIRONMENTAL REVIEW

Staff has determined that the project qualifies for a Categorical Exemption from further environmental review under Section 15301(a) (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines. The project involves interior and exterior tenant improvements in an existing commercial building, and landscaping improvements.

VII. FINDINGS

The Staff Hearing Officer finds the following:

STOREFRONT COLLECTIVE DISPENSARY PERMIT (SBMC §28.80.070)

The application complies with the location criteria of SBMC §28.80.050, as outlined in Section V.A of the staff report, and with the criteria for issuance of a Storefront Collective Dispensary permit set forth in SBMC §28.80.070.B, as explained in Section V.B of the Staff Report and the applicant's submittal.

Exhibits:

A. Conditions of Approval
B. Application, Executive Summary, and Operating Plan
C. Project Plans – distributed separately

City of Santa Barbara
California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 006-16
118 N. MILPAS STREET
STOREFRONT COLLECTIVE DISPENSARY PERMIT
JANUARY 20, 2016

APPLICATION OF RYAN HOW;E, 118 NORTH MILPAS STREET, 017-091-016, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH RESIDENTIAL (MST2015-00319)

Proposal for a Medical Marijuana Storefront Collective Dispensary in an existing commercial building. Interior tenant improvements, minor exterior alterations, and landscaping are proposed.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(a), Existing Facilities.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and 5 people appeared to speak in opposition thereto or with concerns, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 14, 2016.
2. Site Plans
3. Correspondence received in opposition to or with concerns on the project:
    a. Edgar Lopez, via email
    b. Sebastian Aldana, Jr, hand delivered petition letters from:
        1. Pete Dal Bello
        2. Jesus Perez
        3. Abby Fragosa
        4. (unsigned)
        5. Pandra Moriarty
        6. Santos Guzman
        7. Judormith Ressendiz
        8. Irene Dal Bello
        9. (unsigned)
        10. Pedro & Bertha Lopez
        11. Zabiana Spencer
        12. Cecilia Castro
        13. William Fedderson

EXHIBIT C

14. Rose Aldana
15. Miguel A. Avila
16. Naomi Greene
17. Pauline Cooney
18. Andrea Lopez
19. Juan Morales
20. Rebecca J. Guitierrez (in person)

c. Gloria Cavallero, via email

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

I. Approved the subject application making the finding and determination that the application complies with the location criteria of SBMC §28.80.050, as outlined in Section V.A of the written staff report dated January 13, 2016, and with the criteria for issuance of a Storefront Collective Dispensary permit set forth in SBMC §28.80.070.B, as explained in Section V.B of the written staff report dated January 13, 2016 and the applicant's submittal.

II. Said approval is subject to the following conditions:

A. **Approved Dispensary.** The applicant shall operate the dispensary in accordance with Chapter 28.80 of the Santa Barbara Municipal Code, and in accordance with the application information and plans approved by the Staff Hearing Officer on January 20, 2016.

B. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Permits.

a. Submit an application for and obtain a Building Permit (BLD) for construction of approved development and complete said development.

b. Submit an application for and obtain an alarm system permit. Said alarm system shall be installed and registered per Municipal Code Chapter 9.100 and shall meet the requirements of the Santa Barbara Police Department.

c. Submit an application for and obtain a Public Works Permit (PBW) for the construction Work and Temporary Traffic Control in the Public Right-of-Way.

Details on implementation of these steps are provided throughout the conditions of approval.

C. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.

1. **Community Development Department.**

   a. **Elimination of Curb Cut.** The existing curb cut and driveway apron shall be removed and replaced with curb, parkway, and sidewalk constructed to City Standards.

   b. **Trash Enclosure and Trash Handling.** A trash enclosure with adequate area for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for recycling containers) shall be provided on the Real Property and locked and screened from view from surrounding properties and the street.

   c. **Operating Plan.** The Operating Plan shall be amended as follows:

      (1) A minimum of two (2) security guards shall be on duty during operating hours. In the event of guards taking breaks or escorting staff off the premises, backup guard(s) shall be provided to maintain the two-guard minimum during operating hours.

      (2) After hours security camera monitoring shall have a 24 hour remote live feed to the offsite security monitoring firm.

      (3) Explain that upon joining the Collective, a registered member may obtain medical marijuana as a qualified patient or primary caregiver only after an initial waiting period of 24 hours after their initial in-person visit to the Dispensary for the purposes of joining the Collective

      (4) A complete list of available products (including edibles), merchandise, and services to be sold, offered, or provided at the Dispensary shall be provided to Community Development Department staff.

      (5) Clarify that marketing concepts such as concerts, "street walk", and lectures will be conducted at offsite locations, not at the dispensary premises.

      (6) Clarify what rules of conduct "specifically including the points on the attachments" (page 21 of the Operation Plan) will be specified on a large sign displayed in the waiting room

      (7) Note that Canopy will post in a conspicuous location inside the dispensary a State Law Compliance Warning.

      (8) All qualified patients and primary caregivers shall enter the Storefront Collective Dispensary through the front doors outside of the secured fenced garden/wellness area. The secured outside gate to this area shall be used for exit only.

(9) On trash collection days, the Storefront Collective Dispensary Management shall remove the trash and recycling containers from the secured fenced area and place them in an area outside of the secured fenced area for servicing by the waste hauler. The trash and recycling containers shall be returned to the trash/recycling enclosure within the secured fenced area by the Storefront Collective Dispensary Management prior to the close of the Dispensary that same day. Waste hauler personnel shall not enter the controlled premises of the dispensary.

(10) The Patient Agreement Form shall be amended as follows:

i) Add acknowledgement by the patient or primary caregiver of the Canopy's zero tolerance policy regarding loitering and using cannabis products or alcohol on or within 200 feet of the property including zero tolerance of use during any onsite class/lecture (educational, yoga, meditation, etc). In the event of loitering or a cannabis use infraction, membership in this Collective shall be terminated.

ii) Add acknowledgement and agreement by the patient or primary caregiver that they understand that they are limited to membership to only one collective within the City of Santa Barbara per 28.80.080.G.5.

d. **Patient Agreement Form.** The Patient Agreement Form shall be amended as follows:

(1) Add acknowledgement by the patient or primary caregiver of the Canopy's zero tolerance policy regarding loitering and using cannabis products or alcohol on or within 200 feet of the property including zero tolerance of use during any onsite class/lecture (educational, yoga, meditation, etc). In the event of loitering or a cannabis use infraction, membership in this Collective shall be terminated.

(2) Add acknowledgement and agreement by the patient or primary caregiver that they understand that they are limited to membership to only one collective within the City of Santa Barbara per 28.80.080.G.5.

e. **Interior Signage.** The interior signage related to the rules of conduct, state law warning, prohibition of minors without parent/guardian, and hours of operation shall be reviewed and approved by the Community Development Department.

f. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall

also be placed on the sheet as follows: The undersigned have read and understand the required conditions, and agree to abide by any and all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

B. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.

1. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number(s), and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.

2. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Public Works Director with a Public Works permit.

C. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Alarm System.** Register and install an alarm system per the requirements in SBMC Chapter 9.100.

2. **North Milpas Street Public Improvements.** The Owner shall submit an application and Public Works plans for construction of improvements along the property frontage on North Milpas Street. Plans shall be submitted separately from plans submitted for a Building Permit and shall be prepared by a licensed civil engineer registered in the State of California. As determined by the Public Works Department, the improvements shall include the elimination of the existing 10-ft driveway apron with the replacement of a new 6-ft sidewalk, parkway and

new curb and gutter per City standards. Tim Downey, Urban Forest Superintendent, Tel. (805) 564-5592, needs to be contacted in regards to the tree right next to the existing driveway apron in the Public Right-of-Way.

3. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60.

D. **General Conditions.**

1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.

2. **Approval Limitations.**

a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.

b. All buildings, parking areas and other features shall be located substantially as shown on the plans approved by the Staff Hearing Officer.

c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

E. **Litigation Indemnification Agreement.** In the event the Staff Hearing Officer's approval of the permit is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within

the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

F. **Annual Review of Collective Dispensary Operations.** No later than one year after the issuance of the Certificate of Occupancy, or final building inspection signoff, and annually thereafter, the Storefront Collective Dispensary Management shall submit to the Community Development Department for an annual review of the operation for full compliance with the operational and recordkeeping requirements of Chapter 28.80, including but not limited to, compliance with Section 28.80.080.H, and verification that all persons employed or volunteering at the Storefront Collective Dispensary have not been convicted of or on probation for a crime related to the possession, sale, or distribution of controlled substances. A fee in an amount established by resolution of the City Council may be required in order to reimburse the City for the time involved in the annual review process. The staff may initiate a permit suspension or revocation process for any Storefront Collective Dispensary which, upon completion of an annual review, is found not to be in compliance with the requirements of this Chapter or which is operating in a manner which constitutes a public nuisance.

G. **Maintenance of Cultivation Records.** The Storefront Collective Dispensary Management shall maintain on-site (i.e., at the Property designated for the operation of the Storefront Collective Dispensary) the medical marijuana cultivation records of the Collective. These records shall be signed under penalty of perjury by each Management Member responsible for the cultivation and shall identify the location or locations within the counties of Santa Barbara, Ventura, or San Luis Obispo at which the Collective's medical marijuana is being cultivated. Such records shall also record the total number of marijuana plants cultivated or stored at each cultivation location. The Storefront Collective Dispensary shall also maintain an inventory record documenting the dates and amounts of medical marijuana cultivated or stored at the Dispensary Property, if any, as well as the daily amounts of Medical Marijuana distributed from the permitted Dispensary.

III. NOTICE OF STOREFRONT COLLECTIVE DISPENSARY PERMIT APPROVAL TIME LIMITS:

The Staff Hearing Officer action approving the Storefront Collective Dispensary Permit shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or

2. A Building permit for the use authorized by the approval is issued and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.

This motion was passed and adopted on the 20th day of January, 2016 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary — Date: January 20, 2016

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
5. NOTICE OF APPROVAL TIME LIMITS: The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
   a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
   b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
      i. an Issuance of a Certificate of Occupancy for the use, or;
      ii. one (1) year from granting the approval.

APPLICATION OF RYAN HOWE, 118 NORTH MILPAS STREET, 017-091-016, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH RESIDENTIAL (MST2015-00319)

Proposal for a Medical Marijuana Storefront Collective Dispensary in an existing commercial building. Interior tenant improvements, minor exterior alterations, and landscaping are proposed.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(a), Existing Facilities.

Case Planner: Tony Boughman, Assistant Planner
Email: TBoughman@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 4539

Present: Bill Wolf, Pacific Architects; Ryan Howe, Applicant; and Joe Allen, Attorney.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Tony Boughman, Assistant Planner, gave the Staff presentation and recommendation. Stacey Wilson, Associate Transportation Planner, was available to answer any questions.

Ms. Reardon acknowledged the twenty-one public comment letters received. She stated the main concerns raised in the public comment letters related to proximity to schools, lack of parking on-site and in general area, public safety, potential for increased crime and traffic, decrease in property values, existing homeless and gang activity in the area, and the unloading of product.
Public comment opened at 10:38 a.m.

1) Peter Thomas Dal Bellow, neighbor, opposition; submitted written comments and expressed concerns regarding potential crime and impact on property values.
2) Rebecca Julia Gutierrez, opposition; expressed concerns regarding potential pedestrian and vehicle traffic increase.
3) Gloria Cavallero, direct neighbor, opposition; expressed concerns regarding close proximity to schools, parking deficiency, and location.
4) Sebastian Aldana, Jr., neighbor, submitted a survey of 21 comments with 20 commenters in opposition/one neutral; and expressed concerns regarding close proximity to schools, resident's safety, and parking deficiency.
5) Sharron Byrne, Milpas Community Association, opposition; expressed concerns regarding the Milpas corridor zoning for dispensaries due to the close proximity to schools, parking deficiency, and pedestrian access.

With no one wishing to speak, the public comment was closed at 10:51 a.m. and a recess was called. The meeting was reconvened at 11:06 a.m.

ACTION: **Assigned Resolution No. 006-16**
Approved the Storefront Collective Dispensary Permit making the findings as outlined in the Staff Report dated January 14, 2016.

Said approval is subject to the conditions as outlined in the Staff Report dated January 14, 2016, and as revised at the hearing.
The ten calendar day appeal period to the Planning Commission was announced and is subject to suspension for review by the Planning Commission.

OUTSIDE 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

I am not for the dispensary being pinced on Milpas Street. elementary, junior and high school students walk to school and home.

I feel it is not a safe, envirument for our community. there will always be trouble when it comes to the use of any type of drug.

The facility could be robbed and causing more crime in our neighbourhood.

Name: Andrea Lopez

Address: 105 E. Gutierrez St.

City, State, zip SB CA 93103

Contact number or email: porvidaskincare@gmail.com

Survey commenced January 13, 2016

OUTSIDE 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

I am a 65 year resident of Santa Barbara's eastside. I am very concerned that the city would consider putting a dispensary that is so close to an elementary K-6 grade school, a Junior High School, a Senior High School, our area already has a high crime rate, we have many homeless people with social, alcohol, drug related issues. According to the city and Police, we have gang related problems. we have had robberies in the area.

I think that a dispensary will only contribute to more problems and possible violence.

WITH the high volume of Schools and Students in our area, the last thing we need is a marijana dispensary.

Name: Pauline Cooney

Address: 1019 E. Gutierrez St. Ca.

City, State, zip 93103

Contact number or email: No

Survey commenced January 13, 2016

OUTSIDE 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify: The area of the proposed dispensary is in a residential neighborhood full of school children, families, & seniors. Milpas already has more than its fair share of liquor stores, fast food franchises, & homeless shelters. It does not need — and should not have — the burden of a marijuana dispensary. Put it near a hospital!

Name: Naomi Greene

Address: 522 N Alisos St.

City, State, zip SB, Ca 93103

Contact number or email: naomigreene@earthlink.net

Survey commenced January 13, 2016

OUTSIDE 300 F

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

After reviewing all information from the side that is opening this place.
There is no way this business should open the doors on Milpas St.
This location in my opinion does not meet parking and many other components to be in business on 118 N. Milpas St.
The neighborhood does not need this kind of business.

Name: Miguel A Avila Miguel A. Avila

Address: 3821 Marinda way

City, State, zip Santa Barbara CA 93105

Contact number or email: miguelavila@earthlink.net

Survey commenced January 13, 2016

OUTSIDE 300 FT

January 18, 2016

City of Santa Barbara
Staff Hearing Officer Secretary
sent by: email to:

Attn: SHOfficer Secretary and Tony Boughman
SHOS@santabarbaraca.gov
TBoughman@santabarbaraca.gov

I am Rose M. Aldana a resident near your proposed project and am responding to your City of Santa Barbara memorandum of the upcoming meeting, January 20, 2016 regarding Medical Marijuana Dispensary at 118 N. Milpas Street, Santa Barbara, CA 93103. I am a property owner and live near the subject property.

It is understood that Medical Marijuana is needed for many people as a cure of their illness, which I am compassionate about. It is the request of this letter though, that this business be placed in another location within District 1, away from school pathway of student pedestrians or innocent pedestrians or passers by along Milpas Street and the Eastside residential neighborhood. It should be placed in a storefront location along East Gutierrez Street (ie: SB Home Improvement Center) or near, East Cota (ie: brick building near Santa Barbara St) or any other storefront location away from Milpas and the Eastside residences... or a Commercial Condo away from schools and families.

Please remember the conflict the 2- Marijuana Dispensaries had to the Santa Barbara Eastside neighborhood and Milpas Corridor 3 years ago and they were closed down after the neighborhood concerns, rally's, uproar of the negativity the businesses were having on the neighborhood.

1. The building location in question does not have parking for its employees or customers. The neighborhood residential parking would be taken and the residential parking is currently limited as it is.

2. The business calls for 2 security guards, however the guards are not permitted to pack a gun for security of the business. So they are not Security Guards, they are just bouncers.

3. This location was a jewelry store that was robbed at gunpoint in the past about 3-4 years ago. In the event there is to be a robbery of this Marijuana Dispensary an innocent pedestrian can be pulled and used as a shield to get in the business. This is a

safety hazard for Public Safety anyone walking by or to the bank as they would go about their daily schedule.

4. This facility is very close to city and private schools, Franklin Elementary, Santa Barbara Middle School and Santa Barbara High School.

Please do not give a business permit for this business at this location and take full consideration of the huge negative impacts that were happening when the Milpas / Haley St. 2- Marijuana dispensaries were in place. We do not need a repeat of the negative impacts again. The Santa Barbara Eastside businesses and residents are just feeling the ease since the dispensaries were closed down, and we do not need any negative Public Safety problems to start up again due to this business on Milpas Street. The neighborhood is making every effort to seek neighborhood improvements to better the neighborhood for all associated.

I appreciate your professional consideration, of this location as any other business would have to qualify for and comply with appropriate zoning rules and regulations for parking and safety of a location for business. Please have them locate a business site as stated above, which is not in a residential neighborhood or near schools as stated above as well.

I am submitting this letter to you via email and I may attend the 9am meeting on January 20, 2016 to voice my opinion for Public Safety and that this business be made to comply with the appropriate rules and regulations required of any other business for parking and safety, if not please read my letter.

Respectfully submitted,

Rose M. Aldana

Rose M. Aldana
10 South Alisos Street
Santa Barbara, CA 93103
805.708.7719

- Santa Barbara Eastside property owner and resident
- President, Community Neighborhood Alliance, a non-profit 501-c3

WITHIN 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

see attached sheet

Name: William Fedderson

Address: 125 N Milpas St

City, State, zip Santa Barbara CA 93103

Contact number or email: william@luminare-design.com

Survey commenced January 13, 2016

WITHIN 300 FT

from: William Fedderson
Designated agent and property manager for 125 N Milpas St, Santa Barbara, Ca 93103. I represent the Owner of the property, (3) tenants in Apartments A and B and the owners of the Corridan Gallery / Luminare Design company in the front building unit A.

We are not opposed to Medical Marijuana Dispensary at 118 N Milpas Street in itself. After carefully considering the informational materials about "The Canopy" organization, we feel that the scope of their stated intentions is too much for the property at 118 N Milpas and the neighborhood.

Our objections are:

1) A very practical consideration about parking. There is insufficient off street parking for 6-8 employees or clients coming to the store. The parking conditions on Milpas Street are already very poor. Clients of the existing businesses complain that they cannot find a place to park and go on without stopping.

2) Confusion of objectives - space considerations. The materials about "The Canopy" list unrelated businesses and objectives including Concerts and Street Fairs. Obviously no room for those activities here. Even offices and staff rooms required to organize these events would take up too much space. The other objectives of "Lectures and Learning", "a range of ...products including..teas. organic juices, Eastern and Indian homeopathic medicinal treatments....natural foods, herbs, oils, pain relief sprays, tinctures, lotions and...a line of active wear." would require a space much larger than that at 118 N Milpas St. I see no areas for shipping/receiving, storage or retail display for all these goods.
For some reason the "Organizers" seem to be pointing attention away from the actual business they will be operating. They are apparently qualified to run concert and film promotions, perform therapeutic coaching, or home healthcare consulting, but does this qualify them to operate a Medical Marijuana dispensary?

3) Security - This brings us back to the core business proposed; the Medical Marijuana Dispensary. There have been at least two other Dispensaries on Milpas Street. They were extensively remodeled to provide literally "bullet proof" security. The building at 118 N Milpas Street has a long way to go to become that secure. This is really a consideration for the new owners. Remember that after investing large sums of money in fees and construction to remodel the dispensaries, they were shut down by the City.

In summary, This project does not seem to be well thought out and does not fit the location.

WITHIN 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify: To: Staff Secretary
My name is Cecilia Castro and I live around the corner from this proposed Marijuana Dispensary Site. I do not approve this business be in our neighborhood. Our youth do not need this business ~~in or~~ around as it can encourage usage of Marijuana in their future. Furthermore, this location has no parking to be approved. Our youth and neighborhood must be protected from this type business.

Name: Cecilia Castro X Cecilia Castro

Address: 125 N. Alisos St.

City, State, zip Santa Barbara CA 93103

Contact number or email: 805-965-9843

Survey commenced January 13, 2016

WITHIN 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

I have read the propose for the above business to locate on Milpas St. I own a house on Juana Maria ave. I am against this business to open.

Not too long ago we had the same type of business located on the corner of Milpas St. + Haley St. and now that business is closed. We don't need this here on Milpas St. My main concern is the control over the sales of the "medicine". I have two teen-age grandchildren and two 9 yr. olds. I want them to be protected from the sales and going on of people who use marijuana. I need to be assured that there will be good control on the operations of this proposed business 24/7.

Are there no other location in the city for this type of business? I also own the residence at 134 No. Milpas where my son and his family reside.

Name: Zobianna Spencer

Address: 111 Juana Maria Ave.

City, State, zip Santa Barbara, CA 93103-2713

Contact number or email: Zobie60@aol.com

Survey commenced January 13, 2016

WITHIN 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

CANOPY'S MISSION TO HAVE AN ALTERNATIVE SOURCE OF MEDICINE THROUGH NATURAL MEANS IS GREAT. HOWEVER, TO HAVE A MEDICAL MARIJUANA DISPENSARY WITHIN MILES OF THREE ELEMENTARY SCHOOLS SEEMS UNETHICAL. I ACCEPT MEDICAL MARIJUANA AS AN ALTERNATIVE SOURCE OF MEDICINE AND UNDERSTAND THERE IS A PERCENTAGE OF PEOPLE WHO REALLY NEED IT, BUT THE MAJORITY OF PEOPLE STILL USE MARIJUANA AS A RECREATIONAL DRUG WITHOUT ~~ANY~~ MEDICAL NEED. IN FACT, OUR COMMUNITY HAS A HISTORY RECORD OF ABUSING DRUGS, MARIJUANA INCLUDED. AN ADDITIONAL EXPOSURE TO MARIJUANA WILL ONLY ~~ELEVATE~~ ELEVATE OUR CURRENT DRUG ISSUES AND EXPOSURE OUR YOUTH TO THE MARIJUANA/DRUG CULTURE AND LIMIT THEIR POTENTIAL. I DO NOT APPROVE A MEDICAL MARIJUANA DISPENSARY @ 118 N. MILPAS ST.

Name: PEDRO LOPEZ, BERTHA LOPEZ, PEDRO LOPEZ JR. FELICIANA LAMOR GONZALEZ

Address: 127 N. ALISOS ST

City, State, zip SANTA BARBARA, CA. 93103

Contact number or email: 805-588-0684

Survey commenced January 13, 2016

WITHIN 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify: In my honest opinion I would rather the 118 North Milpas not open because it will bring crime and unwelcome people around this community. I also disapprove on the Dispensary opening because people will be parking on my street to go to the dispensary, since there is no parking in that area. Parking is already a big problem around here because the other businesses use this street as a parking area and I'm already sick of it. So I dissapprove of any dispensary opening in this area. Thanks Art

Name: [redacted]

Address: 126 Juana Maria Ave

City, State, zip Santa Barbara, CA 93103

Contact number or email: SBjuana@yahoo.com

Survey commenced January 13, 2016

WITHIN 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:
Not receiving this survey by mail, my son, Pete Dal Bello, who is running for council in 2017, was able to have access to it.

I am in a partnership at 135 N. Milpas Street and at 132 Juana Maria Avenue. I have 60% ownership. Having properties at these locations and too near to this proposed dispensary does not help our property values. Who wants to own or rent properties with this concern.

As a Santa Barbara native, these properties are very meaning to me. I grew up at the Juana Maria Avenue property. My deceased husband lived at the Milpas Street address. My family and I strongly agree that we definitely do not need a dispensary in our neighborhood.

It would be so near to our public schools that could lead students to this facility. Do we want these students to become aware of such a situation? No! NO! If it is so necessary for a student or adult to be in need, their physician should be the administrator of this marijuana and to have control. This just makes it all to easy for anyone to obtain this drug, and high volume of purchase. Consequently, this would cause more crimes which Santa Barbara police do not need, especially, when there is a shortage of police officers.

With damages to the fences at 132 Juana Maria Avenue and the adjoining vacant lot, one can only believe that a drunk or some one on drugs have been in fights. Another strong reason to not have this proposed dispensary so nearby.

I urgently request that this dispensary be deleted from this Milpas Street location.

Name: Irene Dal Bello

Address: 16 ~~[illegible]~~ Alameda Padre Serra

City, State, zip Santa Barbara CA 93103

Contact number or email: —

Survey commenced January 13, 2016

WITHIN 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

Los Amigos Barbers are totally disagreement with this [redacted] company in opening a store here in our community. It seems that since they are opening these Medicals Marijuana stores in California the kids (teenagers) are more fluent in smoking weed, since they are getting it legally with a fake license.

In short we are totally disagreement with this Canopy Company in opening a store here in our community.

Sincerly Los Amigos Barbers.

Name: Judermith Resendiz Los Amigos Barbers.

Address: 135 N Milpas st.

City, State, zip Santa Barbar CA 93103

Contact number or email: (805) 331-5025

Survey commenced January 13, 2016

WITHIN 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

- SANTOS GUZMAN - OWNER OF EL BAJIO RESTAURANT @ 129 N. MILPAS IS IN TOTAL DISAGREEMENT of the proposed MEDICAL MARIJUANA STOREFRONT Collective DISPENSARY DUE TO LACK of parking SPACES ON MILPAS ST. & ON His property
- TO CLOSE TO 2 ELEMENTARY SCHOOLS
- INSTEAD of IMPROVING OUR Neighborhood I feel it WILL BRING A Negative IMPACT FOR All BUSINESS IN the AREA
- BAD IMAGE FOR MILPAS ST.
-

Name: SANTOS GUZMAN

Address: 129 N MILPAS ST

City, State, zip SB CA 93103

Contact number or email: 805 4524846

Survey commenced January 13, 2016

Santos Guzman

WITHIN 300 F.

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

The location of this purposed facility seems inappropriate.

1. parking in this neighborhood is already at a premium. On Mondays and Tuesdays when there is street cleaning parking is very difficult.

2. There are 2 elementary schools in this neighborhood. Any facility which possibly invites disruptive behavior could spill over into the neighboring school campus areas.

3. Any facility which requires "guards" to maintain possible trouble should not be located close to a family centered neighborhood where parents & their children are walking to and from stores, schools, church, etc.

Name: Pandra Moriarty Pandra Moriarty

Address: 117 North Alisos St.

City, State, zip Santa Barbara, CA 93103

Contact number or email: 1-805-963-8751

Survey commenced January 13, 2016

WITHIN 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify: attached

Name: Edgar Lopez

Address: 105 Juana Maria Ave

City, State, zip Santa Barbara Ca 93103

Contact number or email: edgarlopezs@aol.com

Survey commenced January 13, 2016

WITHIN 300 FT

Edgar Lopez
105 Juana Maria Ave.
Santa Barbara, CA 93103
email: edgarlopezs@aol.com

January 18, 2016

Staff Hearing Officer Secretary
P.O. Box 1990
Santa Barbara, CA 93102-1990

RE: Application of Ryan Howe, 118 North Milpas Street., Santa Barbara, CA 93103, 017-091-016
Proposal for a Medical Marijuana Storefront Collective Dispensary.

Dear Staff Hearing Officer Secretary:

As a Santa Barbara native and home owner, I strongly oppose the medical marijuana storefront in my neighborhood. This proposal will bring more crime and drugs to our resource challenged neighborhood. Our neighborhood has an elementary school just around the corner from the proposed site. Our kids will be exposed to criminals, gangs and outsiders with no personal investment in our community.
Why not instead install another community center/workshop with accessible technology for our youth. It is shocking to read their proposed plans for "positive" community outreach aimed to influence an area with many at risk students.

The real estate in my neighborhood will suffer a negative impact, making home sales harder and prompting an inevitable decline in home values if this proposed project goes through.
The proposed site sadly falls in line with Santa Barbara's move toward gentrification disguised as "beautification" of the area. Gentrification will ultimately negatively impact minority owned small businesses with higher rents, displacing the community reponsible for making Milpas Street diverse and unique. Milpas Street must have businesses that generate jobs and opportunities for our youth, not a marijuana store that jeopardizes our safety and community we have worked so hard to build up.

Sincerely,

Edgar Lopez

OUTSIDE 300 F:

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

AS A BUSINESS OWNER IN THE MILPAS COMMUNITY, I AM CONCERNED THAT A DISPENSARY WILL EXACERBATE THE ISSUES THAT WE ALL FACE ON A DAILY BASIS. FOR INSTANCE, CRIME, LITTER, HOMELESSNESS, GRAFFITI AND AMPLE PARKING ARE JUST A FEW PROBLEMS THAT PLAGUE US IN THIS DISTRICT. AND, NOW, A DISPENSARY!!! SINCE THE CITY HAS ALLOWED FOR THIS TYPE OF BUSINESS TO ESTABLISH THEMSELVES IN SANTA BARBARA, WHY DON'T THEY PLACE IT IN MONTECITO, HOPE RANCH OR THE RIVIERA?

Name: CONCERNED BUSINESS OWNER

Address:

City, State, zip

Contact number or email:

Survey commenced January 13, 2016

STOP USING THE MILPAS NEIGHBORHOOD AS A DUMPING GROUND!

OUTSIDE 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

I lived next door to a marijuana dispensary for five years and it was not a positive experience.

- Parking in my small neighborhood, two blocks from Milpas, was severely impacted. Day and night. I imagine the same will be true for this dispensary
- Strangers knocked on my door at all hours, thinking my home was the dispensary. The people in charge of the dispensary had zero control over their clientele and were useless in monitoring and reconciling problems. I can't see how this situation would be different.
- Litter became a HUGE problem in my neighborhood with the increase in visitors. The dispensary brought so many people to our street, and with it, their trash and messes.
- After clients picked up their marijuana they would smoke it in their cars in full view of kids and families nearby. Very little concern was given to our neighborhood needs.

I believe this dispensary will be detrimental to the Milpas Community and those responsible for allowing it to come to Milpas should be held personally responsible

Name: Abbey Fragosa

Address: 709 Bard Avenue

City, State, zip Santa Barbara, CA 93105

Contact number or email: 805-705-8713 abbeyfragosa@yahoo.com

Survey commenced January 13, 2016

OUTSIDE 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

AS A RESIDENT OF THE EASTSIDE COMMUNITY, I AM APPALLED THAT THE CITY ZONED OUR DISTRICT FOR THIS TYPE OF BUSINESS.
WE ARE A FAMILY ORIENTATED COMMUNITY AND DO NOT FEEL COMFORTABLE HAVING OUR CHILDREN EXPOSED TO A DISPENSARY IN OUR NEIGHBORHOOD.
FURTHERMORE, DUE TO THIS TYPE OF BUSINESS, IT WILL DRAW MORE TRAFFIC, UNDESIRABLES, CRIME AND LITTER. THIS NEIGHBORHOOD ALREADY SUFFERS FROM THESE ELEMENTS AND WE DO NOT NEED TO COMPOUND THE ISSUES.

Name: JESUS PEREZ

Address:

City, State, zip

Contact number or email: (805) 617-8300

Survey commenced January 13, 2016

OUTSIDE 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:
MY NAME IS PETE DAL BELLO AND I AM A SANTA BARBARA NATIVE WHO WILL BE RUNNING FOR CITY COUNCIL IN 2017. I CAME TO THIS ISSUE FROM A UNIQUE PERSPECTIVE BECAUSE I'VE SEEN ALL SIDES OF THIS ISSUE. ALSO, AS A FUTURE COUNCILMAN, I'M LOOKING AT THIS SITUATION AS IF I WAS ALREADY EXAMINING THE ISSUE ON THE COUNCIL. IT HAS LED ME TO THE FOLLOWING POINTS THAT SHOULD BE TAKEN UNDER CONSIDERATION. I'VE KNOWN THE EASTSIDE FOR ALL 44 YEARS OF MY LIFE AS MY FAMILY OWNS PROPERTY ON 135 N. MILPAS ST. AND 132 JUANA MARIA AVE. I KNOW THIS NEIGHBORHOOD AND HAVE TALKED TO THIS NEIGHBORHOOD TO GATHER THEIR CONCERNS ABOUT THE PROPOSED DISPENSARY. AS EXPECTED, I FOUND A NEIGHBORHOOD THAT IS ANGRY AT WHAT IT WILL DO TO PROPERTY VALUES (AFFECTING HOMEOWNERS AND BUSINESS OWNERS) AND SCARED FOR THE SAFETY OF THEIR CHILDREN AND THOSE ATTENDING NEARBY SCHOOLS. THIS IS A NEIGHBORHOOD THAT HAS KNOWN CRIME AND GANG ACTIVITY FOR DECADES SO THESE CONCERNS SHOULD BE CONSIDERED. 118 N. MILPAS IS ALSO LOCATED NEXT DOOR TO A SOBER LIVING FACILITY WHERE A DOZEN MEN ARE TRYING TO GET THEIR LIVES TOGETHER. THIS IS ON TOP OF THE DAILY PROBLEMS CAUSED BY HOMELESS PEOPLE WALKING UP AND DOWN MILPAS STREET FROM PATH, FORMERLY KNOWN AS CASA ESPERANZA. IN ADDITION TO THEM SOLICITING FOR MONEY AND HUNTING LOCAL BUSINESSES, I TOOK A PICTURE OF A HOMELESS MAN SLEEPING ON THE FRONT PORCH OF 118 N. MILPAS THE DAY BEFORE I SPOKE ABOUT THIS PROPERTY AT THE ARCHITECTURAL BOARD OF REVIEW ON NOV. 16, 2015. AS MENTIONED AT THAT MEETING, I SPOKE IN OPPOSITION TO THE DISPENSARY WITH MY CONCERNS REGARDING SAFETY AND PARKING ISSUES. I THINK MEDICAL MARIJUANA SHOULD BE ORDERED IN A DOCTOR'S OFFICE OR BY DELIVERY SERVICE. AS THE FOUNDER (PLEASE TURN OVER →)

Name: PETE DAL BELLO

Address: 16 ALAMEDA PADRE SERRA RD.

City, State, zip SANTA BARBARA, CA 93103-2804

Contact number or email: petedalbello@cox.net
PHONES (805) 570-0484

Survey commenced January 13, 2016

FIREARMS AND 11 INVOLVED WEAPONS (KNIVES, STUN GUNS, ETC.)

OCEANSIDE ADOPTED AN ORDINANCE OUTLAWING DISPENSARIES THIS MONTH. IT IS LOOKING AT REGULATIONS THAT WOULD PERMIT DELIVERY SERVICES.

CAMARILLO ALREADY PROHIBITS MEDICAL MARIJUANA DISPENSARIES FROM OPERATING IN THE CITY. IT ALSO PROHIBITS THE DELIVERY OF MEDICAL MARIJUANA, EXCEPT BY A PRIMARY CAREGIVER TO A QUALIFIED PATIENT.

CAMARILLO POLICE COMMANDER MONICA MCGRATH SAID MEDICAL MARIJUANA DISPENSARIES ARE CASH-ONLY BUSINESSES, WHICH RAISES THE LEVEL OF THEFT AND ROBBERIES WHERE THEY ARE LOCATED.

MCGRATH MENTIONED THAT 26 OUT OF 52 DISPENSARIES IN SAN BERNARDINO HAVE BEEN CLOSED BECAUSE OF NUMEROUS VIOLATIONS. SHE IS QUOTED IN THE VENTURA COUNTY STAR (JAN. 15, 2016) THAT CRIME RATES IN AREAS SURROUNDING DISPENSARIES HAVE "SKYROCKETED."

"IT CREATES A SITUATION WHERE WE NEED TO ENSURE PUBLIC SAFETY, AND THERE'S NO STRINGENT SAFEGUARDS WITHOUT THE BAN," MCGRATH SAID.

MCGRATH ADDED THAT MEDICAL MARIJUANA CULTIVATION IS HARD TO REGULATE, AND POLICE OFTEN WILL INVESTIGATE COMPLAINTS AND FIND OTHER ELEMENTS OF CRIME.

IF THE CITY OF SANTA BARBARA IS SO INTENT ON ADDING ANOTHER DISPENSARY (WITH THE FIRST AND ONLY BEING AT 3617 STATE STREET), IT SHOULD FIRST LOOK AT THE WEST PUEBLO MEDICAL AREA. IT NOT ONLY IS ONE OF THE FIVE ALLOWABLE LOCATIONS IN OUR CITY, BUT IT IS APPROPRIATELY NEAR MEDICAL OFFICES AND NOT NEAR ANY SCHOOLS.

AS THE CITY COUNCIL CAN TELL YOU, I AM A REGULAR VISITOR AND SPEAKER TO THEIR MEETINGS. I AM ALSO, AS MENTIONED EARLIER, RUNNING FOR

(PLEASE TURN TO PAGE 4 →)

OUTSIDE 300 FT

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

We all know that Cannabis is a real medical method that alleviates some health Symptoms and we will Not be able to oppose to it. In my opinion, I think legalizing the sale of marijuana will make drug dealers and other crimes disapper, but I would like to learn more about your plans to help the community besides paying more taxes.

Name: Juan Morales

Address: 502 N Milpas St

City, State, zip Santa Barbara Ca 93107

Contact number or email: 805-965-3666

Survey commenced January 13, 2016

Rodriguez, Julie

From: bbelfiore@aol.com
Sent: Wednesday, January 20, 2016 8:18 AM
To: Community Development SHOsecretary
Subject: Fwd: Milpas Dispensary

Dear Hearing Office Secretary and Staff,

I am a home owner in the 100 block of Alisos Street, an alumna of Franklin, SB Junior High and Santa Barbara High School, a former teacher and one who has been very active in PTA throughout the time my children attended local public schools. As a mother and one who is extremely concerned for the health, safety and welfare of children in the neighborhood and throughout Santa Barbara I am appalled to think that our city would even consider a marijuana dispensary so close to public schools on the lower east side, or for that matter near **any** public or private school at all.

Please reconsider the location of this dispensary and **do not** allow this to become a part of the Milpas Street/ lower east side commercial, residential and educational neighborhood, where children walk to and from school and home every day.

Respectfully,

Gloria Cavallero

SURVEY FOR:

Proposed Medical Marijuana Storefront Collective Dispensary at 118 N. Milpas St. Santa Barbara Ca 93103

After reviewing or listening to the Summary of "The Canopy", A California Non Profit Mutual Benefit Organization. Please provide your honest opinion?

Please specify:

The location can not accomidate the foot or vehicle traffic this business is going to incurr. If vehicles are coming in and out of this location I am concerned that drivers will not consider pedestrian safety. That turn requires a slower entry and exit and the increased vehicles would cause an increase in accidents with injuries to pedestrians. This is also going to impact the neighborhood because we already have issues with businesses having employees park in residential streets.

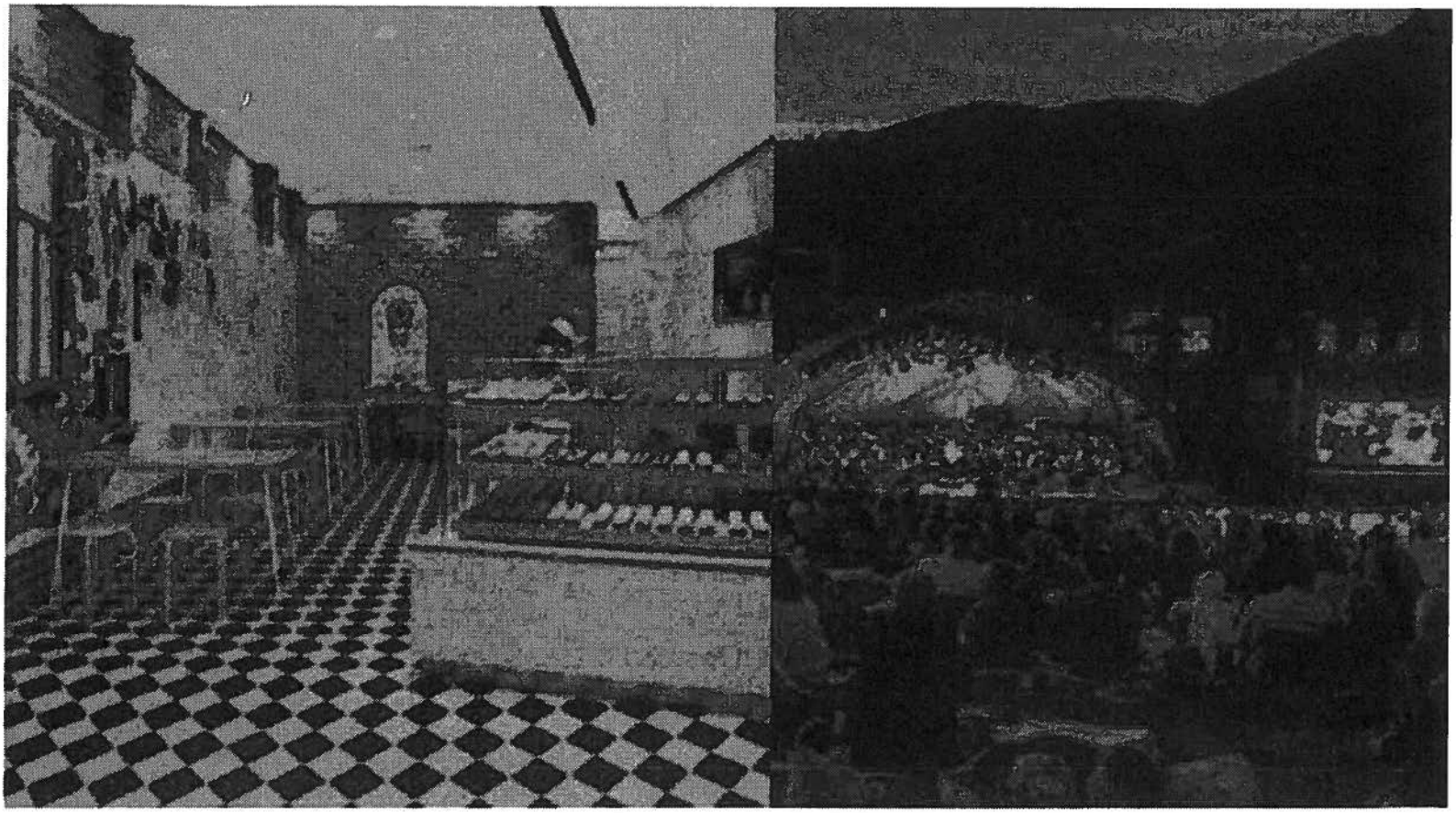
Name: Rebecca J. Gutierrez

Address: 21 N. Alisos St.

City, State, zip Santa Barbara, CA 93103

Contact number or email: (805) 451-7208 RebeccaTommy@gmail.com

Survey commenced January 13, 2016



The Canopy

Dispensary Storefront Application,

Executive Summary and Operating Plan

Submission to the Staff Hearing Officer - November 18th, 2015

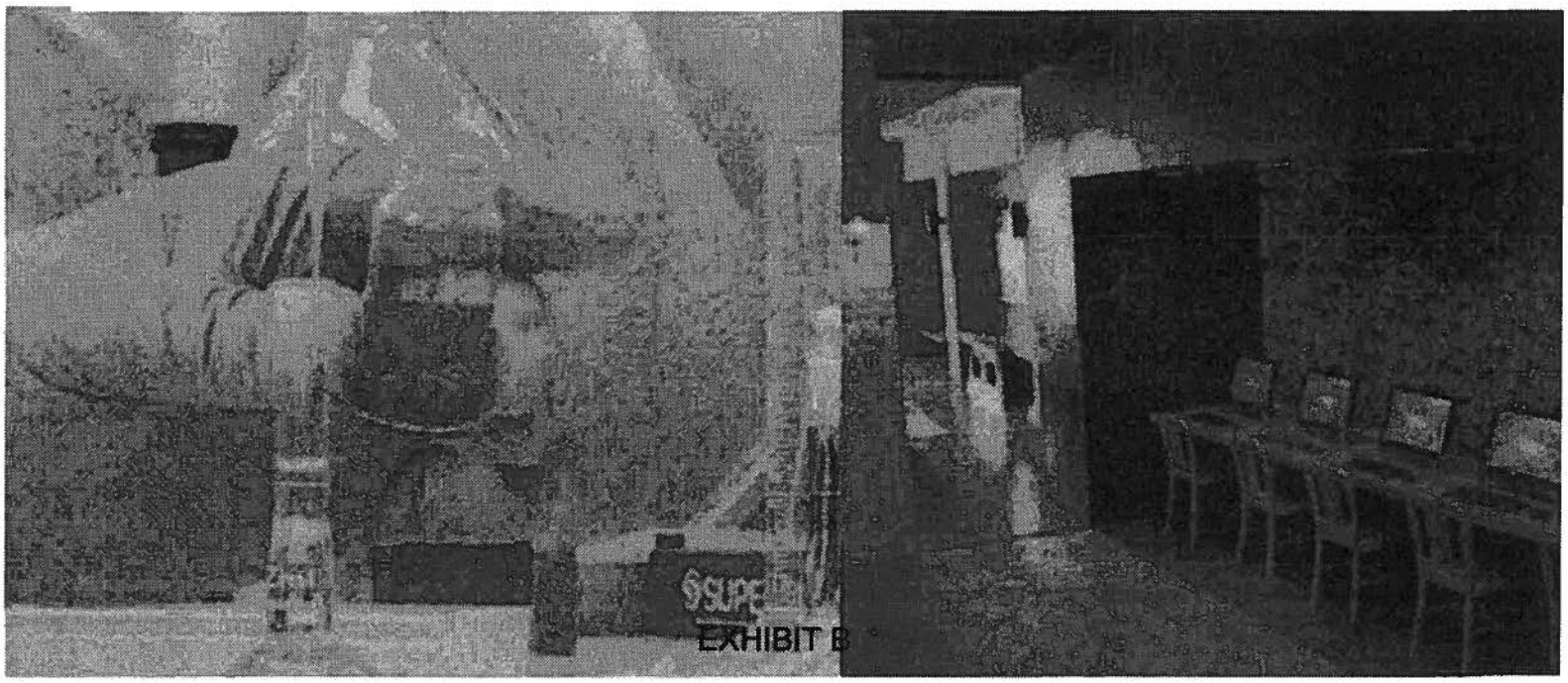


EXHIBIT B

Table of Contents

Application 5

Introduction Letter

SBMC 28.80.060. F.1. – F.9. Applicant Information 6

SBMC 28.80.070 - Approval Criteria 7

- ***a. Decision on Application***
- ***b. Criteria for Issuance***
- ***c. Answers to Criteria for Issuance***

Executive Summary 14

Industry Dynamics 15

Market Niche Business Opportunity 15

Unique Marketing Concept 16

Membership Advisory Council 17

Operations Plan 19

SBMC 28.80.060. E.6. - Emergency Contact 19

SBMC 28.80.050 - Site Information 19

SBMC 28.80.050 - Location and Hours of Operation 19

SBMC 28.80.080. D.1- D.8 - Dispensary Operations 20

- ***New Patients and Caregivers***
- ***Re-Verification from the "Recommending Physicians' Office"***
- ***Existing Patients and Caregivers***
- ***Member Flow***
- ***Expired Patients and Caregivers***
- ***No Physician On-Site***
- ***Dispensary Permit***
- ***Commercial Use/Parking Requirements***
- ***State Division of Alcoholic Beverage Control License***
- ***Consumption On-Premises & Non-Obstructed Views of Signs***
- ***Signage***

SBMC 28.80.080. E.1. & E.2. – Consumption & Re-Distribution 23

- ***On-Site Consumption***
- ***Re-Distribution Restrictions***

SBMC 28.80.080. F.1. & F.2. – Retail Sales of Other Items 24

- ***Product Offerings***

SBMC 28.80.080. Sections G.1. - G.5. – Compliance 24

- ***State Law Compliance Warning***
- ***Not for Profit Operations***
- ***Cultivation of Medical Marijuana***
- ***Distribution in Santa Barbara Only***
- ***Membership Limited to One Collective***

SBMC 28.80.080. Sections H.1. - H.4. – Record Keeping 25

- ***Cultivation Records***
- ***Membership Records***
- ***Financial Records***
- ***Dispensary Records Retention Period***

SBMC 28.80.100. Sections A. & B. – Distribution to Non-Member 27

- ***Transfers to or From a Non-Collective Member***
- ***Assistance for Edible Cannabis Products***

SBMC 28.80.130. Sections A.-D. – Transfer of Permits 27

- ***Collective Dispensary Permit – Site Specific***
- ***Transfer of a Permitted Collective Dispensary***
- ***Request for Transfer with a Revocation or Suspension Pending***
- ***Transfer With-out Permission***

SBMC 28.80.140. – Medical Marijuana Vending Machines 28

SBMC 28.80.150. – Business License Tax Liability 28

SBMC 28.80.080. Sections A. & B. – Management Requirements 28

- ***Criminal History***
- ***Minors***

SBMC 28.80.080. Sections C.1. - C.7. – Dispensary Size & Access 29

- ***Dispensary Size***
- ***Dispensary Access***
- ***Management/Employees***
- ***Restrooms***

Security Plan 31

SBMC 28.80.060. Sections E.3. – E.5. – Security 31

- ***Security Guards***
- ***Security Cameras***
- ***Security Alarm System***
- ***Additional Security***

SBMC 28.80.060. Sections E.7. – E.10. – Security 37

- ***Public Nuisance and Loitering***
- ***Trash, Litter, Graffiti***

SBMC 28.80.060. Sections E.1 – E.2. – Site and Floor Plan.....38

- ***Site Plan and Floor Plan***
- ***Storage***

Exhibits and Attachments 40

- ***Exhibit A – Architect Construction Documents***
  - ***Architects General Notes***
  - ***Site & Floor Plan***
  - ***Security Plan***
  - ***Roof Plan***
  - ***Exterior Elevations***
  - ***Architectural Details D 1.0***
  - ***Architectural Details D 2.0***
  - ***Architectural Details D 3.0***
  - ***Square Footage Plan***
- ***Exhibit B – Executed City of Santa Barbara Master Application***
- ***Exhibit C – Proposed Plan for Fence***
- ***Exhibit D – Proposed Plan for Garden***
- ***Exhibit E – Photos of Cultivation Site***
- ***Exhibit F – Revised Canopy Agreement Patient Form & Map***
- ***Attachment 1 – CA Drivers' License***
- ***Attachment 2 – Director Signed Confirmation***
- ***Attachment 3 – Articles of Incorporation***
- ***Attachment 4 – Articles of Association***
- ***Attachment 5 – Director Signed Statement***

Application

Introduction Letter:

Ryan Steven Howe, Founder and Chairman of Canopy Club, Inc., a Non-Profit Mutual Benefit Corporation, is applying to the City of Santa Barbara for the issuance of a Permit to Operate a Medical Cannabis Storefront Collective Dispensary. This application is being submitted under Chapter 28.80 of Title 28 of the Santa Barbara Municipal Code and under the guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, dated August 2008, from the Attorney General of the Department of Justice, of the State of California.

Mr. Howe's organization (hereinafter referred to as Canopy) will be conducting business at 118 North Milpas St., Santa Barbara, CA 93103 with its qualified members only, to dispense medical cannabis, along with other naturally holistic medicines and services, grown and offered by other Canopy members. As such, the organization is subject to the Board of Equalization's Taxability of Medical Cannabis Transaction Notice; as well as all other City, State and other laws, taxes, fees, permits, ordinances and requirements; regarding every aspect of its general business operations, and reporting requirements thereunder.

The Canopy is a secure, central location for members of the collective to legally, discreetly and safely access medicinal cannabis and non-cannabis products and services grown and/or offered specifically for them, under the laws of the Compassionate Use Act (Proposition 215) passed in 1996 and Senate Bill 420, passed in 2004. Along with others, Mr. Howe has spent many years working towards aiding in the passage of these laws and for the compassionate use of medical cannabis. His organization intends to strictly adhere to these laws, lest the entire initiative be lost.

There are many studies on the benefits of THC and CBD's. Recently a CNN report on medical marijuana by Dr. Sanjay Gupta featured the story of a 5-year-old girl who was suffering from continuous epileptic seizures. She was being treated orally with an extract of CBD-rich cannabis. Her results proved a drastic reduction in the amount of her daily seizures. Canopy believes it is well positioned to work with the City of Santa Barbara to create a model to help those who are suffering and sick while standardizing industry safety practices. The organization will only dispense Cannabis and Non-Cannabis related medicines that are safe for our members to consume. All products will be tested for pesticides, fungus, mold, mildew as well as THC, CBD & CBN levels.

Mr. Howe is a resident of the City of Santa Barbara. He wishes to assist, in any way that he can, with furthering research and education efforts towards alternative cancer treatments and potential eventual cures for cancer. His long term mission for Canopy is to build an Herbal Cancer Research Center within the City of Santa Barbara.

Response to SBMC 28.80.060. Sections F.1. - F.9:

Applicant Information:

1. Name, address, telephone number, title and function(s) of Manager:

Ryan Howe
Founder, Chairman
The Canopy
118 N. Milpas Street
Santa Barbara, CA 93105
(805) 895-2578
Provide leadership to position the organization at the forefront of the industry, to develop the strategic plan to advance its mission, create and manage brand, marketing, and community PR strategy, and to promote overall organizational growth.

2. Fully legible state driver license or identification card for Member. **(See Attachment 1)**

3. Written confirmation as to whether the Collective Member of the Collective previously operated in this or any other county, city or state under a similar licenser permit, and whether the Collective Member Applicant ever had such a license or permit revoked or suspended by and the reason(s) therefore. **(See Attachment 2)**

4. If the Collective is a corporation or a cooperative, a certified copy of the Collective's Secretary of State Articles of Incorporation, Certificate(s) of Amendment, Statement(s) of Information and a copy of the Collective's by laws. **(See Attachment 3)**

5. If the Collective is an unincorporated association, a copy of the articles of association. **(See Attachment 4)**

6. The name and address of the Applicant's or Collective's current designated Agent for Service of Process;

RESPONSE: Joseph Allen, Attorney at Law, Address: 131 E Anapamu St, Santa Barbara, CA 93101. Phone: (805) 892-2480

7. A statement dated and signed by each Canopy Member, of the Collective, under penalty of perjury, that the Canopy Member has personal knowledge of the information contained in the Dispensary Application, that the information contained therein is true and correct, and that the application has been completed under the supervision of the identified Canopy Member(s):
(See Attachment 5)

8. Whether Edible Medical Marijuana products will be prepared and distributed at the proposed Dispensary Property:

RESPONSE: There will be Edible Medicinal Cannabis products distributed at Canopy.

9. *The Property location or locations where any and all Medical Marijuana will be collectively cultivated by the Collective members and Canopy Members:*

RESPONSE: Canopy's cultivation of medical cannabis will be limited to Collective Members and Management Members only. The property is secure with someone on premises at all times. The property is not visible to any persons and/or neighbors. The property is located in Santa Barbara County and meets the requirements of SBMC 28.80.080. G.3.

Response to SBMC 28.80.070. Section A.:

Approval Criteria:

Describe how the dispensary meets the criteria below.

A. Decision on Application. *Upon an application for a Storefront Collective Dispensary permit being deemed complete, the Staff Hearing Officer shall either issue a Storefront Collective Dispensary permit or issue a Storefront Collective Dispensary permit with conditions in accordance with this Chapter, or deny a Storefront Collective Dispensary permit.*

RESPONSE: Mr. Howe hopes that the City Officials and the Staff Hearing Officer will review the application with the understanding that he has entered into this project with the intention of operating his dispensary and wellness center above and beyond the guidelines of the City Ordinance. The health and safety of the members is a chief factor that propelled him to open a store front location in the first place. Coupled with the store front are also plans to use a testing and research facility to ensure efficacy and longevity for the Canopy's products and services.

Mr. Howe's long term plan is to build Southern California's first Herbal Cannabis Research Center for Cancer. While he attempts to accomplish this task, operating the proposed dispensary and wellness center within city, county, and state guidelines is paramount to the long term success of the organization. Without support from city officials, law enforcement, and the community Canopy cannot be successful. Therefore, he is optimistic that a permit will be issued with the approval and support of the City of Santa Barbara. Ryan also acknowledges and respects the opinions of Law Enforcement and supports them in enforcing the law, while simultaneously hoping that they respect Canopy's right to operate within the law.

Response to SBMC 28.80.070. Section B.:

B. Criteria for Issuance. The Staff Hearing Officer, or the City Council on appeal, shall consider the following criteria in determining whether to grant or deny a Medical Marijuana Storefront Collective Dispensary permit:

Response to SBMC 28.80.070. Sections C.1. – C.12..:

1. *That the Collective Dispensary permit and the operation of the proposed Dispensary will be consistent with the intent of the Compassionate Use Act of 1996 and the SB 420 Statutes for providing medical marijuana to qualified patients and primary caregivers and the provisions of this Chapter and with the Municipal Code, including the application submittal and operating requirements herein.*

RESPONSE: The applicant submitted "Articles of Association for Canopy Club, Inc." signed by the applicant and stating that the Collective will operate the dispensary consistent with the Compassionate Use Act of 1996 (Proposition 215) and Senate Bill 420 (Attachment 4). The operations plan, security plans, and signed confirmations (Attachments 2 and 5) indicate compliance with the dispensary ordinance and Municipal Code.

2. *That the proposed location of the Storefront Collective Dispensary is not identified by the City Chief of Police as an area of increased or high crime activity.*

RESPONSE: A similar project near this location at 331 North Milpas was routed to the police department on or around November 19th, 2008, whose personnel conducted a site investigation. At that time, the area was not considered to be an area of high crime activity based upon crime reporting statistics. To the best of our knowledge, the proposed location has not been identified by the Chief of Police as an area of increased or high crime activity since.

3. *For those applicants who have operated other Storefront Collective Dispensaries within the City, that there have not been significant numbers of calls for police service, crimes or arrests in the area of the applicants former location.*

RESPONSE: Mr. Howe has not previously operated a dispensary within the city or anywhere else, nor has he been involved with any prior operations within the City.

4. *That issuance of a Collective Dispensary permit for the Collective Dispensary size requested is appropriate to meet the needs of community for access to medical marijuana.*

RESPONSE: The size of the store front interior 2,264 net square feet. The proposed dispensary has significant space in the reception area so as not to let members loiter in or around the street. The reception space is located in the front near the street with clear visible access through the windows. There are two ADA compliant bathrooms and an interior ADA ramp leading in to the dispensary. There is also an ADA ramp outside leading from the sidewalk in to the reception area. The actual floor space of the Secured Area for Dispensing is 847 S.F., justifiable to meet the needs of the community. Additional details can be found in Exhibit A - Square footage map and on page 29 in the Operations Plan under the heading "Dispensary Size".

5. That issuance of the Collective Dispensary permit would serve the needs of City residents within a proximity to this location.

RESPONSE: Canopy understands that only residents of Santa Barbara County can be members of a store front collective dispensary. However, according to past research done near this location, approximately 90% of the patient members who visited the Milpas location were Santa Barbara County residents. There are no other existing dispensaries operating within the Milpas area to the applicants knowledge, and according to the City's web site, there is only one other existing permitted dispensary operating on Upper State Street within the city of Santa Barbara which is over 5 miles away.

6. That the location is not prohibited by the provisions of this Chapter or any local or state law, statute, rule, or regulation and no significant nuisance issues or problems are likely or anticipated and that compliance with other applicable requirements of the City's Zoning Ordinance will be accomplished.

RESPONSE: The project site is within an area of the City that allows Medical Cannabis Dispensaries. No prohibitions for a dispensary at this location were identified in any local, state, statute or rule or regulation. To prevent nuisance issues, the security measures include security patrol guards, alarm systems, security cameras and patient screening. The front lobby of the dispensary has large windows and good visibility from Milpas Street for police surveillance. No smoking or use of marijuana is permitted on the premises, no drug paraphernalia will be sold on the premises, and Canopy is required to, and will control loitering, graffiti, and nuisance issues in the surrounding areas.

7. That the Dispensary's Operations Plan, its site plan, its floor plan, the proposed hours of operation, and a security plan have incorporated features necessary to assist in reducing potential crime-related problems and as specified in the operating requirements section. These features may include, but are not limited to, security on-site; procedure for allowing entry; openness to surveillance and control of the premises; the perimeter, and surrounding properties; reduction of opportunities for congregating and obstructing public ways and neighboring property; illumination of exterior areas; and limiting furnishings and features that encourage loitering and nuisance behavior.

RESPONSE: Canopy understands the potential nuisance that a collective and its members can be to neighbors; and has considered the probability that both non-members and minors will be near the building, and that the likelihood of their discovery is high. As such, Canopy has accounted for potential subsequent crime, loitering, and nuisance issues. The organization believes that any threat of loitering or crime related activity will be eliminated through constant attention and the combined use of the following:

1. A well thought out Operation (Page 19 of this document) and Security Plan (See Exhibit A);
2. Diligent Patient Screening with security controlled access at all times;
3. A strategically placed security camera and alarm system with 24 hour surveillance;
4. A well-lit exterior area with unobstructed public views of the side, front, and rear of the building;
5. A six foot sectional iron "see through" fence and gate will be constructed for added security to prevent exterior access to the "Exit Doors" facing Mason Street. The fence will be guarded 24/7 by video surveillance, and by security guards during store hours. Access to the area behind the fence will be limited to members, employees, and management for the purpose of participating in wellness activities such as meditation, education, and health classes. The fence will also prevent public access to the property so as to deter loitering, graffiti, and litter. (See Exhibit D – Proposed Plan for Fence).
6. And ... Ample room within the reception area, which will absolutely prevent any opportunity for loitering.

8. That all reasonable measures have been incorporated into the Dispensary security plan or consistently taken to successfully control patrons' conduct resulting in disturbances, vandalism, crowd control inside or outside the premises, traffic control problems, marijuana use in public, or creation of a public or private nuisance, or interference of the operation of another business.

RESPONSE: Canopy will have a zero tolerance clause within its membership agreement regarding its members and employees loitering and/or using cannabis products on or within 200 feet of the property. In the event of loitering or a cannabis use infraction, membership will be cancelled and/or employment terminated. Given the outstanding nature of Santa Barbara's citizens and our selective membership/hiring process, Canopy expects that this will never be a problem. Members will be informed of the zero-tolerance policy through the signed membership agreement and on-site signage. Additionally, staff and security will enforce this policy as a main priority.

The site plan and the security plan indicate Canopy will install seventeen security cameras. The cameras will be placed throughout the buildings' interior and exterior and will be monitored during and after hours with the purpose of identifying disturbances, vandalism, loitering, etc. The security company monitoring the video system will be onsite to respond during regular business hours, and will be on-call for after-hours response.

Canopy will have two security guards on-site at all times during regular business hours. The security guard(s) will have several responsibilities, including, but not limited to:

1. Screening all new and prospective members by CA State ID and a valid physician's recommendation before entering the dispensing area.

2. Keeping the sidewalk area in front of the building free of members at all times (zero-loitering will be allowed). A prospective member must have a CA State ID and a valid physician's recommendation. If not, they will be asked to leave the premises immediately.
3. Ensuring no cannabis or alcohol use on the site. (Zero tolerance use policy will be enforced).
4. Address any nuisance issues and report them management immediately.
5. Removing litter and cigarette butts; and report any graffiti identified in the area.

Procedure for graffiti removal: (See also page 38).
1. Take a Picture and make a "Journal Entry" on the Dispensary Daily Log;
2. Promptly notify the property manager, Merry Miplas, LLC. c/o Steven Bernston at (805) 563-9400. He will advise action to remove.
3. Make another "Journal Entry" of who said what, on the Daily Log.
4. In the event that the 72 hour time allotment has expired, at the direction of the property manager, the Dispensary Manager will utilize the "World's Best Professional Graff-Attak-Pak" graffiti remover. Using the most appropriate application product and method for the graffitied surface (i.e., bare brick, stone and masonry) and use all necessary protective gear (Goggles, thick rubber gloves, rubber apron, and air respirator).

9. That the Storefront Collective Dispensary is likely to have no potentially adverse effects on the health, peace, or safety of persons living or working in the surrounding area, overly burden a specific neighborhood, or contribute to a public nuisance and that the Dispensary will generally not result in repeated nuisance activities including disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passerby, excessive littering, excessive loitering, illegal parking, excessive loud noises, especially late at night or early in the morning hours, lewd conduct, or police detentions or arrests.

RESPONSE:

1. Promoting Health and Safety: Through its wellness center Canopy is promoting an education lecture series, community outreach awareness, and special events program to raise money for cancer research programs. The lecture series and special events programs will not be performed at 118 North Milpas. However, activities that will be conducted at the site (other than dispensing medicine to qualified Canopy members) include one on one private consultation, education courses, and meditation/yoga therapy. Canopy will also develop safety protocol guide materials for its membership and the community on the correct use of cannabis and its potential harmful side effects. Additionally, Canopy will maintain strict protocols with the production and testing of its products in an effort to ensure the safety and efficacy.

2. Aiding the Neighborhood, Not Burdening It: Ample lighting is already installed in the front of the building, and both sides of the building are more than adequately lit with updated lighting fixtures which were approved by the city only a few short months ago. Therefore, the lighting installed already prevents light trespass beyond

its property lines. Members will be instructed where to park and when to park during their private one on one initial consultation meeting and security will enforce the policy.

3. Preventing Nuisance Activities: The duties of the security guards and management members will take all reasonable steps to discourage and correct conditions and behavior which constitute a public or private nuisance. Through controls such as the Patient Agreement Form which states members must leave the premises after securing medicine, and a mandatory "rules and regulations" introductory consultation between each member and a member of management, Canopy will ensure all members are properly educated and informed not to loiter, litter, or disturb the peace. Additionally, the dispensary will be closed prior to 9:00 am and after 6:00 pm Monday through Saturday. This will ensure that excessive loud noises, especially late at night or early in the morning hours, will not be as a result of Canopy or its members.

4. Working with Law Enforcement: Two full time security guards will be patrolling the area during business hours and will immediately report illegal drug and/or criminal activity to police. Cameras and alarms will be mounted in every corner of the building and recording activities in and around Canopy 24/7. A knowledgeable and trained management staff will also be on site during business hours. Canopy believes these measures, along with other measures outlined later in the "Security Plan" on page 30, will prevent adverse effects on the peace and safety of our neighborhood.

10. That any provision of the Municipal Code or condition imposed by a City issued permit, or any provision of any other local, or state law, regulation, or order, or any condition imposed by permits issued in compliance with those laws will not be violated.

RESPONSE: Canopy is managed, and will be operated, under the highest standards around compassion, health, safety, ethics, patient's rights, and all aspects of the law as designed by CA Proposition 215, SB420, and the City of Santa Barbara's ordinance. The organization is represented by Joseph Allen and will act in full compliance with the law, regulations, and conditions set by the ordinance. No provisions of any code, condition of a city issued permit, or any other local or state law, regulation or order or any condition imposed by permits issued in compliance of those laws in the City of Santa Barbara will be violated by Canopy.

11. That the Applicant has not made a false statement of material fact or has omitted to state a material fact in the application for a permit.

RESPONSE: Canopy has made no false statement of material fact, nor has it withheld a material fact, in the application for the permit, and have executed documents stated as such as a part of this application.

12. That the Applicant has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices with respect to the operation of another business within the City.

RESPONSE: Canopy has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices with respect to the operation of another business within the City of Santa Barbara or anywhere else.

Executive Summary

Canopy Club, Inc. is a California Non-Profit Mutual Benefit Corporation. Its mission is to create a unique *Medicinal Healing, Research & Wellness Center,* like a modern day version of the traditional Apothecary. The name, "Canopy", stems from the concepts of healing medicines which grow from underneath the canopy of a Rain Forest. Canopy will achieve its objectives by offering non-cannabis and cannabis related natural medicines, herbs, and foods along with spiritual, psychological, and physical healing services to its legally mandated qualified members. The Membership Advisory Council is committed to expanding member care through offering professionalized education and community awareness programs, providing a secure wellness center for its members, and to offering safely tested products which serve specific medicinal needs. The organization's goal is to generate a qualified membership base in the city of Santa Barbara and continue to support it with healthy services and healthy product offerings.

Canopy's mandate is to help legitimize the cannabis industry through its experiences and partnerships with other established industries along with specialized quality product testing, research, and community outreach programs. Its highly qualified Membership Advisory Council has been involved in researching, developing, and implementing education platforms on the subject of herbal medicine and natural cancer treatment remedies for many years. Further, the vision of this council has always been to legalize, professionalize, and standardize these practices' while bundling products and services together in a single offering, and "under one roof." The organization embraces a relentless drive for quality and safety. All members of its extended family including its donors and industry partners believe The Canopy is positioned for long term success and will exert a major influence towards the positive growth aspects of the cannabis industry's existing and future culture.

Initially the objective is to establish a premiere member driven store front dispensary and wellness education center. Canopy Club (an unincorporated non-profit voluntary association, Managed by Canopy Club, Inc.) was decided as the starting point by the members after considerable consultation with Santa Barbara City Officials and business professionals. Santa Barbara's citizens have an obvious need for medicinal herbal medicines and the city is looking for responsible, educated, and successful business professionals to operate while strictly abiding by city laws under the store front dispensary ordinance. Canopy believes it has the background to both service the growing local demand while satisfying city requirements and law enforcement.

The Canopy will provide a range of quality tested products to its members including, but not limited to, teas, organic juices, Eastern and Indian homeopathic medicinal treatments/remedies, multiple cannabis strains, CBD based strains, non-cannabis and cannabis based edibles, natural foods, herbs, oils, pain relief sprays, tinctures, lotions, and will eventually offer a complete clothing line of active wear. Canopy will not dispense drug paraphernalia, allow on site consumption, or offer any other product or service which constitutes non-compliance with Santa Barbra's City Ordinance.

Industry Dynamics

The US National legal medical cannabis market value is now assessed at $1.53 billion, comprising 21 states that have active and open sales of cannabis to people legally allowed to possess it under state law. The vast majority of industry establishments are concentrated in the West and Rocky Mountains, where there has been extensive cannabis legislation over the past decade. According to the State of Legal Cannabis Markets report, a report published every year by the ArchView Group, "the national market is projected to grow 68 percent from current levels to $2.57 billion by end of 2014." "The five year national market potential is $10.2 billion, which is more than a 700 percent increase above the current national market value."

Together, California and Colorado alone are home to an estimated 64.3% of industry establishments and nearly 96.0% of industry revenue. California remains the largest state market at $980 Million, but is projected to increase dramatically by 2017 and will secure an even more dominant portion of the national market. According to the Cannabis Policy Project, a Washington, D.C.-based group that supports legalization, "the estimated annual sales tax revenue generated by medical cannabis organizations in California in 2014 will be $105 million." As we know, California only allows nonprofit collectives to provide medical cannabis for its members, but the state's high population and long history of legalization has contributed to a high concentration of industry establishments. For example it has allowed organizations operating legally and responsibly to begin offering niche products and services to a broad, widely tested market base.

Market Niche Business Opportunity

Alternative cannabis ingestion methods which offer consumers cannabinoid delivery formats other than smoking are one of the fastest growing segments in the cannabis industry. Applications of non-smoking technologies, such as vaporization, infused products such as edible, oral, mucosal, and capsule formats, are increasing.

Beyond consumer preferences for not smoking, popularization of these ingestion methods is also based on more precise cannabinoid dosage and effect delivery. The way to measure dosage is through laboratory testing facilities which also have the ability to measure efficacy standards and safety testing. There are three legal and legitimate testing labs located throughout Southern California and all are associated with collectives. Canopy believes that a lab such as this is needed in Santa Barbara to protect its citizens (who would also be qualified members) from harmful products while informing them of what they are ingesting into their bodies.

Unique Marketing Concept

Canopy will be marketed by its sister organization, Canopy Productions. Canopy Productions is a special event production company that has been created to bring awareness and financial support to a variety of community based charitable causes through a series of concerts and festivals. Canopy Productions' team has a wealth of experience in promoting and producing mid-range concerts and concert tours (2,000 – 7,000 capacity).

Canopy Productions has a unique opportunity to bring world-class musicians and special performers to Santa Barbara in an effort to unite and educate the community about the positive effects cannabis has on real people's lives. The festivals will be divided into three sections:

1. ***"Concert Staging Area"*** will contain performances by world renowned artists, local artists, and *"Cirque' du Soleil style"* shows.

2. ***"The Street Walk"*** is a long and narrow walk-way with vendors, games, street performers, booths for local businesses, and medical education areas where people can learn about the positive effects of Medical Cannabis and other natural organic healing methods. The street walk also provides a vehicle where artists can express themselves and their works.

3. ***"Lectures and Learning"*** is a private lecture area for speakers and educators who wish to speak on the subject of cannabis. The lectures will be available to the public as well as industry professionals and member patients. The area would be contained inside of an enclosed structure (*example: tent*), and accessible to adults over the age of 21. No medical cannabis would be offered or dispensed at any location during the festivals.

Canopy Productions will launch its festivals with the following organizations in mind: - Avon Walk for Breast Cancer - AIDS Walk Santa Barbara - Santa Barbara Community Foundation - Milpas Community Association - Police & Firefighters League of Santa Barbara - Muscular Dystrophy Association - Americans for Safe Access.

Membership Advisory Council

The role of the Membership Advisory Council is to advise and consult with the Founder, Ryan Howe, in specific areas related to each Advisors expertise. These individuals are experts in their related fields of clinical psychology, education, cultivation, and cannabis care programs for patients. The Council will also recommend future management personnel to the Founder. Other than Ryan Howe, Membership Advisors are only be members of Canopy, and do not serve as management, employees, or on the Board of Directors for the organization.

Ryan Steven Howe, Founder & Chairman, Canopy, Inc. was the President of Thunder Bay Pictures, a 13 year partnership with Motown veterans Smokey Robinson and Mark Davis. During this duration, Ryan has produced and executive managed films such as "Spinning into Butter" starring Sarah Jessica Parker and the medically acclaimed film documentary, "The Evolution of Stem Cell Research" narrated by Leonard Nimoy. This documentary reflects Mr. Howe's deep belief in new and non-traditional medical applications which have the ability to treat diseases once deemed "untreatable" by traditional western medicine.

Ryan has also produced and/or managed over a dozen live theatrical events and concert series including Drew Carey's "Greenscreen Stage Tour" and the "Gladys Knight & Smokey Robinson Live Series". Prior to formulating the entertainment company, Mr. Howe co-owned and managed Metrix Communications, a consulting and advertising firm located in Irvine, CA. The company focused on designing and marketing the very first web sites for companies such as Best Buy Music and Toshiba. Metrix also created international ad campaigns for Mazda USA including the "Zoom Zoom" series before being sold in 1998 to a large advertising agency for a significant profit.

A California resident for over twenty five years and permanent resident of Santa Barbara City, Mr. Howe originates from a family of doctors in San Diego who own Stemedica Cell Technologies, Inc., a leading stem cell research and manufacturing company. His involvement with the cannabis industry began several years ago after his mother was diagnosed with breast cancer for a second time.

Stanlee Panelle Cox (MFT) is a third generation resident of Santa Barbara City, accomplished licensed family therapist (MFT), Clinical Psychologist, and educator. During the past five years, Ms. Cox has been operating a therapeutic coaching center in Oxnard, CA for individuals suffering from depression, anxiety, as well as many other

mental afflictions. She uses an eclectic combination of Gestalt, Cognitive Behavioral and Family Therapy methods to heal her patients. Additionally, she has created, produced, and hosted a series of educational workshops, cable television episodes, and radio talk shows giving her opportunity to council thousands of individuals, families, couples and children who are going through major life transitions.

Prior to operating her private family coaching center, Ms. Cox practiced at the prestigious Morbrook Institute in Camarillo, California where she co-facilitated the longest running Women's Support Group in Ventura County. During her tenure at Morbrook, she also originated & facilitated the Depression/Anxiety Recovery and the Gay/Lesbian Lifestyle Support Groups.

Ms. Cox is the Granddaughter of Charles Phillip Cox (C.P. Cox & Son), the mason who built Santa Barbara's sidewalks, and daughter of Stanley Phillip Cox, (Stan Cox Quartet & also the City Tax Appraiser), the musician who became the sound of Santa Barbara's prestigious festivals during his lifetime. Like her Grandfather and Father, Stanlee strives to maintain Santa Barbara's charm, wisdom, and dignity and wishes to give back to the City which has given her family so much through her healing talents and community leadership skills.

Thomas Lyle Martin, CEO of *The Citral Group*, is a fifth generation California farmer and resident of Lompoc. Mr. Martin was born into his farming career and had only a short break to study for a B.S. degree in business-finance at Santa Clara University; where he graduated with honors (Cum laude) and then returned home to manage the family farm. Thomas and his family have had a long history (over 40 years) of commercial raisin production as members of the cooperative, Sun Maid Inc. His responsibilities to the farm were wide ranging: beginning at the age of eleven with picking and pruning in the vineyard, to postgraduate, as the CFO and Director of Operations and Labor.

For the past seven years Mr. Martin has directed a family effort to bring their knowledge of responsible agricultural production to medical cannabis farming. In this effort, he has joined with USDA attorney, Chris Van Hook, and helped to establish a baseline for "clean and responsible" cannabis production and extraction through the Clean Green certification program. Clean Green mimics what Mr. Van Hook implements for the USDA's organic certification process with its farmers.

Mr. Martin is well known throughout the industry as a recipient of awards including the coveted Cannabis Cup Award in 2011. He has also chaired and participated on several major product steering committees including a current group assigned to creating standards in cannabis production for ANSI regulations. In doing so, he has had the opportunity to work directly with scientists from the most credible and recognizable organizations in the industry such as Steep Hill Halent Laboratories in Oakland, Ca.

Operations Plan

Response to SBMC 28.80.060. Section E.6.:

Emergency Contact: Ryan Howe (805) 895-2578
Location of Operation: 118 N. Milpas St., Santa Barbara, CA 93103
Days of Operation: Monday thru Saturday
Hours of Operation: 9:00 am – 6:00 pm
Security Alarm & Camera Company: Philip Clough, Home Control Solutions. 1029 Chino Street, Santa Barbara, CA 93101. (805) 565-7755.
Security Guard Company: Mission Security & Patrol 826 De La Vina St., Suite A Santa Barbara, CA 93101-3204. Phone: 805.899.3039.

Response to SBMC 28.80.050. Sections A.-E.:

Site Information: The applicant's name is Ryan Steven Howe, Founder, Canopy Club, Inc. The current property owner is Merry Milpas, LLC. Parcel ID 017-091-016, Parcel Size: 4,449 S.F., Gross Interior Space: 2,382 S.F., Net Interior Space: 2,264 S.F., Area proposed for minor interior remodeling: 687 S.F., Zoning Commercial (C-2), Retail Stores Single Story.

Mr. Steven Bernston, a resident of Santa Barbara, is the lead partner among the investment group, Merry Milpas, LLC. who recently purchased the property. His real estate company, Marina Bay Company, is also headquartered in Santa Barbara. The Master Application, executed by Steven Bernston and Ryan Howe, is attached as **Exhibit B**. It is important to note that Mr. Howe and Canopy have not previously owned or operated a medicinal cannabis business in the City or County of Santa Barbara. Also, Steven Bernston has no relationship to Canopy other than being the land lord at the property for the proposed dispensary at 118 North Milpas.

Location and Hours of Operation: According to section 28.80.050 of the Santa Barbara City Zoning Code, a storefront dispensary may be located on parcels fronting Milpas Street between Carpinteria Street and Canon Perdido Street. 118 North Milpas Street is located on a parcel facing Milpas Street between Carpinteria and Canon Perdido and is marked on the city's Medical Cannabis Dispensaries Milpas Map as an approved building to operate a storefront dispensary within.

To the knowledge of Canopy, currently there is only one other storefront dispensary that has been approved on Upper State Street (over 5 Miles away from 118 N. Milpas). Additionally, the nearest school is over 600 feet away from the proposed storefront dispensary. The proposed site is clearly visible, single story, ground floor storefront location. It also provides good public views of the entrance and its windows from the street. The primary entrance is located and maintained clear of barriers, landscaping and similar obstructions and is clearly visible from the street and side walk. The parking lot has been deemed "legal non-conform" by the city and will instead become a landscaped garden and wellness area. A design drawing of the garden plan, including the proposed fence, location of the trash receptacles, location of the bike rack, and wellness area can be seen in "Exhibit E"- Proposed Plan for Garden. Also listed in Exhibit E is the visual list of intended plants with indication of CA natives. All plants selected are either native to the area and/or bode low on their respective water requirements. Both properties on the north and south sides of the building are "Residential/Commercial" and there is little foot traffic near the proposed dispensary entrance. The building is ADA compliant and completely wheel chair accessible.

According to Section 28.80.080, paragraph D of the Santa Barbara Municipal Code – "On-Going Canopy Requirements for Medical Marijuana Storefront Collective Dispensaries," Canopy must operate its storefront dispensary during the hours of between eight o'clock in the morning (8:00 a.m.) through six o'clock in the evening (6:00 p.m.), Monday through Saturday only. The days and hours of the dispensary's operation shall be posted in a sign located on the street frontage of the dispensary premises in a manner consistent with the City's Sign Ordinance.

Response to SBMC 28.80.080. Sections D.1.-D.8:

Dispensing Operations - New Patients and Caregivers: In order to stay in compliance with the criteria in California Health and Safety Code Section 11362.5 et seq., Canopy will dispense medicine ONLY to qualified patients or primary caregivers who hold a current valid physician's approval or recommendation in compliance with the criteria of the Compassionate Use Act of 1996 and the SB 420 statutes, and will only accept original documentation of a valid doctors' recommendation **AND** a valid California Drivers' License or California Identification Card. Canopy will ensure that its patients/caregivers consist of individuals residing within Santa Barbara County, as the term "principal residence" is defined in the federal Internal Revenue Code.

All documents will be verified prior to allowing access to the proposed dispensing area, and only after the 24 hour waiting period, as is the protocol. Caregivers for Collective patients shall undergo the same background checks as collective members. If a

physician is unavailable to verify the recommendation, the patient/caregiver will not be permitted to enter the dispensary until the recommendation can be verified. The rules of conduct, specifically including the points on the attachments, will be spelled out in a large sign located on the main wall of the front waiting room, visible directly behind the desk of the receptionist in the waiting area. Thus every member who enters must come to the desk and sign in and will be facing the sign displaying all the rules. New patients/caregivers will be informed of the dispensaries policy regarding consumption on premises. Signage will also be clearly and legibly posted within the dispensary regarding the rules and regulations of cannabis consumption within Santa Barbara as well as cannabis etiquette. Additionally members will be given a map which defines the premises to consist of a 200 foot radius around the dispensary, as well as the neighborhood in and around the proposed dispensary location. The map shall be attached to the patients agreement form and acknowledged in member records. This restriction does not apply to members who live within the mapped area to consume their cannabis in their own homes.

Re-Verification from the "Recommending Physicians' Office": Canopy will obtain verification from the recommending physicians' office personnel that the individual requesting medical cannabis is or remains a qualified patient pursuant to Health and Safety Code Section 11362.5. All recommendations are good for one year.

Dispensing Operations - Existing Patients and Caregivers: Upon arrival at the dispensary, existing patients must provide original documentation of a valid doctors' recommendation AND a valid California ID. The member is logged into the computer system and given a number; then asked to take a seat in the waiting area while the computer system allows security to view the last visit from that member. This also prevents members from attempting to re-enter the dispensary on the same day even if the staff changes. Once an existing member acquires their medicine, they must exit the premises. Canopy has a strict zero-tolerance policy regarding illegal redistribution or sale of medical cannabis. Any patient or caregiver found in violation of this policy immediately forfeits access to Canopy for life. The organization will also maintain full and complete records of the following on a physically secure computer and hard copy:

a. The verified physicians' recommendation of each qualified collective patient/caregiver.
b. The full name, date of birth, residential address, and telephone number(s) of each Collective member and Canopy Member and Drivers' License or ID Card.
c. The date each Collective member and Canopy Member joined the Collective.
d. The exact nature of each Collective member's and Canopy Member's participation in the Collective.

e. The current status of each member and Canopy Member as a Qualified Patient or Primary Caregiver checked on each visit.

Dispensing Operations -Member Flow: Upon entering through the front door to the lobby reception area (or handicapped ADA entrance of the lobby reception area for handicapped members), a member of Canopy must check in at the reception counter and present his/her valid California Driver's License or ID and valid physicians recommendation. Once checked in, a member will be asked to take a seat in the lobby/reception area and encouraged to read the educational material and/or participate in computer based learning programs. When a patient is called, a Canopy Consultant will greet them at the secured access door and escort the member through the secure access doorway. Consistent with the "one on one" canopy consultant/member model, Canopy will allow only as many members inside of the dispensary as there are Canopy Employees to serve them. Once served, the member will exit back through the secure access door in to the lobby reception area. Canopy will limit cannabis offerings to one cannabis related transaction per member in a 24 hour period and not to exceed 2 ounces of cannabis. The side exit doors are controlled for Emergency Access only, but may be used for trash disposal as needed.

Dispensing Operations - Expired Patients/Caregivers: Canopy's computerized patient member/caregiver database will keep track of all patients' expiration dates with respect to each of their physicians' recommendation documents. If the patient member/caregiver's doctors' recommendation is due to expire within less than thirty days, the computer prompts the receptionist to notify the patient. If a doctors' recommendation is expired, the patient/caregiver will not be allowed access into the dispensary until their doctors' recommendation is renewed.

No Physician On -Site: Canopy shall not have a physician on-site to evaluate patients and provide a Compassionate Use Act recommendation for the use of medical cannabis.

Dispensary Permit: Canopy shall conspicuously display at all times during its regular business hours, the permit issued pursuant to the provisions of this Chapter. The permit will be located in the bottom left corner of the receptionist window in the lobby.

Commercial Use/Parking Requirements: Canopy shall be considered commercial use relative to the parking requirements imposed by Santa Barbara Municipal Code Section 28.90.100(1).

State Division of Alcoholic Beverage Control License: Canopy WILL NOT hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale

of alcoholic beverages or sell alcoholic beverages. No alcoholic beverages shall be allowed or consumed on the premises.

Consumption On Premises & Non-Obstructed Views of Signs: At no time is consumption allowed on/in the Dispensary premises by staff, patients, and/or caregivers. Patients and caregivers will be notified of this policy during their first visit to the dispensary as the patient agreement signed by every patient of Canopy clearly defines the consumption restrictions on the premises. This includes the secure dispensing area, outside lounge area, garden, street, and sidewalk within 200 feet of the dispensary by any collective member who receives their medical cannabis from the dispensary. The term "premises" includes the actual building, as well as any accessory structures, parking lot or parking areas, or other surroundings within 200 feet of the Collective Dispensary's entrance. A sign shall be clearly and legibly posted in the proposed Dispensary indicating that smoking, ingesting, or consuming marijuana on the premises or in the vicinity of the Dispensary is strictly prohibited. However, signs shall not obstruct the entrance or the windows. Address Identification shall comply with Fire Department Illuminated address signs requirements. Additionally members will be given a map which defines the premises to consist of a 200 foot radius from the front door of the dispensary (Exhibit G: Revised Canopy Agreement Patient Form & Map). The map shall be attached to the patients agreement form and acknowledged in member records. This restriction does not apply to members who live within the mapped area to consume their cannabis in their own homes.

Signage: The dispensary sign will be limited for identification purposes only and will be labeled ***"The Canopy."*** Canopy will comply with the Santa Barbara city sign ordinance (SBMC Chapter 22.70). It will consist of a single window sign, or wall sign that shall not exceed six square feet in area or 10% of the window area, whichever is less. Signs on the premises shall not obstruct the entrance or windows. Address identification shall comply with Fire Department illuminated address signs requirements.

Response to SBMC 28.80.080. Sections E.1. & E.2.:

On-Site Consumption & Re-Distribution Restrictions: No patient, caregiver, dispensary employee, or manger may consume, eat, smoke, or vaporize cannabis on the premises. The patient agreement signed by every patient of the Canopy clearly defines the consumption restrictions on the premises, the accessory structures, parking areas, and surroundings within 200 feet, by any collective member who have received medical cannabis from the dispensary. Security will monitor the site activity to ensure rules are being followed and Canopy may suspend or terminate services to any qualified patient/caregiver found to be in violation of the patient agreement.

Canopy will enforce a strict, zero tolerance policy regarding the redistribution of medical cannabis. Any patient/caregiver found in violation of this policy immediately forfeits their access to Canopy and may never return. The organization will maintain and open channel of communication with Santa Barbara Police Department to share any information regarding offenders found in violation of illegal distribution.

Response to SBMC 28.80.080. Sections F.1. & F.2.:

Canopy Product Offerings: Canopy will provide a range of quality tested products to its members including, but not limited to, multiple cannabis strains, CBD based strains, edibles, oils, pain relief sprays, tinctures, lotions, and will eventually offer a complete clothing line. Canopy will not dispense or display drug paraphernalia, allow on site consumption, or offer any other product or service which constitutes non-compliance with Santa Barbra's City Ordinance. All dispensing of medical marijuana will occur exclusively within the boundaries of the city of Santa Barbara and only at the real property identified as the permitted Dispensary location on the approved Storefront Collective Dispensary Permit application. Canopy and its employees will not cause or permit the dispensing or exchange of Medical Marijuana or of any Edible Medical Marijuana product to any non-Collective Member. Canopy will not possess medical marijuana that was not collectively cultivated by its members either at the property or properties that are designated for cultivation and will limit cannabis offerings to one cannabis related transaction per member in a 24 hour period and not to exceed 2 ounces of cannabis. This will help to solve Canopy and law enforcement's concerns about non-diversion.

Response to SBMC 28.80.080. Sections G.1. - G.5.:

State Law Compliance Warning: Posted in a conspicuous location inside the Storefront Collective Dispensary advising the public of the following:

a. The diversion of marijuana for non-medical purposes is a criminal violation of state law.
b. The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery.
c. The sale of marijuana and the diversion of marijuana for non-medical purposes are violations of state law.

Not For Profit Operation: Canopy shall not operate for profit. Cash and in-kind contributions, reimbursements, and reasonable compensation for services provided by Management Members and Collective Members towards the Collectives actual expenses for the growth, cultivation, processing, and provision of Medical Cannabis to qualified

patients of the Collective is allowed provided that such reimbursements are in strict compliance with the applicable provisions of California State Law. All such cash and in-kind reimbursement amounts and items will be fully documented and in the financial and accounting records of Canopy in accordance with and as required by the record keeping requirements of this chapter.

Cultivation of Medical Marijuana: Canopy will not cultivate medical marijuana at its permitted store front location and will limit cultivation to its collective members and Canopy Members. Cultivation of medical marijuana by the Collective members and the Canopy Members will occur exclusively within the boundaries of the counties of Santa Barbara, Ventura, or San Luis Obispo County and only at the real property identified for such cultivation on the approved Storefront Collective Dispensary Permit application. No cultivation of medical marijuana at any Property where the marijuana is visible, with an un-aided eye, from the view point of any public or private property. Also, no cultivated medical marijuana or dried medical marijuana will be visible from the building exterior on the Property and no cultivation shall occur at the Property of the Collective unless the area devoted to the cultivation is secured from public access by means of a locked gate and any other security measures necessary to prevent unauthorized entry. (See Exhibit F - Photos to prove Cultivation is not visible and is Secure).

Distribution in Santa Barbara Only: Distribution of medical cannabis collectively cultivated by some collective members to other collective members shall occur exclusively within the boundaries of the City of Santa Barbara and only at the real property identified as the permitted dispensary location on the approved Storefront Collective Dispensary Permit Application.

Membership Limited to One Collective: Membership in Canopy will be limited to one Collective per qualified patient or primary caregiver. Canopy shall also consist only of individuals residing within Santa Barbara County, as the term "principle residence" is defined in the federal Internal Revenue Code.

Response to SBMC 28.80.080. Sections H.1. - H.4.:

Record Keeping:

Cultivation Records: A strict standard for cultivation and dispensing will ensure the success of the Canopy's main cultivation and dispensing goal; the non-diversion of its product to minors and unqualified patients. As such, Canopy will maintain on-site (i.e., at the Property designated for the operation of the Storefront Collective Dispensary) the

cultivation records of the Collective. These records will include, but are not limited to; a strict accounting of all cannabis plant material and byproduct; beginning with the seed/cutting through its maturation period and then eventual use/possession by a qualified Canopy Member. These records shall be shall be signed under penalty of perjury by each Canopy Member responsible for the cultivation and shall identify the location or locations within the counties of Santa Barbara, Ventura, or San Luis Obispo at which the Collective's medical marijuana is being cultivated. Such records shall also record the total number of marijuana plants cultivated or stored at each cultivation location. The organization will also maintain an inventory record documenting the dates and amounts of medicinal cannabis cultivated or stored at the Dispensary Property, if any, as well as the daily amounts of medicinal cannabis distributed from the proposed permitted dispensary.

Membership Records: Canopy shall maintain full and complete records of the following membership information: 1. the full name, date of birth, residential address, and telephone number(s) of each Collective member and Canopy Member; 2. the date each Collective member and Canopy Member joined the Collective; 3. the exact nature of each Collective member's and Canopy Member's participation in the Collective; and 4. the current status of each member and Canopy Member as a Qualified Patient or Primary Caregiver. All physician recommendations will be stored alphabetically and filed along with a copy of the members CA ID. A database of qualified collective members will be created and will monitor exportation dates. All collective members are assigned a numeric code and expiration dates on doctors recommendations are tracked via an industry standard computer web site system. Caregivers for Collective patients shall undergo the same background checks as collective members.

Financial Records: Canopy shall also maintain a written accounting record or ledger of all cash, receipts, credit card transactions, reimbursements, (including any in-kind contributions), and any and all reasonable compensation for services provided by the Canopy Members or other members of the Collective, as well as records of all operational expenditures and costs incurred by the Dispensary in accordance with generally accepted accounting practices and standards typically applicable to business records.

Dispensary Records Retention Period: The records required in the above three paragraphs shall be maintained by Canopy for a period of three (3) years and shall be made available to the City upon a written request, subject to the authority set forth in Section 28.80.090.

Response to SBMC 28.80.100. Sections A. & B.:

Transfers to or From a Non-Collective Member: Canopy will not permit the sale, distribution, or exchange of Medical Cannabis or of any Edible Medical Cannabis Product to any Non-Collective Management Member or member. Canopy will not possess medical cannabis that was not collectively cultivated by its members at the property (or properties) designated for the cultivation.

Assistance for Edible Cannabis Products: Canopy acknowledges that the providing of Edible Medicinal Cannabis Products is permitted under the rules of the ordinance. At this time no member or management member of Canopy is making/cultivating edible cannabis products. However if, in the future, Canopy members or management decide to cultivate edible cannabis products, the city will be notified as such and the cultivator will receive a live scan back ground check at the Santa Barbara City Police Department as is required by City Ordinance.

Response to SBMC 28.80.130. Sections A.-D.:

Collective Dispensary Permit – Site Specific: Canopy will not operate our Storefront Collective Dispensary at any place other than the address stated in this application. The Collective Dispensary Permit will not be transferrable to a different location, unless authorized by the City.

Transfer of a Permitted Collective Dispensary: Mr Howe will not transfer ownership or control of his Storefront Collective Dispensary Permit to another person or entity unless and until the transferee obtains an amendment to the permit from the Staff Hearing Officer pursuant to the permitting requirements of this Chapter. Such an amendment may be obtained only if the transferee files an application with the Community Development Department in accordance with all provisions of this Chapter accompanied by the required transfer review application fee.

Request for Transfer with a Revocation or Suspension Pending: The Canopy permit may not be transferred (and no permission for a transfer may be issued) when the Community Development Department has notified the permittee in writing that the permit has been or may be suspended or revoked for non-compliance with this Chapter and a notice of such suspension or revocation has been provided.

Transfer With-Out Permission: It is understood that any attempt to transfer our Storefront Collective Dispensary permit without permission, either directly or indirectly, is a violation of this Chapter, and the permit shall be deemed revoked.

Response to SBMC 28.80.140.:

Medical Marijuana Vending Machines: Canopy will not possess or operate a vending machine.

Response to SBMC 28.80.150.:

Business License Tax Liability: The organization will apply for and obtain a Business Tax Certificate pursuant to Chapter 5.04 as a prerequisite to obtaining a Storefront Collective Dispensary permit pursuant to the terms of this chapter. When and as required by the State Board of Equalization, Storefront Collective Dispensary transactions shall be subject to sales tax in a manner required by state law.

Response to SBMC 28.80.080. Sections A. & B.:

Criminal History: Canopy will not have, as a Management Member, anyone who has been convicted of a felony or is on probation or parole for the sale or distribution of a controlled substance.

Minors: Canopy will not employ any person under the age of twenty one. A sign will be posted that persons under the age of eighteen will not be allowed on the premises of the proposed Dispensary unless they are a qualified patient member of the Collective and they are accompanied by a parent or guardian at all times. The entrance to a Storefront Collective Dispensary shall be clearly and legibly posted with a notice indicating that persons under the age of eighteen are precluded from entering the premises unless they are a qualified patient member of the Collective and they are in the presence of their parent or guardian. The organization would like to impress upon the City that our Canopy team closely scrutinizes the authenticity of all recommendations and identifications presented, while verifying all information. Canopy would also like to be clear that our organization strictly prohibits interacting with anyone who is not a member and especially a minor. Canopy believes the Patrol Guards coupled with state of the art camera and alarm systems, education programs, and being active within the community are effective preventative measures to deter Minors attempting interaction with the dispensary.

Response to SBMC 28.80.080. Sections C.1.- C.7.:

Dispensary Size:

1. Entire Lot Space – 4,449 S.F.
2. Gross Interior Space - 2,382 S.F. (entire building)
3. Net Interior Floor Space - 2,264 S.F. (entire building)
4. Proposed interior area scheduled for minor remodeling - 687 S.F.

The "waiting reception area" is 537 S.F. and has ample room to seat 10-12 members comfortably if needed. However, Canopy anticipates there will not be more than 6 members in the waiting reception area at one time. The waiting reception area will be used for membership sign up, education consultations, and member reception. It is large enough to prevent line ups at the door, front door blockage, and loitering on the sidewalk and street. The actual floor space of the "Secured Area for Dispensing" is 847 S.F., justifiable to meet the needs of the community and large enough to accommodate multiple (up to four) one-on-one Canopy/Member dispensing experiences at a time. Canopy will open its doors with two full time floor consultants, one receptionist, one floor manager, and two security guards. Members will be escorted at all times by a security guard, the floor manager, the receptionist, and/or the floor consultants. Employees will be added as needed.

The manager's office, the wellness office, and the secure receptionist office total an additional 315 square feet. These offices will be used for day to day management activities including member verification, member interviews, and member wellness services. The secure reception office will be staffed by a full time receptionist to receive members however security will oversee and monitor member traffic. There are also two ADA bathrooms which together comprise 126 S.F. The bathrooms will be locked at all times and members wishing to use the bathrooms will be escorted by a security guard. Lastly, a room totaling 153 S.F. located in the rear left corner of the building which will be converted to a vault for storage of cash and product. (See Exhibit A – Floor Plan and page 36 for more information on "The Vault").

Dispensary Access: Only Collective members who are primary caregivers or qualified patients shall be permitted within the dispensing and secured areas of the building. (As shown on Site Plan Exhibit A). A qualified patient or primary caregiver shall not visit the dispensing area or any secured area without first obtaining a valid written physicians recommendation from his/her licensed M.D. recommending the use of medical cannabis or, in the case of a primary caregiver, without first having been expressly designated as a primary caregiver to a qualified patient as required by the

Compassionate Use Act. A qualified patient or primary caregiver will not obtain medical cannabis upon their first in-person visit to Canopy and, instead, may only become a member of the Collective at the first visit to Canopy. Upon joining the Collective, a registered member of Canopy may obtain medical cannabis as a qualified patient or primary caregiver only after an initial waiting period of 24 hours, and after their initial in-person visit to Canopy for the purposes of joining the Collective. After the 24 hour waiting period and validation of the patient's physician recommendation, a qualified patient may become a member of Canopy. Caregivers for Collective patients shall undergo the same background checks as collective members.

Management/Employees: An expressly designated Management Member will be onsite during regular business hours at all times and is responsible for monitoring the property. All management/employees prior to hiring are subject to a background check. No person convicted of a felony, on probation or parole will be hired. If an employee or manager obtains probation or parole during employment, that person will be placed on leave until they are no longer on probation or parole. If they commit a felony while employed, they will be place on leave until legal resolution. If convicted, the employee or manager will be immediately terminated. Upon hire, all employees must submit a completed W-4 and Basic Personal Information Sheet. These records are placed in the employee's personal file and stored in a locked file cabinet and on a computer hard drive located in the manager's office. Only dispensary senior employees will have access to these files. All employees and managers of Canopy will be subject to random drug testing; if failure occurs they will be subject to immediate termination. Those that test positive for cannabis and have a valid doctor's recommendation will be exempt.

Restrooms: There are two fully ADA Complaint restrooms at the proposed dispensary. The restrooms are located at the back of the building and are armed with fire alarms. Restrooms will remain locked and members, employees, and caregivers must ask permission for access. If a member or caregiver must use the restroom, security will open it for them and remain standing guard outside of the door until the member or caregiver is finished. At no time is cannabis allowed in the restroom.

Security Plan

Response to SBMC 28.80.060. Sections E.3 – E.5:

(The security floor plan is attached in Exhibit A.)

Security Guards:

The Security Guards will be from Mission Security & Patrol. Mission Security and Patrol is located at 826 De La Vina St., Suite A Santa Barbara, CA 93101-3204. Phone: 805.899.3039. The company has been providing security services throughout Santa Barbara and Ventura counties since 1999. Fully accredited and state-licensed, Mission provides the following services:

- Standing Guards
- Uniformed or Plain-clothes Officers
- Executive Protection
- Mobile Patrols
- Alarm Response
- Special Event Security (Music Venues, Conventions, Weddings, and more)
- Local Sub-contracting for National and International Security Operations

A minimum of two Security Guards shall be on site during regular business hours. The Security Guards will ensure the safety and protection of persons and property on the premises. The term "premises" includes the actual building, as well as any accessory structures, parking lot or parking areas, or other surroundings within 200 feet of the Collective Dispensary's entrance.

The Sentry Guard will be the Lead or Supervisory Guard and has a "station", with a Drop Safe, located in the North/East Corner of the Reception Area, with a Communications and Surveillance System. The system provides the guard with split-screen, multiple-area video surveillance and two-way audio communications, in multiple areas, simultaneously. Throughout the day, the Sentry Guard may escort employees to handle collective business.

The Patrol Guard will report to the Sentry Guard and is on site to ensure the street and sidewalks outside of the dispensary are clear and that the operations of other businesses in the area are not negatively affected by the operations of the dispensary. The Patrol Guard shall patrol the exterior of the property a minimum of once an hour and will be

located near the dispensary exit doors and surrounding areas to ensure there is no cannabis or alcohol use on the site; address any nuisance issues, including loitering; picking up litter and cigarette butts; and report any graffiti identified in the area. Security Guards shall possess a valid state Department of Consumer Affairs "Security Guard Card" at all times. Security guards shall not possess or carry firearms or Tasers while working at a Collective Dispensary

Security Cameras:

Security Cameras will be installed and monitored by a local Santa Barbara Company: Home Control Solutions, 8140 Walnut Hill Ln. Santa Barbara, CA 93101. (805) 565-7755. Placement of the security cameras and additional consulting for the "Security Plan" (located in Exhibit A) was done by Jason McGillivray.

The property, at all times, will be monitored by closed-circuit television. Monitoring system cameras will be done in both the security office as well as in the office marked 107. The NVR (recording device for the cameras) will be located in the Vault. All of the protection devices and cameras will be hardwired back to this location. The Cameras will be in two formats/Interior=Dome/Exterior=Bullet. Products to be purchased from Home Control Solutions. The Part numbers for the cameras are:

- NVR-Camera Recorder-Synology-RS2414+
- Dome Camera(indoor) Hikvision DS-2CD2732F-IS
- Bullet Camera(outdoor) Hikvision DS-2CD2632F-I

There will be a total of seventeen cameras located in the following areas:

- Outside of the building there will be eight cameras:
    - 3 Cameras Attached to the front building. 2 on its respective corners and 1 over the main entrance - Pointing at the entrance on Milpas Street;
    - 1 Camera attached to the (South/West) corner of the building - Pointing North towards Milpas Street;
    - 2 Cameras attached to the (South/East) corner of the building – 1 Pointing North towards Milpas Street and the sidewalk; and 1 camera located above the rear exit door pointing at the entrance and the wellness/garden area.
    - 1 Camera attached to the (North/East) corner of the building – Pointing (South) towards the rear of the building;
    - And, 1 Camera attached to the (North/West) side of the building pointing towards the rear exit doors, handicapped ramp and neighboring property.

*Cameras cannot be installed on the rear (east) wall or the rear most section of the south wall due to city ordinance regulations regarding neighbors right to privacy.

There are internal security cameras within the business premises as follows:

- In the reception/lobby Areas there will be two cameras:
  - Above Secured Access Door to Dispensary - Pointing towards the front door into the lobby.
  - Above the Handicapped Access Door - Pointing towards the receptionist area and into the lobby.
- In the dispensary area there will be five cameras:
  - Above the Front Emergency Exit Door – Pointing at the back of the reception area and down the hallway into the dispensary.
  - On the ceiling Above Secure Access Door – Pointing towards the secure access door.
  - In the South East Corner of the dispensing area above the Product Cases – Pointing out towards the dispensary.
  - In the North East Corner of the dispensing area above the sink and counter – Pointing out towards the dispensary areas
  - Above the rear Emergency Exit Door – Pointing down the hallway into the dispensary.
- One Camera will be inside of the vault.
- One Camera in the Vestibule above the entrance to the vault.

Security Alarm System:

The Alarm Systems for burglary and fire will be installed and maintained 24 hours a day 365 days a year by a local Santa Barbara Company: Home Control Solutions, Philip Clough, Home Control Solutions. 1029 Chino Street, Santa Barbara, CA 93101. (805) 565-7755. Placement of the alarm system and additional consulting for the "Security Plan" (located in Exhibit A) has been done by Jason McGillivray. The burglary and fire alarm system will be registered with the police department.

The alarm panel (or the brain) will be located in the vault and the alarm keypad(s) (arm/disarm device) will be located near an entry door to disarm within 30 seconds after entering. Panic/hold up buttons will be located in the reception area, the Vault, and in the Security Office. They will be hidden under desks or a hidden tamper proof location. Operable doors/windows will be contacted and products will be purchased from Home Control Solutions. The Part numbers for the cameras are:

- Alarm Panel-ELK-M1GSYS48
- Keypad-ELK M1KP2
- Siren-ELK SP35
- Motion Detector-Bosch ISC BDL2 WP12G

- Panic Button-USP HUB25A

Additional Security:

The reception window will be fitted with bullet proof glass (*See floor Plan Exhibit A*).

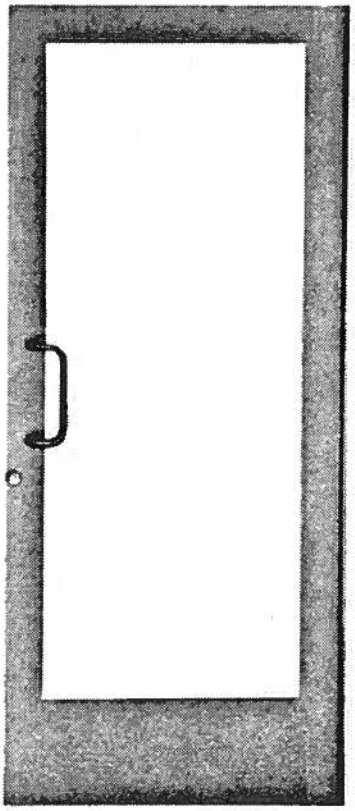
Doors and Locks: Consultation done by Chris Wilcox, Locksmith Technician at Tri-County Locksmiths, Inc. 300 Pine Ave. Goleta, CA 93117. (805) 967-4300. www.tricountylocks.com. (Numbered Rooms are referenced on Exhibit A – Floor Plan)

Room 100, entry doors into the lobby reception waiting area. A Standard Aluminum Door is located on the front of the building facing Milpas. Locks on the Standard Aluminum Door will be upgraded to a SCHLAGE TWO SIDED KEYED DEADBOLT.

A handicapped access door leading into the lobby reception area is located on the west side of the building facing Mason Street, specs are: (1-3/4" THK. SELF CLOSING, INSULATED 16ga. (RATED EXTRA HEAVY-DUTY USE) STEEL THRULITE STILE AND RAIL DOOR ASSEMBLY. DESIGN FULL GLASS (FG) AND 16ga. (SERIES SQW GASKETED) STEEL FRAMES. AS MANUFACTURED BY CECO DOOR, 9159 TELECOM DRIVE, MILAN, TN. 38358, PHONE # 1-731-686-8345, WEB URL ADDRESS: http://www.cecodoor.com). The current hardware and Lock on the handicapped access door facing Mason Street is: Von Duprin 7700, P/N 7700 Series w/rim ext. NESC Trim. 2 N Series Schlage. P/N D53PDRHO613 Privacy.

Room 101, Security Office. Upgrading to premium fiberglass see through glass finish so that Security Officer can see clearly into the lobby waiting area, front door and handicapped entry ways, and registration areas with an unobstructed view. The door and lock information is: Pella Architect Series fiberglass door with a 4" wide, full-length wood lock block and steel deadbolt reinforcement plate. Made by Pella Corporation, 102 Main Street, Pella, Iowa 50219, Phone: 641-621-1000. www.pella.com.

Handicapped Access Ramp located between Room 101 and Room 108, Controlled Access Entry into the dispensing area. The Controlled Access Entry Door will be purchased from Pacific Bulletproof, which carries one of the most complete lines of bullet resistant storefront doors. These forced entry and bullet resistant doors prevent break-ins and protect from outside violence. Pacific Bulletproof Storefront Doors offers a full outside view while maintaining structural integrity and security. Doors are available in Aluminum or Stainless Steel framing systems, Canopy will be using Stainless Steel.



Pacific Bulletproof Storefront Doors
Product ID: PBBRSD
Phone: 888-358-2309
Product Info
Custom sizes available
Aluminum, Steel or Stainless Steel framing
Meets UL 752 Standards Levels 1 - 8

The reception area will contain an electronic door lock release to the **Controlled Access Entry Door into the dispensing area.** The door lock release will be a Push-On To Open Button, 125V, 15 Amps, P/N 250/6. There will be a Power Invertor Box installed w/Battery Back-up, 24V, 5 amp/hr, P/N B-24-5 to Electric Strike (12V or 24V), P/N 7501-240-630. The hardware and lock will be: Function Lever Grade 1, P/N D53PDRHO613 Storeroom and also a Door Closer, P/N LCN4111HCUSHALLH.

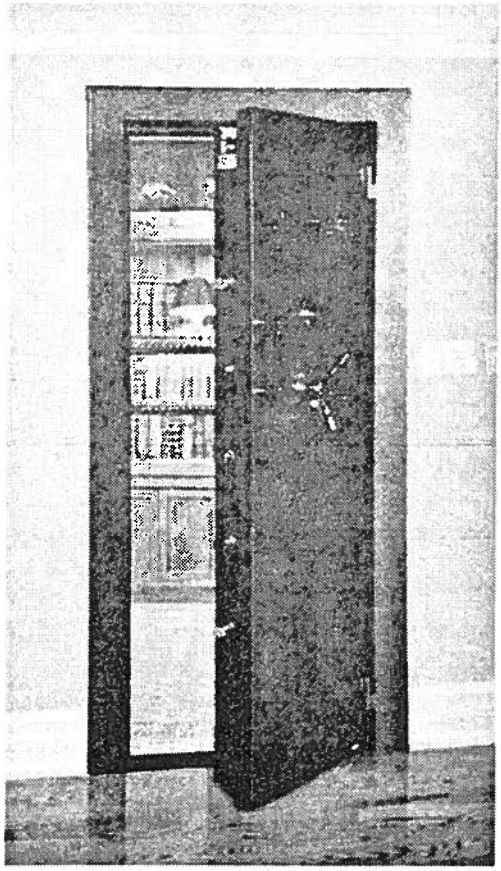
There are two Exit Doors facing west towards Mason currently marked as Emergency Exit doors. These exit doors are also located within the secure access dispensing area. These doors are controlled for Emergency Access only, but may be used for trash disposal as needed. Currently the specs for the doors in place for each exit are: 1-3/4" THK. SELF CLOSING, INSULATED 16ga. (RATED EXTRA HEAVY-DUTY USE) STEEL THRULITE STILE AND RAIL DOOR ASSEMBLY. DESIGN FULL GLASS (FG) AND 16ga. (SERIES SQW GASKETED) STEEL FRAMES. AS MANUFACTURED BY CECO DOOR, 9159 TELECOM DRIVE, MILAN, TN. 38358, PHONE # 1-731-686-8345, WEB URL ADDRESS: http://www.cecodoor.com, however Canopy will be replacing these doors with the Pacific Bulletproof Storefront Doors mentioned above, Product ID: PBBRSD with Stainless Steel framing and Meets UL 752 Standards Levels 1 – 8. The locks and hardware that will be added are: Von Duprin 7700, P/N 7700 Series w/rim ext. NESC Trim. 2 N Series Schlage. P/N D53PDRHO613 Privacy.

Rooms 104 and 103

Restrooms: Current Doors: 1-3/4" THK. MASONITE SOLID CORE FLUSH WOOD DOOR. SELF-CLOSING LABELED 3/4 HOUR FIRE RATED DOOR & FRAME, NOTE: W/ TIGHT FITTING SMOKE & DRAFT CONTROL ASSEMBLY PER CBC SECT. 716.5.3.1 FRAME: PREFINISHED TIMELY KNOCK DOWN FRAMES WITH SNAP ON CASING TRIM. MANUFACTURER: TIMELY INDUSTRIES, 10241 NORRIS AVENUE, PACOIMA, CA 91331-2218; TELEPHONE: 800-247-6242; FAX: 818-492-3530; E-MAIL: SALE@TIMELYFRAMES.COM WEBSITE: WWW.TIMELYFRAMES.COM. The current Locks are 2 N Series Schlage, P/N D53PDRH0613 Privacy.

Room 105

The Vault: Dean Safe Co. has served the Santa Barbara and surrounding areas since 1978. The Contact Name at Dean Safe Co. is Susan Bozarth: Phone: 805-526-5443, 4440 Address: Industrial St. Simi Valley, CA 93063 ... sbozarth@deansafe.com. The vault will be located in the rear of the building and is marked 105 on the floor plan located in Exhibit A. Much like a bank or a pharmacy, the vault will be used as a working area during business hours to manage all cash transactions and fulfill and package all cannabis related orders through secure openings carved into the side of the vault. During non-business hours, the vault will be used to store cannabis related products, house cash and cash registers, and will store membership information.



Specifications:

- **Two-inch thick door constructed of 1/8-inch inner and 1/4-inch outer steel plates filled with fire protection**
- **U.L. listed Group II lock with spy-proof ring**
- **Hard plate and two relocking devices protect against attempted entry**
- **Five-spoke handle, pull handle and zinc die-cast logo**
- **Ten 1.5-inch diameter chrome-plated locking bolts**
- **Note: no deadbolts required on in-swing door**
- **Commercial grade vault door hinges**
- **Two-stage dual fire seals with silicone seal on door jambs**
- **Palusol™ expandable door seal**
- **Safety lock release**
- **Adjustable door frame from 4.75 inches to 9.75 inches**

Rooms 106 and 107
Business Offices.: Doors to be installed are 1-3/4" THK. MASONITE SOLID CORE FLUSH WOOD DOOR. SELF-CLOSING LABELED 3/4 HOUR FIRE RATED DOOR & FRAME, NOTE: W/ TIGHT FITTING SMOKE & DRAFT CONTROL ASSEMBLY PER CBC SECT. 716.5.3.1 FRAME: PREFINISHED TIMELY KNOCK DOWN FRAMES WITH SNAP ON CASING TRIM. MANUFACTURER: TIMELY INDUSTRIES, 10241 NORRIS AVENUE, PACOIMA, CA 91331-2218; TELEPHONE: 800-247-6242; FAX: 818-492-3530; E-MAIL: SALE@TIMELYFRAMES.COM WEBSITE: WWW.TIMELYFRAMES.COM. The Locks installed on these doors will be SCHLAGE TWO SIDED KEYED DEADBOLTS.

Response to SBMC 28.80.060. Sections E.7.-E.10.:

Public Nuisance: Canopy's Operating Plan provides for the Management Members of the Collective Dispensary to take all reasonable steps to discourage and correct objectionable conditions that constitute a public or private nuisance in parking areas, sidewalks, alleys, and areas surrounding the premises and adjacent properties during business hours if directly related to the patrons of the Storefront Dispensary. Each member must read and sign a "member agreement form", which clearly states that once a patient receives medicine, they must exit the proposed storefront dispensary location and leave the premises. Further, by having two security guards on premises it should dissuade any activity that could be deemed a "nuisance" a the proposed dispensary location and within the surrounding areas.

Loitering Adjacent to the Dispensary: Each member must read and sign a "member agreement form", which clearly states that once a patient receives medicine, they must exit the proposed storefront dispensary location and leave the premises, and there is to be no loitering. The Patrol Guard is to ensure that the operations of other businesses, public areas, sidewalks, alleys and areas surrounding the property and adjacent premises during business hours will not be negatively affected by the use of the site as a dispensary. Through patrolling the proposed storefront dispensary location and surrounding areas; to ensure there is no cannabis or alcohol use on the site, address any nuisance issues, including loitering, picking up litter and cigarette butts; and report any graffiti identified in the area. Canopy will have discreet signs reminding patrons to respect our neighbors, not to use the product on-site, not to litter or loiter; and patrols of the surrounding areas will also insure that the patrons' conduct is controlled.

Trash, Litter, and Graffiti: The trash receptacle used by the dispensary shall be locked and screened from view at all times. The side exit doors are controlled for Emergency Access only, but may be used for trash disposal as needed. The Patrol Guard

is to ensure that the operations of other businesses, public areas, sidewalks (including the sidewalks adjoining the Dispensary plus ten feet beyond property lines), and alleys are clear of litter, debris, and trash during business hours. He or She will also ensure that the operations of other businesses in the area are not negatively affected by the operations of the dispensary. The term "premises" includes the actual building, as well as any accessory structures, parking lot or parking areas, or other surroundings within 200 feet of the Collective Dispensary's entrance.

The Patrol Guard is also to immediately report any graffiti identified in the area. Graffiti is to be removed with 72 hours of application. Graffiti Identification/Abatement Plan: While there is a Graffiti Abatement City Ordinance in Santa Barbara which states that if we do not remove any graffiti on our property within 72 hours, city staff may remove it at cost to the property owner; the organization also wishes to have any and all graffiti eradicated as immediately as possible.

The procedure for graffiti removal is:

1. Take a Picture and make a "Journal Entry" on the Dispensary Daily Log;

2. Promptly notify the property manager, Merry Miplas, LLC. c/o Steven Bernston at (805) 563-9400. He will advise of which action they will take to remove it.

3. Make another "Journal Entry" of who said what, on the Dispensary Daily Log.

In the event that the 72 hour time allotment has expired, at the direction of the property manager, the Executive Director, will utilize the "World's Best Professional Graff-Attak-Pak" graffiti remover. Using the most appropriate application product and method for the grafitied surface (i.e., bare brick, stone and masonry) and use all necessary protective gear (Goggles, thick rubber gloves, rubber apron, and air respirator).

Response to SBMC 28.80.060. Sections E.1 – E.2:

Site & Floor Plan: The Site and Floor Plans indicate the security camera locations. The primary entrance is clearly visible from public streets, sidewalks and driveways. The floor plan shows a reception/lobby waiting area, at the entrance to the Storefront Collective Dispensary used to receive qualified patients or primary caregivers, and a separate and secure designated area for dispensing medical cannabis. There is a vault, identified in the floor plan for the after-hours storage of medical cannabis. All cannabis is to be stored in this location during non-business hours. The site plan and floor plan are attached as **Exhibit A.**

Storage: The Vault Room is dedicated to the storage of cannabis. The walls have been constructed with Brick on two sides (representing the outer walls of the building), and on the interior; two walls will be reinforced by additional thickness containing cinder block and bullet proof casing between the dry wall. The door is a vault door (shown in the picture above) and has an entry code which only the managers will have access to. The doors to the vault are wide enough to handle the wheeling of cases containing cannabis into the vault each night before closing. Currency will be taken from the store and deposited twice a day in Wells Fargo Bank. All cannabis related products will be locked within the Vault room before closing of the dispensary each night.

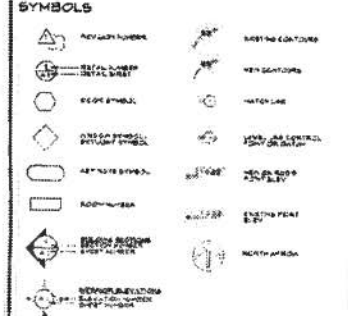
Exhibits & Attachments

"Exhibit A – Architect Construction Documents"

- Architects General Notes
- Site & Floor Plan
- Security Plan
- Roof Plan
- Exterior Elevations
- Architectural Details D 1.0
- Architectural Details D 2.0
- Architectural Details D 3.0
- Square Footage Plan

GENERAL NOTES

SYMBOLS



MATERIAL/FINISH SCHEDULE AND KEYNOTES

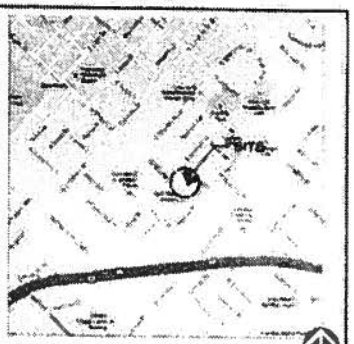
BEST MANAGEMENT PRACTICES FOR CONSTRUCTION ACTIVITIES:

MATERIAL/FINISH SCHEDULE AND KEYNOTES

INSPECTIONS

CHAPTER 1 SECT. 110 REQ'D. INSPECTIONS

GENERAL	
FOOTING AND FOUNDATION INSPECTION	
CONCRETE SLAB AND UNDER-FLOOR INSPECTION	
LOWEST FLOOR ELEVATION	
FRAME INSPECTION	
LATH AND STRAW BOARD INSPECTION	
FIRE-AND SMOKE RESISTANT PENETRATIONS	
ENERGY EFFICIENCY INSPECTION	
FINAL INSPECTION	



SPECIAL INSPECTIONS

PROJECT TEAM

SHEET INDEX

PROJECT SCOPE

VICINITY MAP

TABULATIONS

CODE COMPLIANCE

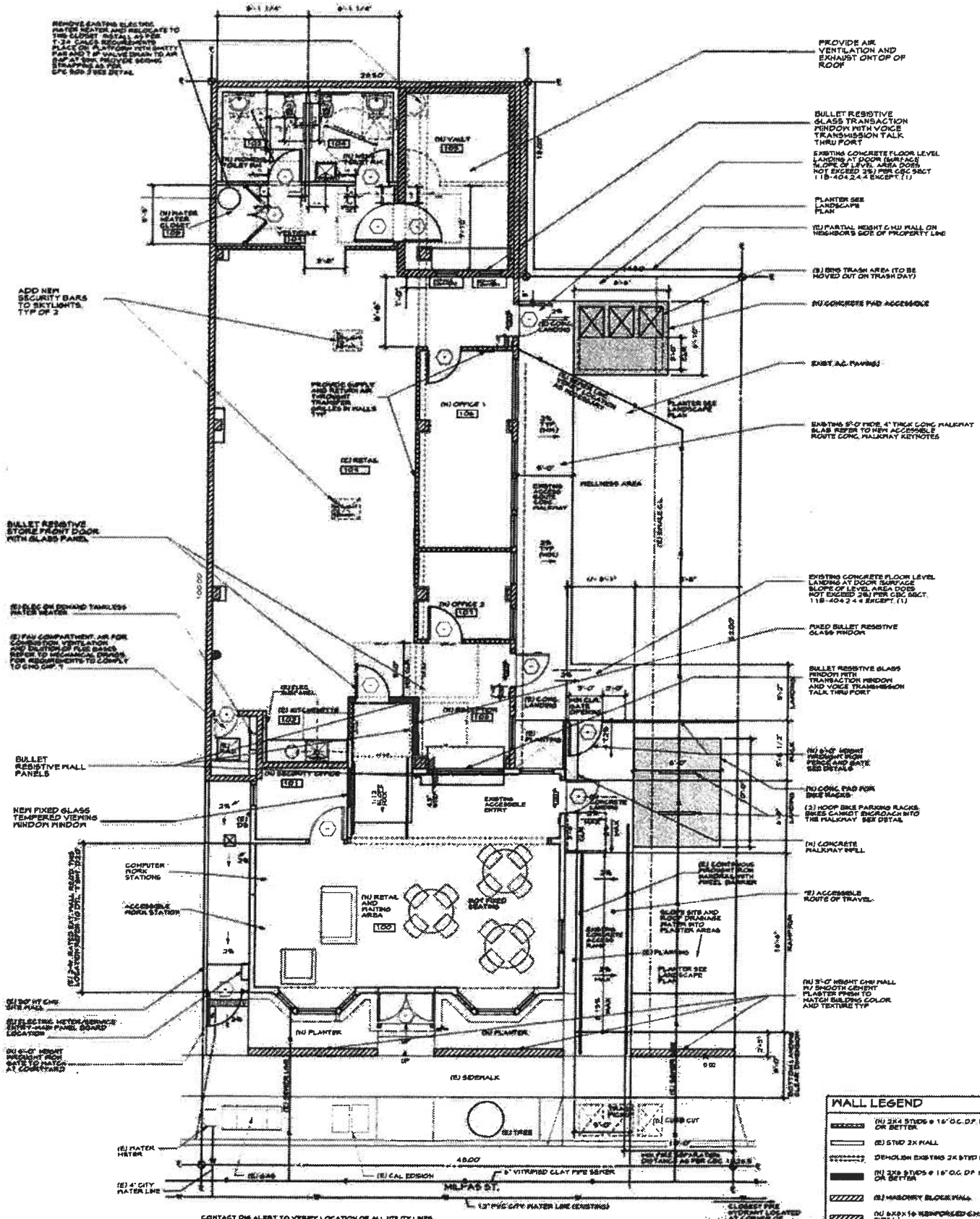
DEFERED/SEPERATE PERMITS REQUIRED

PACIFIC ARCHITECTS

118 N. MILPAS ST.
SANTA BARBARA, CA

Date: 4/25/18

A0



(N) SITE PLAN/ FLOOR PLAN

- REFER TO COVER SHEET A0 FOR KEYNOTES
- REFER TO SHEET A4.0 FOR DOOR SCHEDULE, HARDWARE SCHEDULE, WINDOW SCHEDULE, SKYLIGHT SCHEDULE AND ROOM FINISH SCHEDULE

PACIFIC ARCHITECTS

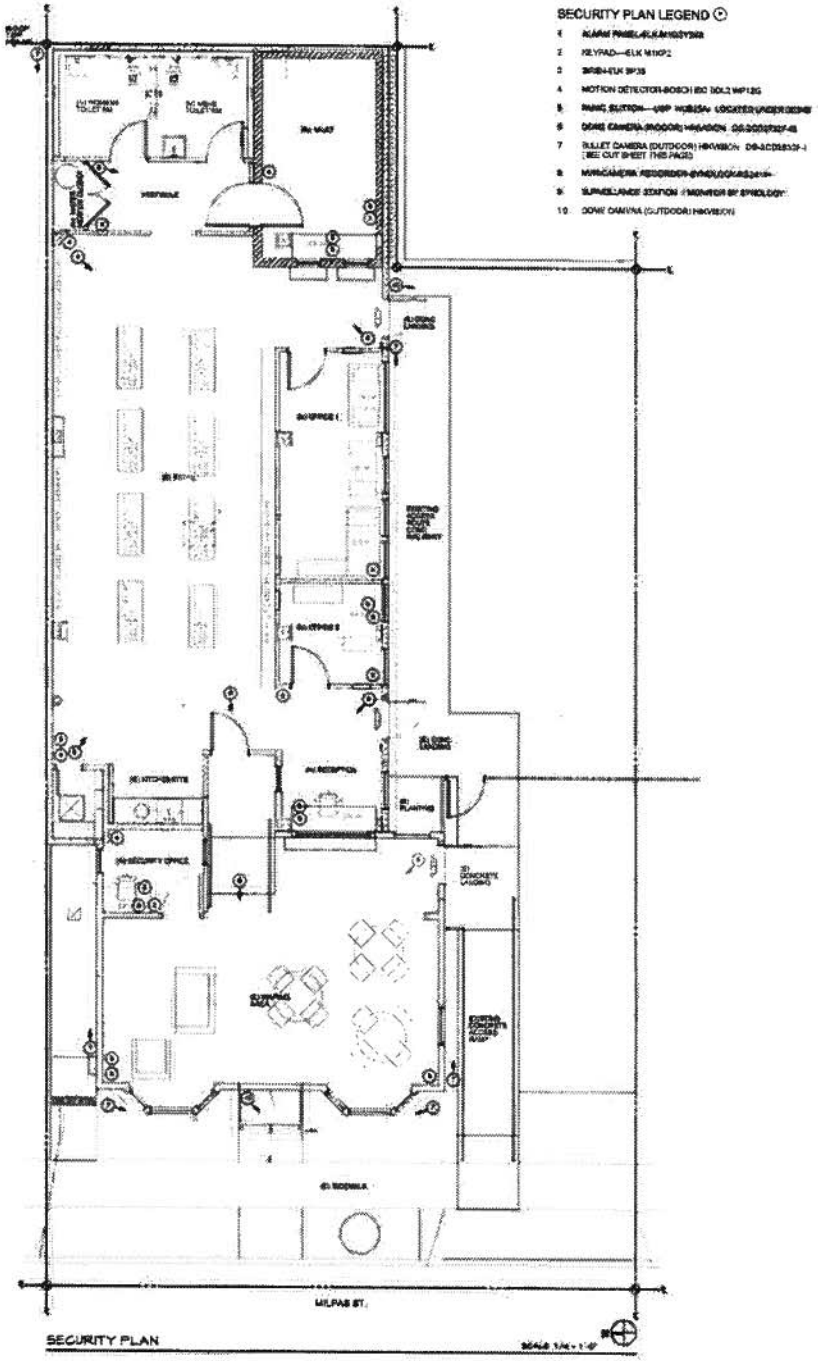
1117 COAST VILLAGE RD.
MONTECITO, CA. 93108
805 565 3640

118 N. MILPAS ST.
SANTA BARBARA, CA

Date: 4.28.18

A1.0

EXTERIOR WALL MOUNTED SECURITY CAMERAS



SECURITY PLAN

SCALE 1/4" = 1'-0"

PACIFIC ARCHITECTS

1117 COAST VILLAGE RD.
MONTECITO, CA 93108
805-565-3540

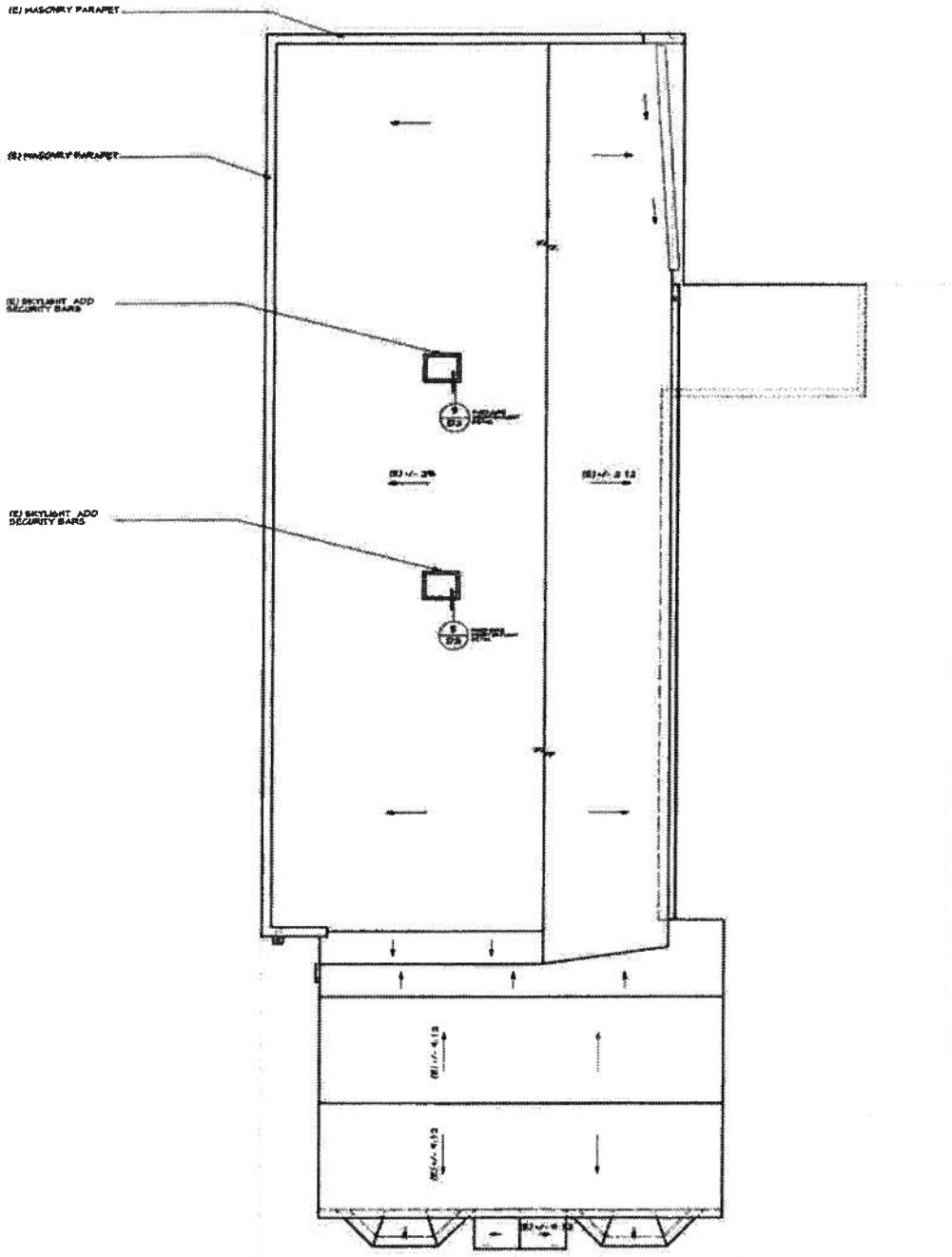
118 N. MILPAS ST.
SANTA BARBARA, CA

Revision	Description	Date
△		
△		
△		
△		

Job Number:

Date: 4.27.19

A1.1



(E) ROOF PLAN

* REFER TO COVER SHEET 'AE' FOR KEYNOTES

SCALE: 1/4" = 1'-0"

PACIFIC ARCHITECTS

1117 COAST VILLAGE RD.
MONTECITO, CA 93108
805.565.9840

118 N. MILPAS ST.
SANTA BARBARA, CA

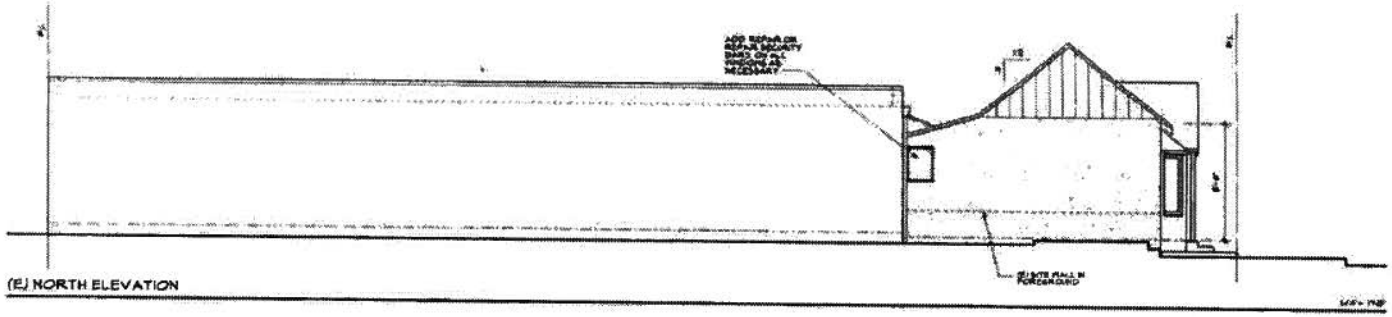
Number	Description	Date
1		
2		
3		
4		

Job Number:

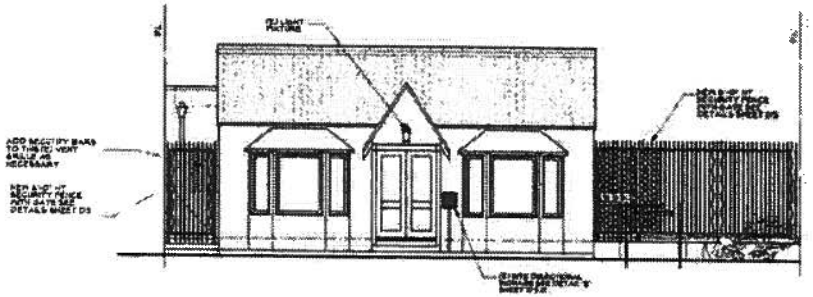
Date: 4.29.19

A3.0

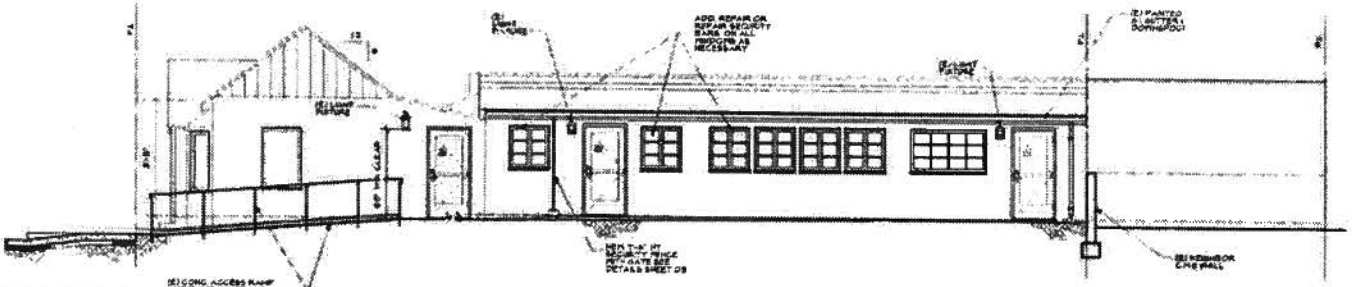
Sheet #



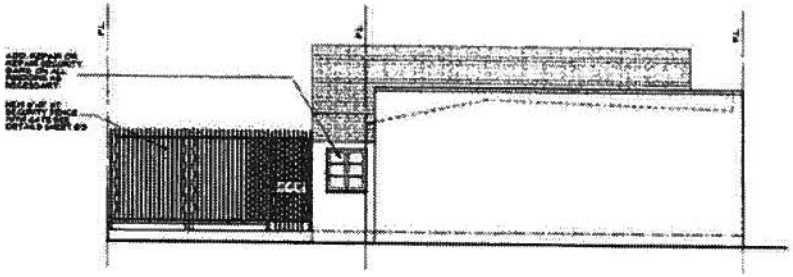
(E) NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



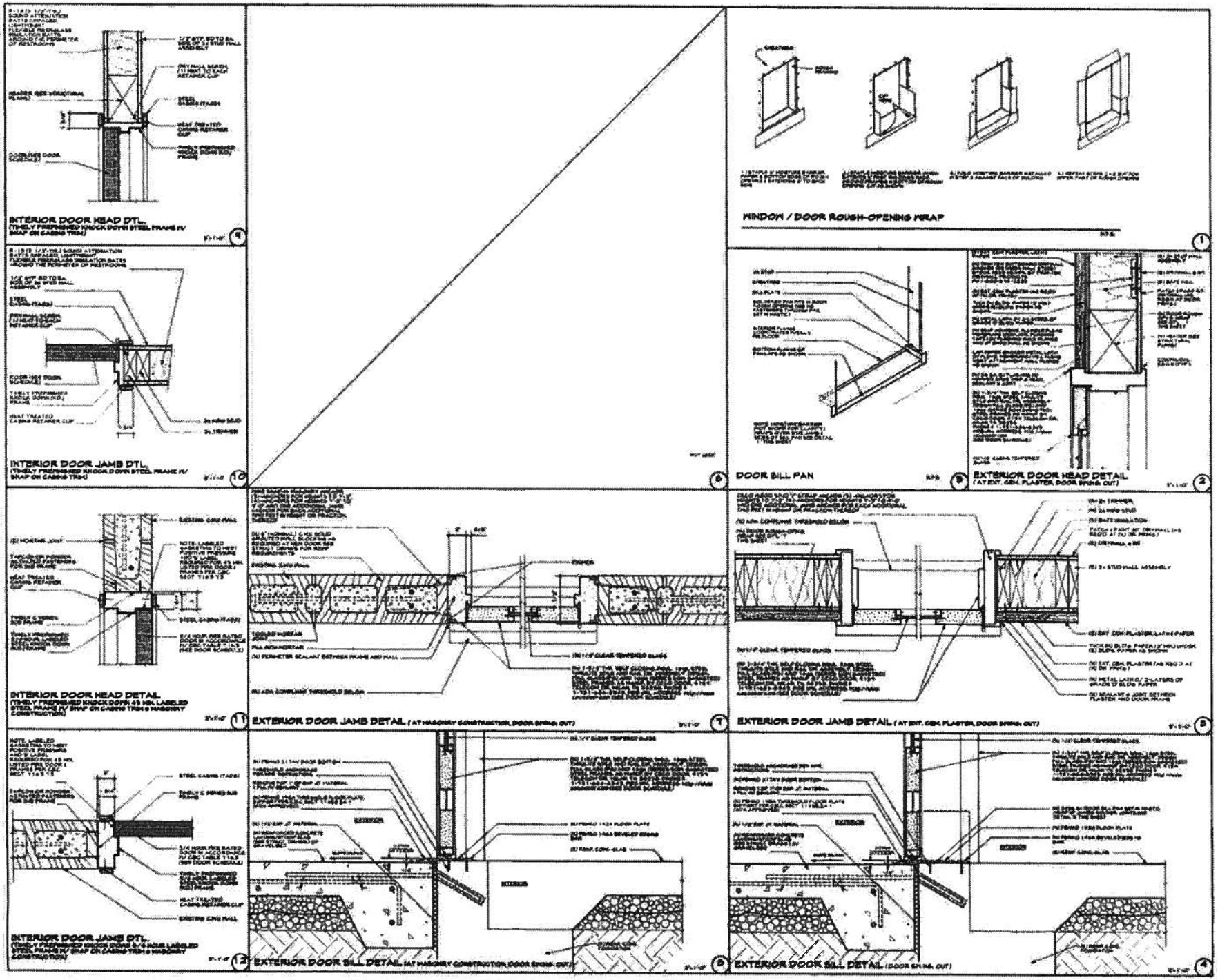
EAST ELEVATION

PACIFIC ARCHITECTS

118 N. MILPAS ST.
SANTA BARBARA, CA

Date: 4/20/18

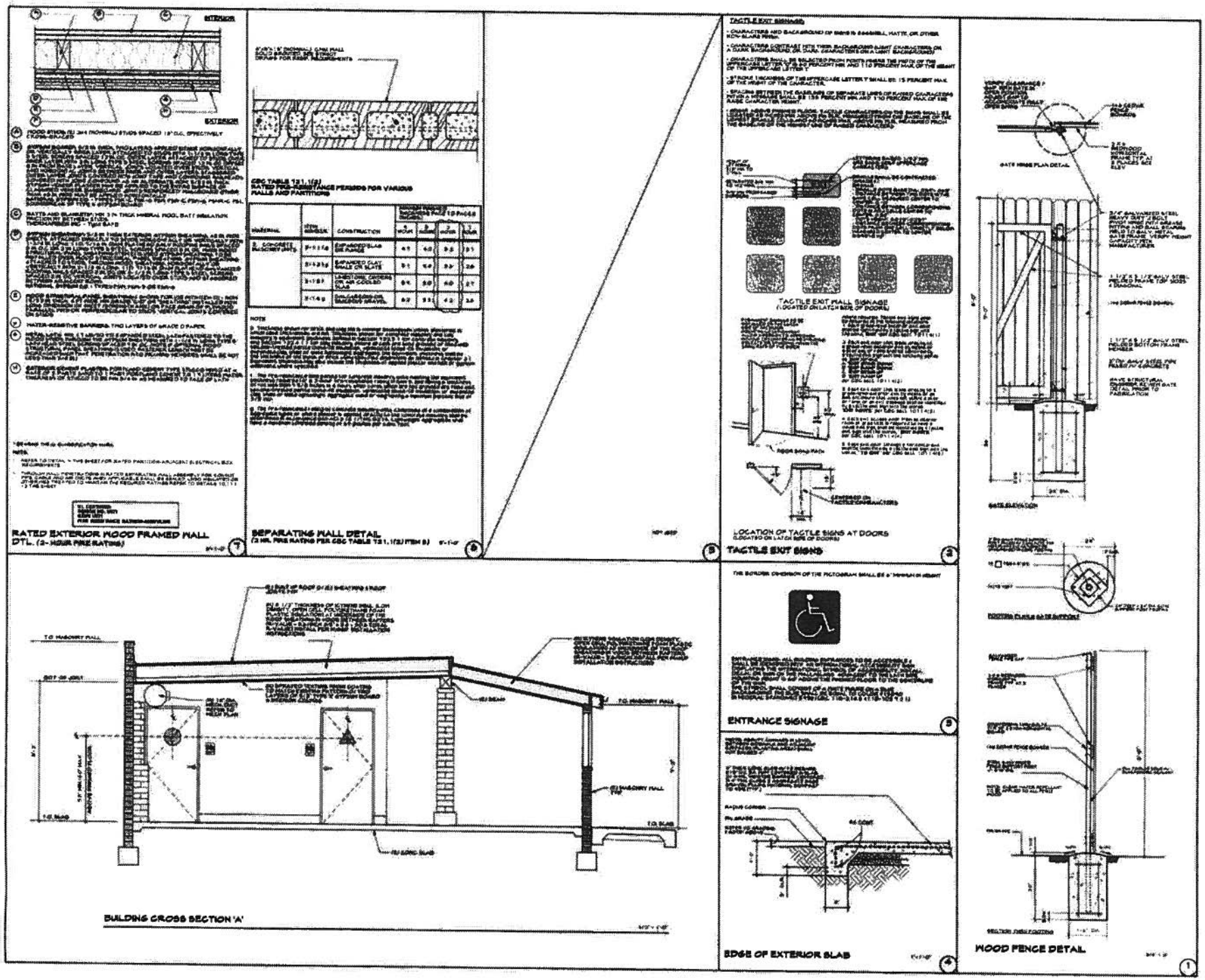
A4.0

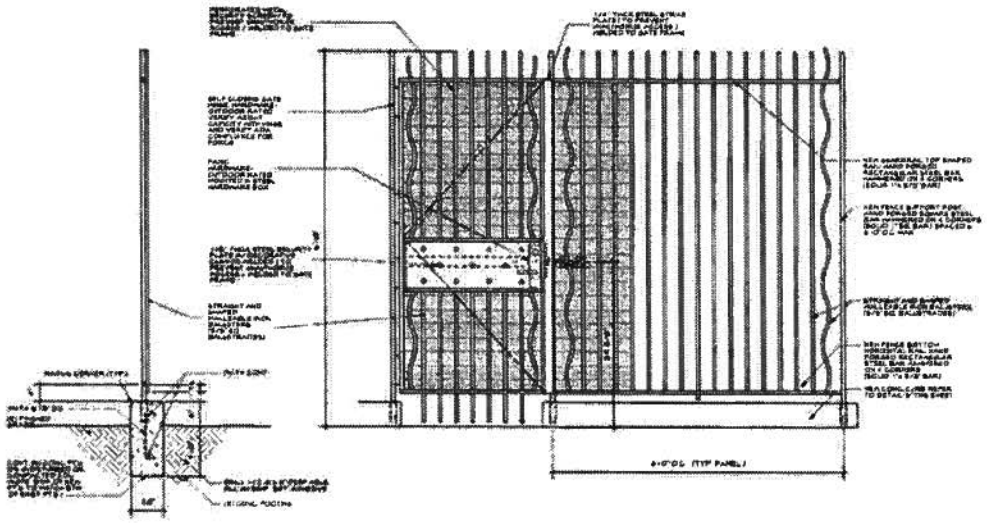


PACIFIC ARCHITECTS

118 N. MILPAS ST.
SANTA BARBARA, CA

D1.0


RATED EXTERIOR WOOD FRAMED WALL DTL. (2-HOUR FIRE RATING)
SEPARATING WALL DETAIL
TACTILE EXIT SIGNS
LOCATION OF TACTILE SIGNS AT DOORS
ENTRANCE SIGNAGE
EDGE OF EXTERIOR SLAB
WOOD FENCE DETAIL
BUILDING CROSS SECTION 'A'
PACIFIC ARCHITECTS
118 N. MILPAS ST.
SANTA BARBARA, CA
D2.0

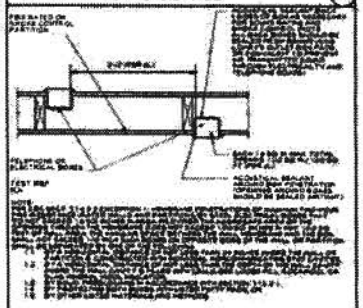


(N) FENCE AND GATE DETAIL

4

SITE DIRECTIONAL SIGNAGE

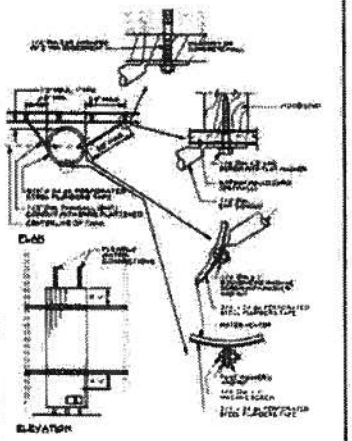
2



RATED PARTITION - ADJACENT ELECTRICAL BOXES

NOT TO SCALE

3



ELEVATION

NOTES:

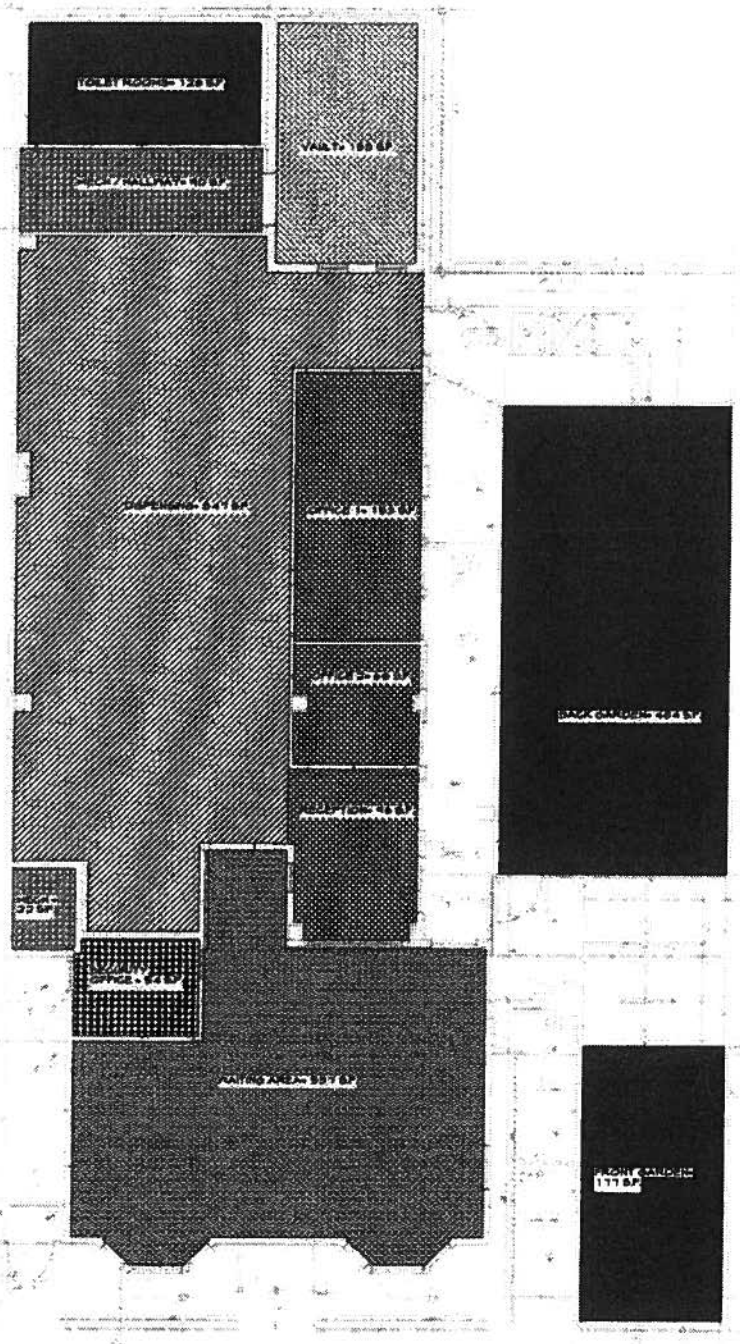
WATER HEATER SEISMIC STRAP DETAIL (STRAIGHT WALL)

1

PACIFIC ARCHITECTS

118 N. MILPAS ST.
SANTA BARBARA, CA

D3.0



A 1.2

(N) SQUARE FOOT BREAKDOWN

1 REFER TO COVER SHEET 'A0' FOR KEYNOTES
2 REFER TO SHEET A4.0 FOR DOOR SCHEDULE HARDWARE SCHEDULE WINDOW SCHEDULE SKYLIGHT SCHEDULE AND ROOM FINISH SCHEDULE

"Exhibit B"

Executed City of Santa Barbara Master Application

Other _____

LDT Fee _____ Initials: _____

Project Address: 118 N. MILPAS ST

A.P.N./Street Segment ID: 017-091-016 Land Use Zone: C2 Retail

Existing Condition/Current Use Commercial

☐ New ☐ Addition ☒ Remodel ☐ Repair ☐ Demo ☐ Change of Use ☐ Grading ☐ Other

☐ **Residential:** # of Bldgs.____ # of Stories____ # of Units____ ☒ **Commercial:** # of Bldgs. 1 # of Stories 1 Const. Type____

BLD/MST/SGN Project Description: REMODEL TO EXISTING COMMERCIAL BLDG. FOR medical cannabis dispensary

* NO NEW ADDED SQUARE FOOTAGE, TENNANT Improvements ONLY

Proposed Use/Occupancy: Group M Construction Valuation $: 50,000

☒ Constr ☐ D&C ☐ Encroachment ☐ Haul Route ☐ O.D.L.A. ☐ Parking Waiver ☐ Water Course ☐ Wells ☐ Other

PBW Project Description: [redacted]

Valuation $: _____

IMPORTANT: Please check box ☑ next to name of person listed below whom we should contact regarding this application.

☒ Owner of Property: MERRY MILPAS, LLC (Name) c/o STEVEN BERNSTEIN, MANAGING MEMBER (Mailing Address) 284 Royal Lomas Drive Goleta #931 (City, State, Zip)

E-mail Address: sbernstein@aol.com Phone: 805 563-9400

☒ Applicant: Ryan Howe / Canopy Club, Inc. (Name) 118 N. Milpas St (Mailing Address) Santa Barbara, CA 93103 (City, State, Zip)

E-mail Address: rhowe@thunderbayp.cities.com Phone: 805-895-2578

☒ Architect/Designer: Bill Wolfe / Pacific Architects (Name) 1117 Coast Village Rd. (Mailing Address) Montecito, CA 93108 (City, State, Zip)

E-mail Address: bwolfe@pacificarchitectsinc.com Phone: 805-565-3640

☐ Engineer: _____ (Name) (Mailing Address) (City, State, Zip)

E-mail Address: _____ Phone: _____

☐ Contractor: _____ (Name) (Mailing Address) (City, State, Zip)

E-mail Address: _____ Phone: _____

☐ Tenant/Other (specify): _____ (Name) (Mailing Address) (City, State, Zip)

E-mail Address: _____ Phone: _____

Proposed Size

New Commercial Building: _____ sq. ft.
New Residential Building: _____ sq. ft.
Addition: _____ sq. ft.
Remodel/Tenant Improvement: [redacted] 1,000 sq. ft.
Carport/Patio Cover: _____ sq. ft.
New Deck: _____ sq. ft.
New Fencing: _____ sq. ft.
New Paving: _____ sq. ft.
Grading: _____ cu. yd.
Other (specify): _____

Existing Size

PLANNING STAFF USE ONLY

☐ ARCHITECTURAL BOARD OF REVIEW (ABR)
☐ COASTAL REVIEW: EXCLUSION, EXEMPTION OR REC. TO CCC
☐ ENVIRONMENTAL REVIEW
☐ HISTORIC LANDMARKS COMMISSION REVIEW (HLC)
☐ GENERAL PLAN SQUARE FOOTAGE ALLOCATION (GPU)
☐ PLANNING COMMISSION REVIEW (PC)
☐ PRE-APP. REVIEW TEAM (PRT)
☐ PROPERTY PROFILE (FOR COMMERCIAL PROPERTIES)
☐ SIGN COMMITTEE REVIEW
☐ SINGLE FAMILY DESIGN BOARD (SFDB)
☐ STAFF HEARING OFFICER (SHO)

"Exhibit C"

Proposed Plan for Security Fence

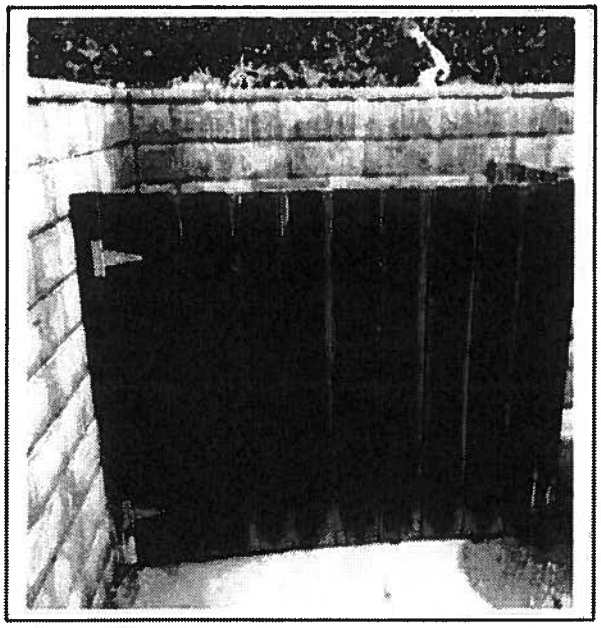
Security Fence:

Canopy proposes to install a six foot sectional iron fence and gate doorway exit for purposes of added security (*style pictured below*). The gate doorway will be built to fire code and adhere to all city safety regulations. (See Exhibit A - Architectural Details D 3.0). The proposed fence faces Milpas Street along the south side of the building towards Mason and will be monitored 24/7 by video surveillance and by security guards during store hours. Access to the wellness garden (*area behind the fence*) will be limited to members, employees, and management for the purpose of participating in wellness activities such as meditation, yoga, education, and health classes.

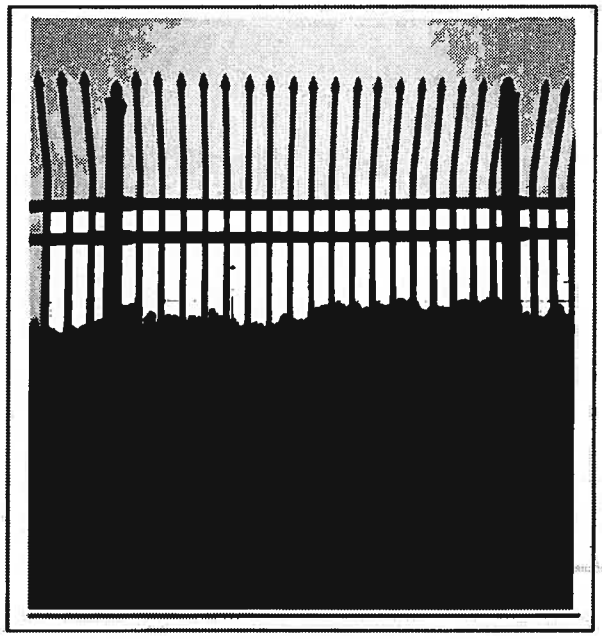
The proposed fence will built for the following safety reasons:

- Prevent public access to the exterior "Exit Doors" leading out of the building.
- A deterrent against loitering, graffiti, and litter.
- Serve as the "locked storage area" for the concealed trash receptacles (pictured below).

Trash Receptacle Enclosure



Six Foot Iron Security Fence



- **Architectural details including measurements for the fence can be found in "Exhibit A - Architectural Details D 3.0".**

"Exhibit D "

Proposed Plan for Garden

SAGE & WILLOW CA GARDENS
908.357.0247

CANOPY WELLNESS CENTER
110 NORTH MILPAS ST.

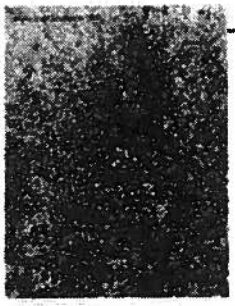
SCALE: 1" = 6'

SAGE&WILLOW

California Gardens
2030 Anacapa ST
Santa Barbara, CA, 93105
Phone 808.357.0247 | 310.968.2373
sageandwillowca@gmail.com | sageandwillow.weebly.com

Plant List for Canopy Wellness Center:

Hedges:

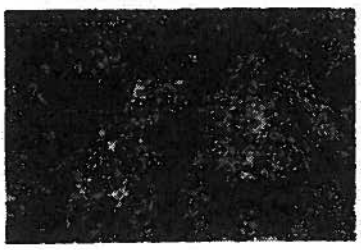


-Pittosporum tenuifolium 'Silver Sheen' 4'X15'.

Prunus ilicifolia lyonii 6'X15'+, **CA Native**. Should be maintained to keep from growing too large for space allowed

Front Garden Area:

-Woodwardia fimbriata 6'X6', **CA Native**



Mahonia nevinii (Nevin's Barberry) 3'X4-5', **CA Native**

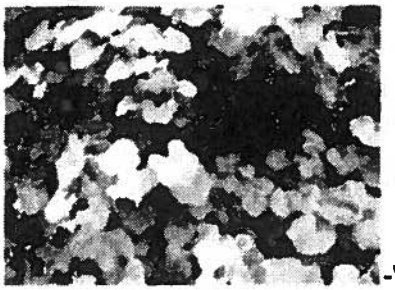
Galvezia speciosa 3'X3', **CA Native**

-Coprosma 'Tequila Sunrise' 3'X2'

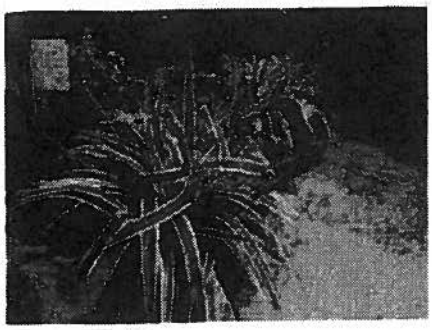
-Heuchera 'Santa Ana Cardinal' 1.5'X1.5', **CA Native**

-Pelargonium tomentosum 2'X4'

<u>Vine for seasonal iron fence coverage</u>:


-Vitis californica 'Roger's Red'/ 'Russian River', **CA Native.**

Narrow strip along building:



-Dianella tasmanica variegata to 2' tall, will fill soil strip between structure and handicap ramp

**See plan for quantities estimated for property.

"Exhibit E"

Photos of Cultivation Site

For Photos Please Contact:

Tony Boughman, Assistant Planner

"Exhibit F "

Revised Canopy Patient Agreement Form

& Map

The Canopy

An Unincorporated Non-Profit Voluntary Association

Revised Patient Agreement Form

The information on this form will NOT be provided to any other persons, agencies, organizations, or other third parties. There may be a need for the City of Santa Barbara to verify a patient's validity if such a case arises.

_____ Patient _____ Caregiver _____ Renewal

Name: (First) _____ Last: _____

California Driver's License: _____ California ID: _____ ID Number: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Email Address: _____

Physician's Name: _____

Physician's Address: _____

City: _____ State: _____ Zip: _____

Physician's Phone: _____ Last Visit Date: _____

Recommendation Expires: _____ Please send me updates via: email text

I understand and agree that I am a qualified patient protected by California Health and Safety Codes 11362.5 and 11362.7. et. seq., and California Senate Bill 420. My physician has recommended the use of medical marijuana and provided written documentation of such recommendation. My physician will review my case on a yearly basis. Per the relevant sections of California law, I am able to legally possess, use, and cultivate cannabis collectively for medical purposes. I designate The Canopy as my care providers. I agree to follow all of the rules and guidelines of the collective and pay reasonable compensation and/or volunteer for other services and activities provided by the collective.

Signed: _____ Date: _____

!!STOP!! FOR CANOPY USE ONLY:

Date Verified: _____ Verified by: _____

Not Verified Date: _____ By: _____

Canopy Manager Initials: _____

Specific Health Notes: _____

The Canopy

An Unincorporated Non-Profit Voluntary Association

Revised Patient Agreement Form

As a qualified patient protected by California Health and Safety Codes 11362.5 and 11362.7. et. seq., and California Senate Bill 420, you are required to read, agree, and initial before each of the following statements to become a member of The Canopy:

_____ 1. I hereby affirm that I am Santa Barbara County resident and have a California driver's license or identification card to prove such.

_____ 2. I hereby declare that I am a qualified patient under CA H&S Code 11362.5, 11362.7, et seq., and my physician has recommended and approved my use of medical cannabis. As per CA H&S Safety Code 11362.51, I am legally able to use, possess, and cultivate cannabis for medical purposes. I understand that I am allowed to do so through safe and affordable access such as the kind provided by The Canopy. I therefore, designate The Canopy, as my care provider for this purpose. In doing so, I agree to sign and follow all of the rules and regulations regarding the services provided by The Canopy.

_____ 3. I agree to possess my original copy of my physicians' recommendation when registering with The Canopy. I understand that my failure to do so may result in refusal of collective member services.

_____ 4. I hereby confirm and agree that my medicinal cannabis shall not be sold, bartered, traded, and/or exchanged in any other means to any other persons.

_____ 5. I agree to be courteous to all Canopy employees, volunteers, and other collective members, etc. I also understand that my collective membership is a privilege, which can be revoked at ANY TIME for ANY REASON.

_____ 6. I will NOT solicit, loiter, or litter on or around within 200 feet of The Canopy premises.

_____ 7. I agree to be respectful to businesses and residents neighboring The Canopy. I agree not to play loud music in or around The Canopy premises; and further agree not to DISTURB any businesses neighboring The Canopy.

_____ 8. I understand and agree not to medicate (via smoking, eating, vaporizing or otherwise) in or around within 200 feet of The Canopy premises. I have also been given a copy of the "Canopy 200 Foot Radius Map" and agree that I will not loiter, medicate, and/or solicit within a 200 foot radius as the map illustrates.

_____ 9. I hereby agree, appoint, and designate The Canopy and their representatives, as my true and lawful collective agents for the limited purpose of assisting me in obtaining my legally recommended medicinal cannabis; and as my duly authorized caregiver, to assist me with obtaining my medication. I understand that this means The Canopy will be required to purchase, possess, transport and distribute my medication to me as recommended by my physician and I grant them the limited authority to do so. I further authorize The Canopy to enter whatever agreements are necessary with propagators or other medicinal providers to cultivate and prepare medication, edibles, and other medicinal cannabis products.

_____ 10. I understand that The Canopy has entered into similar agreements with others. I authorize The Canopy to possess the medicinal cannabis and other medicinal cannabis products as described in this agreement jointly with the others who have entered into similar membership agreements with The Canopy.

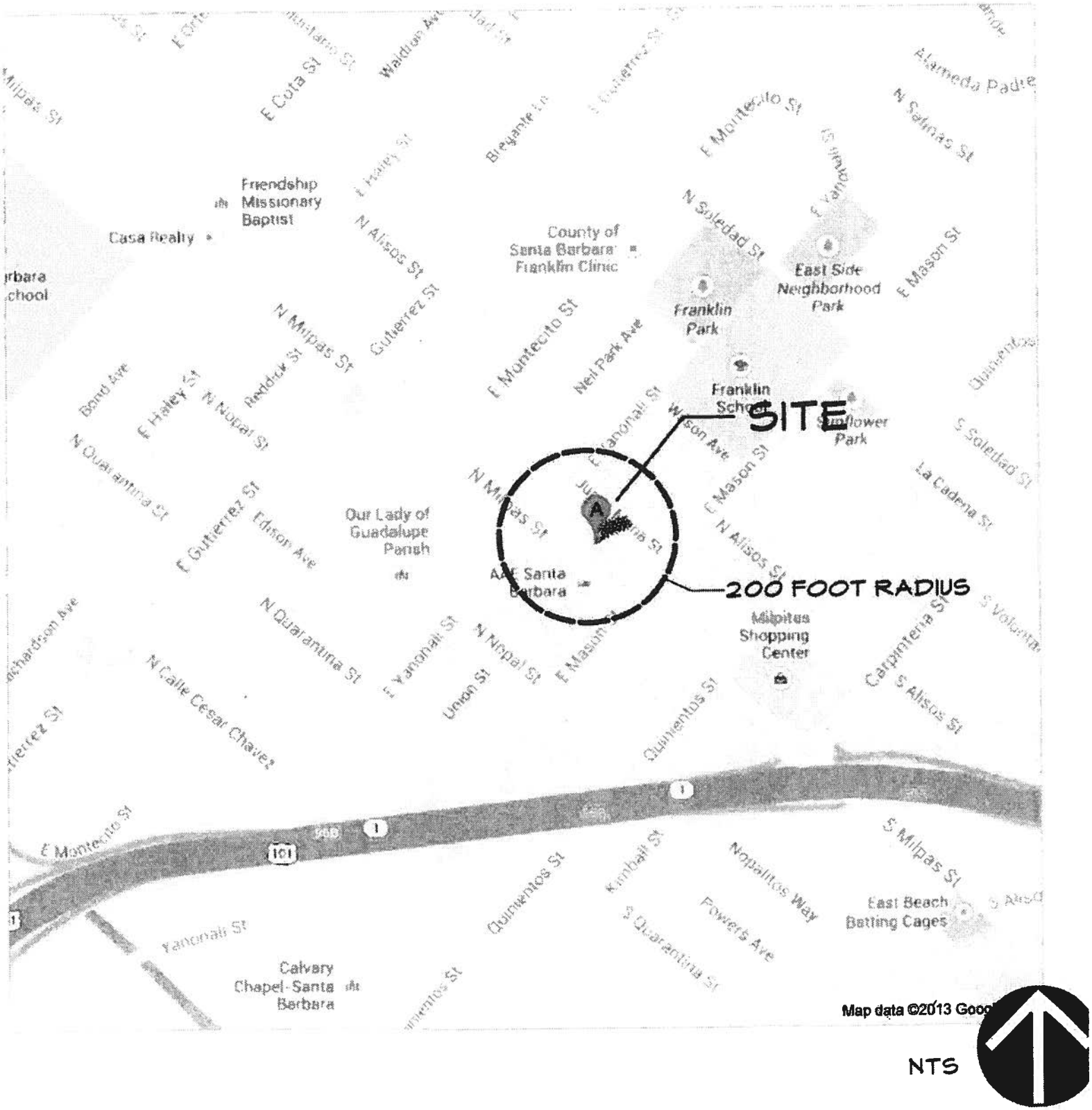
_____ 11. I hereby declare and understand that my donation covering expenses to The Canopy for prescribed medicinal cannabis products are used to ensure the continued operation of The Canopy and that any said donation or transaction in no way constitutes a commercial promotion or sale of any item.

_____ 12. I agree to immediately provide The Canopy with all changes in my contact information, diagnoses, or primary physician.

I hereby acknowledge and affirm that I have read, understand, and agree to all the terms set forth in this membership agreement and declare The Canopy as my primary caregiver. I understand The Canopy and/or its assignee will grow medical cannabis for me in accordance with State, County, and City guidelines. I further understand that there expenses associated with propagating medicinal cannabis, and I will help cover those expenses. If, for any reason, I change my physician or address, I will notify The Canopy and/or assignee as soon as possible with the new documentation.

Name (*please print*): _____

Name (*please sign*): _____ Date: _____


SITE
200 FOOT RADIUS
Friendship Missionary Baptist
Casa Realty
County of Santa Barbara Franklin Clinic
East Side Neighborhood Park
Franklin Park
Franklin School
Sunflower Park
Our Lady of Guadalupe Parish
AAE Santa Barbara
Milpitas Shopping Center
East Beach Batting Cages
Calvary Chapel-Santa Barbara
E Cota St
Waldron Ave
Alameda Padre
N Salinas St
E Montecito St
N Soledad St
E Mason St
N Alisos St
Gutierrez St
N Milpas St
Neil Park Ave
Bond Ave
E Haley St
N Nopal St
Reddick St
N Quarantina St
E Gutierrez St
Edison Ave
Wason Ave
S Soledad St
La Cadena St
Carpinteria St
S Alisos St
N Calle Cesar Chavez
E Yanonali St
N Nopal St
Union St
Quinientos St
Kimball St
Nopalitos Way
Powers Ave
S Quarantina St
S Milpas St
Yanonali St
101
1
Map data ©2013 Goog
NTS

"Attachment 1"

CA Drivers' License

"Attachment 2"

Director Signed Confirmation

The Canopy

An Unincorporated Non-Profit Voluntary Association

Confirmation: Ryan Steven Howe

Written confirmation as to whether the Collective or a Canopy Member of the Collective previously operated in this or any other county, city or state under a similar licenser permit, and whether the Collective or Canopy Member Applicant ever had such a license or permit revoked or suspended by and the reason(s) therefore.

I, Ryan Steven Howe, hereby declare as follows:

I am the Founder of the Canopy Club Inc.;

My function is: Provide leadership to position the organization at the forefront of the industry, to develop the strategic plan to advance its mission, create and manage brand, marketing, and community PR strategy, and to promote overall organizational growth.

My address is: 2542 Crescent Avenue, Santa Barbara, CA 93105;

My phone number is: (805) 895-2578

I have not previously operated a Medical Marijuana Collective Storefront Dispensary under a similar license or permit, in Santa Barbara City or County, or any other city, county or state. Accordingly, I have not had any such license or permit revoked.

I have not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices with respect to the operation of another business within the City.

I have not been convicted of a felony; on probation or parole for the sale or distribution of a controlled substance.

I understand the requirement that I must not be convicted of a felony, be on probation or parole for a felony, and continue acting as a Director of the Storefront Collective Dispensary.

I have not made a false statement of material fact or omitted to state a material fact in the application.

I declare under the penalty of perjury under the Laws of the State of California that the foregoing is true and correct.

Ryan S. Howe
Founder, *The Canopy*

11-18-2015
Dated

"Attachment 3"

Articles of Incorporation

For

Canopy Club, Inc.

A Non Profit Mutual Benefit Corporation

Articles of Incorporation
Of
Canopy Club, Inc.

Article I:

The name of the corporation is Canopy Club, Inc.

Article II:

A.

This corporation is a nonprofit Mutual Benefit Corporation organized under the Nonprofit Mutual Benefit Corporation Law. The purpose of this corporation is to engage in any lawful act or activity, other than credit union business, for which a corporation may be organized under such law.

B.

The specific purpose of this corporation is to facilitate herbal or natural remedies for chronically ill patron members who are California residents with HIV, AIDS, chronic pain, chronic spasticity, glaucoma, arthritis, cancer, migraine, wasting syndrome, and/or such other conditions for which licensed medical physicians may recommend such herbal or natural remedies pursuant to California Law.

Article III:

The name and address in the State of California of this corporation's initial agents for service are: Joseph D. Allen, 131 E. Anapamu St., Santa Barbara, Ca 93101

Article IV:

Notwithstanding any of the above statements of purposes and powers, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the specific purposes of this corporation.

Article V:

The Corporation shall have Members, who shall be all the patients who are members of the collective.

Article VI:

The initial street address of the corporation is 131 E. Anapamu St., Santa Barbara, Ca 93101.
The initial mailing address of the corporation is 131 E. Anapamu St., Santa Barbara, Ca 93101.

IN WITNESS THEREOF, the undersigned have executed these Articles of Incorporation this 13th day of May, 2015.

Signatures of Incorporators

PAUL SEMONIAN

RYAN S. HOWE

STANLEE P. COX

THOMAS MARTIN

"Attachment 4"

Articles of Association

For

Canopy Club

An Unincorporated Non-Profit Patient Collective

ARTICLES OF ASSOCIATION
FOR
Canopy Club, Inc.
A NON-PROFIT PATIENT COLLECTIVE ORGANIZED UNDER THE
CALIFORNIA COMPASSIONATE USE ACT

The party signing below, on the dates shown by his signature, has by this agreement established Canopy Club, Inc., a non-profit patient collective organized pursuant to the California Compassionate Use Act, Health & Safety Code §§11362.5 and following, for the purpose of sharing access to medicinal cannabis, to grow and procure medicinal cannabis, and to combine efforts and share costs in so doing, all as provided by the laws of California. Now, therefore:

1. **Name:** The name of this patient collective shall be, and it shall be commonly known as, Canopy Club, Inc.

2. **Purpose:** The purpose of this collective is specifically to grow, produce, and share among patients medicinal cannabis, and to share and apportion the costs of such production and distribution, all as permitted by the laws of California, and particularly by Proposition 215 [Compassionate Use Act] and all statutes and amendments adopted in furtherance or expansion of the rights conferred therein, and in conformity with the guidelines for medical cannabis patient collectives, as published from time to time by the Attorney General of California; and further, in conformity with all local ordinances that may from time to time regulate the times, places or manners in which patients may operate medical cannabis patient collectives.

3. **Organizers:** The original organizers have executed this agreement as shown below. The organizers shall maintain all books, records and funds of the collective. The organizers shall appoint officers and employees to act for the collective and to keep and preserve the funds and property of the collective.

4. **Members:** Members must be qualified medical cannabis patients as defined by the laws of California, and must have a current, valid doctor's recommendation letter on file with the collective to participate in its business or enjoy the benefits of membership. Nominal dues for annual membership may be established by majority vote of the members from time to time, to cover routine expenses of maintaining files and documents as required, to defray costs of business licenses or other government fees, and for other related administrative costs.

5 **Amendment:** This agreement and articles of association may be amended by an instrument in writing signed by the initial organizers and filed with the business records of the collective.

IN WITNESS WHEREOF, THE ORGANIZERS OF THIS COLLECTIVE HAVE EXECUTED THESE ARTICLES OF ASSOCIATION ON THE DATE SHOWN BELOW:

Date: 5-13, 2015

RYAN S. HOWE

Date: 5-13, 2015

PAUL SEMONIAN

Date: 5/13, 2015

THOMAS MARTIN

Date: 5/13, 2015

STANLEE P. COX

"Attachment 5"

Director Signed Statement

The Canopy

An Unincorporated Non-Profit Voluntary Association

Statement: Ryan Steven Howe

A statement dated and signed by each Canopy Member, of the Collective, under penalty of perjury, that the Canopy Member has personal knowledge of the information contained in the Dispensary Application, that the information contained therein is true and correct, and that the application has been completed under the supervision of the identified Canopy Member(s):

I, Ryan Steven Howe, hereby declare as follows:

I am the Founder of the Canopy Club Inc.;

My function is: Provide leadership to position the organization at the forefront of the industry, to develop the strategic plan to advance its mission, create and manage brand, marketing, and community PR strategy, and to promote overall organizational growth.

My address is: 2542 Crescent Avenue, Santa Barbara, CA 93105;

My phone number is: (805) 895-2578

I have personal knowledge of the information contained in the Canopy Club Medical Marijuana Storefront Collective Dispensaries Application, and that the application has been completed under the supervision of Ryan Howe and Sean Michael; and that the information contained therein is true and correct.

I have not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices with respect to the operation of another business within the City.

I have not been convicted of a felony; on probation or parole for the sale or distribution of a controlled substance.

I understand the requirement that I must not be convicted of a felony, be on probation or parole for a felony, and continue acting as a Director of the Storefront Collective Dispensary.

I have not made a false statement of material fact or omitted to state a material fact in the application.

I declare under the penalty of perjury under the Laws of the State of California that the foregoing is true and correct.

Ryan S. Howe
Founder, *The Canopy*

11-18-2015
Dated