City of Santa Barbara
Planning Division

Memorandum

DATE: May 28, 2015

TO: Planning Commission

FROM: Planning Division Staff

SUBJECT: Suspension of Staff Hearing Officer Approval of a Storefront Collective Dispensary Permit for 3617 State Street.

On April 15, 2015, the Staff Hearing Officer approved an application for a Storefront Collective Dispensary Permit at 3617 State Street. The project involves an interior tenant improvement for a tenant space in Ontare Plaza, and includes proposed operations and security plans for the dispensary. The Staff Hearing Officer found that the application complies with the location limitations in SBMC §28.80.050, and the issuance criteria for the permit set forth in SBMC §28.80.070.B. See section V.B. of the attached Staff Report dated April 8, 2015.

The Planning Commission has the authority to suspend a decision of the Staff Hearing Officer and schedule a public hearing to review said decision as provided in SBMC §28.05.020.A. Commissioner Jordan has expressed concerns about the proposed security controls outside the tenant space in the shopping center, as well as the need to clarify the revisions to the proposed Operations Plan and conditions of approval. The Planning Commission suspended the Staff Hearing Officer's approval of the permit and will hold a public hearing of the application on June 4, 2015 to affirm, reverse, or modify the decision of the Staff Hearing Officer.

Attachments:

1. Staff Hearing Officer Staff Report dated April 8, 2015
2. Staff Hearing Officer Minutes, April 15, 2015
3. Staff Hearing Officer Resolution No. 023-15
4. Revised Operations Plan and Patient Agreement Form (including changes directed by Staff Hearing Officer)
5. Revised Security Plans (including changes directed by Staff Hearing Officer) distributed separately
6. Public comment correspondence

City of Santa Barbara
California

STAFF HEARING OFFICER
STAFF REPORT

REPORT DATE: April 8, 2015

AGENDA DATE: April 15, 2015

PROJECT ADDRESS: 3617 State Street (MST2014-00438)
"Santa Barbara Patients Collective and Healing Center"

TO: Susan Reardon, Senior Planner, Staff Hearing Officer

FROM: Planning Division, (805) 564-5470
Allison De Busk, Project Planner
Tony Boughman, Assistant Planner

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 tenant space in Ontare Plaza. Interior improvements are proposed.

II. REQUIRED APPLICATIONS

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

APPLICATION DEEMED COMPLETE: February 25, 2015
DATE ACTION REQUIRED: April 24, 2015

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 3617 State Street

IV. SITE INFORMATION

Applicant:	Joseph Allen		
Property Owner:	Richard G. Doolittle		
Site Information			
Parcel Number:	051-051-005	**Lot Area:**	6,376 sq. ft.
General Plan:	Commercial/Medium High Density Residential	**Zoning:**	C-P/SD-2
Existing Use:	Vacant tenant space in Ontare Plaza	**Topography:**	Flat
Adjacent Land Uses			
North - Commercial		**East** - Commercial	
South – Single-Family Residential		**West** - 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 project's consistency with applicable sections of 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 3400 to 3900 blocks of State Street. The tenant space in the Ontare Plaza shopping center affords good public views without obstructions from the front parking lot and State Street. There are no other Storefront Collective Dispensaries in the City. Therefore, the location is not within 1,000 feet of another dispensary, it would be the only dispensary in the outer State 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 submitted "Articles of Association of the Santa Barbara Patients Collective and Healing Center" signed by the management members and stating that the Collective will operate the dispensary consistent with the Compassionate Use Act of 1996 (Proposition 215) and Senate Bill 420 (Exhibit B). 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 proposal involves an interior tenant improvement in the existing 1,350 square foot tenant space. 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 Upper State neighborhood and centrally located among the Hope, San Roque, East San Roque, Hitchcock, and Samarkand neighborhoods. The location on the major State Street thoroughfare would provide easy access to residents in all areas of the City. Bus stops for three Metropolitan Transit District (MTD) lines are located along State Street, including at the corner of State Street and Ontare Road within one block of the proposed location.

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 outer State Street where dispensaries are allowed. The tenant space in the Ontare Plaza shopping center has a glass storefront with 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.

A full time security guard would be present from 30 minutes before opening to 30 minutes after closing. The applicant has provided a detailed operations plan, floor plan, and security plan (Exhibits C & E). The proposed floor plan has a lobby waiting area in the front separated from the dispensing area by a locked door controlled by the security guard. No furnishings are provided outside the building. The large storefront windows allow good visibility to the inside and outside. Adequate lighting and security cameras would be installed as shown on the security plan. A registered alarm system is required for the premises.

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.

On duty staff would verify collective members have a valid physician's recommendation and the dispensary is limited to collective members who must complete and sign a Patient Agreement Form (Exhibit D). This form includes items regarding courteous behavior, not littering or loitering, being respectful to neighboring businesses and residences, and not medicating in or around the premises. Signs would be provided within the dispensary to remind patrons that marijuana use in the vicinity of the dispensary is not allowed. The security guard on duty, would be responsible for reminding collective members of conduct and deportment expected, and responding to any disorderly conduct. Patients' memberships may be revoked at any time by the collective.

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 measures for security and operations should avoid nuisance behavior and adverse effects on health, peace, and safety of persons in the surrounding area. Adequate lighting and security cameras would be installed on the rear of the building adjacent to the Hitchcock residential neighborhood. The security lighting is designed to enhance security at the rear of the building while preventing light trespass beyond the property lines of the shopping center. The security guard's duties would include reminding all collective members of the conduct and deportment expectations. The security guard and management members will take all reasonable steps to discourage and correct conditions that constitute a public or private nuisance. The patient agreement form states that once patients receive their medicine they must leave the premises. Hours of operation would be 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.

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.

All management members signed statements 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, management members, and employees passed the required background check. The applicant states 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.

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 an interior tenant improvement in an existing shopping center.

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. Applicant's Articles of Association for the Collective
C. Applicant's Operations Plan
D. Applicant's Patient Agreement Form
E. Project Plans – distributed separately

City of Santa Barbara
Planning Division

STAFF HEARING OFFICER MINUTES

APRIL 15, 2015

CALL TO ORDER:
Susan Reardon, Staff Hearing Officer, called the meeting to order at 9:01 a.m.

STAFF PRESENT:
Susan Reardon, Staff Hearing Officer/Senior Planner II
Steve Foley, Supervising Transportation Planner
Tony Boughman, Assistant Planner
Kathleen Goo, Staff Hearing Officer Secretary

I. **PRELIMINARY MATTERS:**

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

There were no requests.

B. Announcements and Appeals.

There were no announcements

C. Comments from members of the public pertaining to items not on this agenda.

There were no public comments.

II. **PROJECTS:**

ACTUAL TIME: 9:02 A.M.

A. **APPLICATION OF JOSEPH ALLEN, 3617 STATE STREET, APN: 051-051-005, C-P/SD-2 RESTRICTED COMMERCIAL/ SPECIAL DISTRICT 2 "UPPER STATE STREET AREA") ZONES, GENERAL PLAN DESIGNATION: COMMERCIAL/MEDIUM HIGH RESIDENTIAL (MST2014-00438)**

Proposal for a Medical Marijuana Storefront Collective Dispensary Permit. The dispensary would be located in an existing tenant space in Ontare Plaza. Interior improvements are proposed.

ATTACHMENT 2

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 categorically exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(a).

Present: Joseph Allen, Applicant; and Steven Foley, Supervising Transportation Planner.

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.

Public comment opened at 9:25 a.m.

1) Tricia Daniel, (store owner) in opposition; expressed concerns regarding potential for increased nuisance issues and loitering, and parking density impacts to the area.
2) Sarah Griffin, (resident) in opposition; expressed concerns regarding traffic impacts, access difficulties, evening lighting concerns, and potential for increased parking demand in an already challenged San Roque neighborhood.
3) Rosa Choi, (resident) in opposition; expressed concerns regarding the location of the dispensary near a residential area resulting in parking and safety concerns from increased nuisance issues and loitering in the neighborhood area.
4) Richard Scheeft, (resident) in opposition; expressed concerns regarding traffic circulation, public safety near the narrow rear alley, and the appropriateness of locating a dispensary in the neighborhood area.
5) Scott Rode, (resident) in opposition; expressed concerns regarding the poor choice of location for this high profile type of business, potential impacts to the neighborhood, and potential impacts to nearby businesses from the increased nuisance issues and loitering.
6) Eui Oh; in opposition; asked specific questions regarding the application.

Public comment closed at 9:48 a.m.

Mr. Foley clarified transportation circulation issues of the potential site for the storefront dispensary including adjacent traffic flow concerns for a temporary loading zone.

Mr. Boughman stated that the proposed security lighting at the rear of the tenant space complied with the City's Outdoor Lighting Ordinance and Guidelines.

Ms. Reardon requested conditions for the dispensary regarding the rear access door to remain locked at all times and to serve as an emergency exit only, for security camera monitors to be installed on the security guard's desk, and to require a management member to walk around the exterior of the site periodically during business hours to verify and enforce compliance with the Operations Plan.

Ms. Reardon also requested several minor corrections and revisions to the Application's Operating Plan and Patient Agreement Form.

ACTION: **Assigned Resolution No. 023-15**
Approved the Medical Marijuana Storefront Collective Dispensary Permit making the findings as outlined in the Staff Report dated April 8, 2015.

Said approval is subject to the conditions as outlined in the Staff Report dated April 8, 2015, 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.

III. ADJOURNMENT

Ms. Reardon adjourned the meeting at 10:40 a.m.

Submitted by,

Kathleen Goo, Staff Hearing Officer Secretary

City of Santa Barbara
California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 023-15
3617 STATE STREET
MEDICAL MARIJUANA STOREFRONT COLLECTIVE DISPENSARY PERMIT
APRIL 15, 2015

APPLICATION OF JOSEPH ALLEN, 3617 STATE STREET, APN: 051-051-005, C-P/SD-2 RESTRICTED COMMERCIAL/ SPECIAL DISTRICT 2 "UPPER STATE STREET AREA") ZONES, GENERAL PLAN DESIGNATION: COMMERCIAL/MEDIUM HIGH RESIDENTIAL (MST2014-00438)

Proposal for a Medical Marijuana Storefront Collective Dispensary Permit. The dispensary would be located in an existing tenant space in Ontare Plaza. Interior improvements 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 categorically exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(a).

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 six people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 25, 2015.
2. Site Plans
3. Correspondence received in opposition to the project:
   a. Bob Basche, Santa Barbara, CA.
   b. Pauline Nelson, Santa Barbara, CA.
   c. Cathy Romero, Santa Barbara, CA.
   d. Beverly Woxell, Santa Barbara, CA.
   e. Casey and Kathy Roberts, Santa Barbara, CA.
   f. Mark T. Nelson, Santa Barbara, CA.
   g. Sue Irwin, Santa Barbara, CA.
   h. Gordon Brewer and Judy Williams, Santa Barbara, CA.

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer approved the requested Storefront Collective Dispensary Permit making the following finding and determination:

I. **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 written Staff Report, dated April 8, 2015, 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 April 8, 2015, and the applicant's submittal.

II. Said approval is subject to the following Conditions of Approval:

A. **Approved Dispensary.** The applicant shall operate the dispensary in accordance with the Chapter 28.80 of the Santa Barbara Municipal Code, and in accordance with the application information and plans approved and modified by the Staff Hearing Officer on April 15, 2015.

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

1. Record any required documents (see Recorded Conditions Agreement section).
2. Permits.
    a. Submit an application for and obtain a Building Permit (BLD) for construction of approved development and complete said development.
    b. If applicable, submit an application for and obtain a Public Works Permit (PBW) for all required public improvements and complete said improvements.
    c. 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.

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

C. **Recorded Conditions Agreement.** The Owner shall execute a *written instrument*, which shall be prepared by Planning staff, reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on April 15, 2015 is limited to the improvements shown on the plans signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara. The improvements consist of an interior tenant improvement and exterior security lighting and cameras.

2. **Uninterrupted Water Flow.** The Owner shall allow for the continuation of any historic flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.

3. **Trash Enclosure Provision.** 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 screened from view from surrounding properties and the street.

D. **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. **List of Products, Goods, and Services.** A list of products (including edibles), goods, and services requested to be sold at the Dispensary shall be submitted to the Planning Division for review and approval.

b. **Recordation of Agreements.** The Owner shall provide evidence of recordation of the written instrument that includes all of the Recorded Conditions identified in condition C "Recorded Conditions Agreement" to the Community Development Department prior to issuance of any building permits.

c. **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.

E. **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.

F. **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. **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.

G. **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, roadways, 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.

H. **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.

This motion was passed and adopted on the 15th day of April, 2015 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.

Kathleen Goo, Staff Hearing Officer Secretary — Date 3/16/15

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 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.

To Tony Baughman
Planning Department
City of Santa Barbara

Changes and additions requested by the Staff Hearing Officer at the SHO Hearing April 15th, 2015.

Changes made to Patient Agreement Form:

a) Under item #8 the radius of 400 feet was added as a guideline.
b) Under item #9 the word "prescribed" was changed to "recommended."

Changes made to application:

1) On page 3 under "Operations Plan" the language "eighteen years of age" was changed to read "twenty-one years of age."
2) On page 7 under **SBMC §28.80.060.E.4. Security Cameras.** the line: "A monitor will also be setup at the security guard station." was added.
3) On page 8 under **SBMC §28.80.060.E.7. Public Nuisance.** the lines: "There will also be a camera feed to the security guard's desk monitor, which contains all the camera feeds of both inside and outside the building. One of our Collective staff members will tour the grounds, both front and rear of the building, every two hours and sign off to that effect in our daily log book." was added.
4) On page 12 under **SBMC §28.80.060.F.8.** the lines: "They will include lozenges, tinctures, chocolates and cookies. Some of the edible products will only have CBD and other cannabinoids from the cannabis plant in them and will not contain THC, the psychoactive cannabinoid." was added.
5) On page 14 under **SBMC §28.80.080.C.2.** the line: "The rear door to the building will remain locked at all times and only accessed for emergency purposes only." was added.
6) On page 13 under **SBMC §28.80.080.B. Minors.** Everywhere where it stated 18 years of age, it was changed to read 21 years of age.
7) On page 26 under **SBMC §28.80.130.B. Transfer of a Permitted Collective Dispensary.** The word "not" was removed as suggested.

Santa Barbara Patients Collective & Healing Center
PATIENT AGREEMENT FORM

As a qualified patient protected by California Law, Health & Safety Codes §11362.5 and §11362.7,et seq., and in conjunction with California State Senate Bill 420, you are required to read and agree to the following statements to become a member of the Santa Barbara Patients Collective & Healing Center (SBPC&HC): Please read the following statements and initial that you have read and agree to each. Please sign at the bottom of this form verifying that you have read, agree to, and understand each of the statements.

_____ 1. I hereby affirm that I'm a Santa Barbara County resident and have a California driver's license or identification to prove such.

_____ 2. I hereby declare that I'm a qualified patient under CA H& S Code §11362.5, §11362.7, et seq., and my doctor has recommended and approved my use of medicinal cannabis. As per CA H&S 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 type provided by SBPC&HC. I therefore, designate SBPC&HC, as my care provider for this purpose. In doing so, I agree to sign and follow all rules and regulations regarding the services provided by SBPC&HC.

_____ 3. I agree to possess my original, or a true and correct copy, of my recommendation when registering with SBPC&HC. I understand that my failing 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, exchanged in any other means to any other persons.

_____ 5. I agree to be courteous to all SBPC&HC employees, volunteers, other collective members, etc. I 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 the SBPC&HC or within a 400-foot radius of the premises.

_____ 7. I agree to be respectful to businesses and residences neighboring the SBPC&HC. I agree not to play loud music in or around SBPC&HC premises; and further agree not to DISTURB any businesses neighboring the SBPC&HC.

_____ 8. I understand and agree not to medicate (via smoking or otherwise) within a 400-foot radius of the SBPC&HC premises.

_____ 9. I hereby agree, appoint and designate SBPC&HC 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 SBPC&HC 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 SBPC&HC 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 SBPC&HC has entered into similar agreements with others. I authorize the SBPC&HC 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 SBPC&HC.

_____ 11. I hereby declare and understand that my donation covering expenses to SBPC&HC for prescribed medicinal cannabis products are used to ensure the continued operation of the SBPC&HC and that any said donation or transaction in no way constitutes a commercial promotion or sale of any item.

_____ 12. I agree to provide SBPC&HC with all changes in my contact information, diagnosis, or primary physician immediately.

I hereby acknowledge and affirm that I have read, understand and agree to all the terms set forth in this membership agreement. I declare the Santa Barbara Patients Collective & Healing Center as my primary caregiver. I understand the SBPC&HC and/or assignee will grow medical cannabis for me in accordance with State, County and City guidelines. I further understand that there are 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 SBPC&HC and/or assignee as soon as possible with the new documentation.

Name *(print)* _____

Name *(signature)* _____ Date:_____

Santa Barbara Patients Collective & Healing Center
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.

Name: (Last) _____ (First) _____

Address: _____

City_____ Zip Code_____

CA Drivers License or ID# _____

Date of Birth:_____/_____/_____

Phone Number: ( )_____

E-Mail:_____

Please send me updates and other information via: US Mail Email *(please circle one)*

Physician's Name:_____Visit Date: _____

Physician's Phone Number: (___)_____

I have read, understand and agree to abide by the guidelines set forth by Santa Barbara Patients Collective & Healing Center (SBPC&HC). I authorize my recommending physician to verify my recommendation with SBPC&HC for the use of medicinal cannabis.

Patient Signature: Date:

STOP! For SBPC&HC Use only below this line.

Verify Date:_____

Spoke with:_____

Expiration Date:_____

Initials:_____

Specific Health Notations:_____

Medical Marijuana Storefront Collective

Dispensary Permit Application

(Revised, Corrected and Expanded Final – April 25th)

Santa Barbara Patients Collective and Healing Center

LOCATION AND OPERATIONAL REQUIREMENTS

Section 28.80.050 Limitations on the Permitted Location of a Storefront Collective Dispensary.

SBMC §28.80.050.A. Permissible Zoning for Storefront Collective Dispensaries. Storefront Collectives Dispensaries may only be permitted and located on parcels within the City which are zoned for commercial uses and on those street block faces listed in the exhibit to this Chapter designated as "Medical Marijuana Storefront Collectives Dispensaries - Allowed Locations" dated as of June 22, 2010.

Pursuant to Section 28.80.050 of the City Zoning Code, Santa Barbara Patients Collective and Healing Center, located at 3617 State St.; is in a permissible block face area designated as "Medical Marijuana Storefront Collectives Dispensaries - Allowed Locations." Attached is a map highlighting our location within a permissible zone for a medical marijuana dispensary (Exhibit A).

SBMC §28.80.050.B. Storefront Locations. Except for those locations shown as allowed within the West Pueblo Medical Area on the exhibit attached to this Chapter which have been specifically approved by the Staff Hearing Officer as non-storefront locations pursuant to this Chapter, a Storefront Collective Dispensary shall only be located in a visible store-front type ground-floor location which provides good public views of the Dispensary entrance, its windows, and the entrance to the Storefront Collective Dispensary premises from a public street.

SBPCHC has a visible storefront location with the entrance facing State Street. The street front entry has no obstructions to facilitate visibility from the street. As a result, there are excellent views from the outside.

SBMC §28.80.050.C. Commercial Areas and Zones Where Storefront Collective Dispensaries Not Permitted. Notwithstanding subparagraph (A) above, a Storefront Collective Dispensary shall not be allowed or permitted on a parcel located within 1000 feet of another permitted or allowed Storefront Collective Dispensary.

SBPCHC exceeds the minimum distance requirements of 1000 feet from another permissible Storefront Collective Dispensary.

SBMC §28.80.050.D. Locational Measurements. The distance between a Storefront Collective Dispensary and above-listed restrictions shall be calculated as a straight line from any parcel line of the Property on which the Storefront Collective Dispensary is located to the parcel line the real property on which the facility, building, or structure, or portion of the building or structure, in which the above- listed use occurs or is located.

For the purposes of determining compliance with the locational restrictions imposed by this section, the permissibility of a proposed Storefront Collective Dispensary location shall be determined by City staff based on the date the permit application has been deemed complete by the City with the earliest complete applications deemed to have priority over any subsequent Storefront Collective Dispensary application for any particular permissible location.

SBPCHC is aware of the location requirements and staff protocols. The distance between the SBPCHC and another permitted Dispensary shall be calculated as a straight line from any parcel line on the property. So far as applicants are aware, there are no other permitted dispensaries currently in Santa Barbara.

SBMC §28.80.050.E. One Collective Dispensary for Each Area of the City. No more than one Storefront Collective Dispensary may open or operate in each of the areas of the City designated as allowed or permissible Collective Dispensary location areas in the exhibit attached to this Chapter except for those areas which, at the time of the adoption of the ordinance amending this Chapter, already have more than one Storefront Collective Dispensary on a legal non-conforming basis and which are allowed to

continue to operate on a legal non-conforming basis under Section Two of the Ordinance amending this Chapter - in which case a legal non- conforming Dispensary may be allowed to continue to operate in such an area.

SBPCHC is aware that no more than one Storefront Collective Dispensary may open or operate in each of the areas of the City designated as allowed or permissible Collective Dispensary location areas in the exhibit attached to this Chapter except for those areas which, at the time of the adoption of the ordinance amending this Chapter, already have more than one Storefront Collective Dispensary on a legal non-conforming basis and which are allowed to continue to operate on a legal non-conforming basis under Section Two of the Ordinance amending this Chapter - in which case a legal non- conforming Dispensary may be allowed to continue to operate in such an area.

Section 28.80.060 Storefront Collective Dispensary - Permit Application Requirements.

SBMC §28.80.060.E. Filing Requirements - Proposed Operational Plan. In connection with a permit application, an Applicant for a Storefront Collective Dispensary permit shall provide a detailed "Operations Plan" for the proposed Dispensary and, upon issuance of the Storefront Collective Dispensary permit by the City, shall operate the Storefront Collective Dispensary in accordance with the Operations Plan, as approved, at all times. A required Operations Plan shall consist of at least the following:

Operations Plan

Santa Barbara Patients Collective and Healing Center is a not for profit collective that will make every effort to produce and distribute our own medicine for collective members. Upon receipt of our permit, our hours of operation where collective members can receive their medicine will be Monday through Saturday from 8:00 AM to 6:00 PM. There will be a 24-hour waiting period for acceptance of new members, to permit verification of doctor's recommendations and documentation of the new member.

To be a member of the SBPCHC collective one must be at least twenty-one years of age and first attain a verifiable physician's recommendation in accordance with California State law. When a potential new collective member comes in to our collective clinic they are asked to demonstrate their physician's recommendation. The on-duty collective staff contacts the physician's office and verifies with them that the patient in question has been

issued their recommendation. Once this process has been completed the potential new collective member is given paperwork to fill out and sign so there is a clear understanding of their participation and the guidelines as a collective member. Upon receipt of our permit, there will be a 24-hour waiting period for new collective members as required in the newly revised ordinance, 5526.

All physician recommendations are stored alphabetically and are kept in files along with a copy of their valid California ID. A database of qualified collective members/patients will also be created along with the expiration date of their physician's recommendation. Upon entering the collective clinic, identification is presented to the security personnel and their membership is verified along with making sure the recommendation is valid and has not expired. If the collective patient's recommendation has expired then the patient is notified and cannot access medicine at that moment. They are then asked to return to their physician and obtain a current recommendation before coming back.

There are certain administrative costs as well as other expenses involved in the production of the medicine. These costs will be tallied and then divided by the amount of medicine processed in order to estimate the proper cost to recoup per collective member for said medicine. Depending on the year and conditions involved these costs will vary accordingly.

If a collective member is engaged in reselling their medicine and abusing the privileges of the collective, they are no longer welcome and they are removed from the data bank. There is a limit of two ounces of medicine that can be accessed by a qualified collective member on a visit. We will also have security cameras in place to help with crime reduction as well as internal monitoring in order to keep collective members honest.

Collective members' supply of medicine will be kept in a locked room adjacent to the dispensing area (see floor plan; Exhibit B). Collective members/staff weigh and measure the medicine in containers ranging from one gram to one ounce. Once the medicine is weighed, most of it is stored in the dispensing area. All remaining medicine that is not weighed is stored in a locked weigh room as stated above.

Patients who are unable to produce their own medicine are asked to sign up for a collective grow. At the end of the season the excess medicine that is produced is equally divided and dispersed at no charge to the collective members who had initially signed up.

In addition we will also promptly remove all graffiti from the property and parking lots under the control of the SBPCHC within 72 hours of its appearance.

SBMC §28.80.060.E.1. Site Plan and Floor Plan. A Storefront Collective Dispensary application shall have a proposed site plan and floor plan which shows a 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 marijuana to qualified patients or designated primary caregivers members of the Collective. The primary entrance shall be located and maintained clear of barriers, landscaping and similar obstructions so that it is clearly visible from public streets, sidewalks or site driveways.

SBPCHC site plan and floor plan shows the lobby waiting area at the entrance to the Storefront Collective Dispensary and is to be used to receive qualified patients or primary caregivers. The room behind the waiting area is a separate and secure designated area for dispensing medical cannabis to qualified patients or designated primary caregivers members of the Collective. The primary entrance will be located and maintained clear of barriers, landscaping and similar obstructions so that it is clearly visible from public streets, sidewalks or site driveways. The door between the waiting area and the dispensing area is a L.I.F. Industries left-hand security door. The lock on the door separating the waiting area from the dispensing area is a Von Duprin model 6113 Fail Secure Electric Strike Lock. Once the patient member is verified, the electric strike lock will be engaged to allow passage to the dispensing area. Please refer to security plan for further descriptions and drawings concerning the door and the lock mechanism as requested.

SBMC §28.80.060.E.2. Storage. A Storefront Collective Dispensary shall have suitable locked storage on the premises, identified and approved as a part of the operational security plan for the after-hours storage of medical marijuana.

SBPCHC will have locked storage on premises for after-hours storage of medicinal cannabis. The storage safe is manufactured by Vault Pro USA. It is a walk in safe, six feet by six feet and seven feet high. The door is equipped with a Sargent & Greenleaf Digital Lock. Please refer to security plan to view CAD drawings of proposed vault and its attachment to the building.

SBMC §28.80.060.E.3. Security Plans. A Storefront Collective Dispensary shall provide a plan to provide adequate security on the premises of the Dispensary which shall be maintained in accordance with the Dispensary security plan approved by the Chief of Police and as reviewed by the Staff Hearing Officer. This plan shall include provisions for adequate lighting and alarms in order to insure the safety of persons and to protect the premises from theft. All security guards used by dispensaries shall be licensed and employed by a state licensed private-party operator security company retained by the Storefront Collective Dispensary and each security guard used 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.

The security plan has been updated to include specifications on the lighting and motion detectors to be used for the rear of the building The security plan includes a third party contract alarm system, state-of-the-art video surveillance cameras and real time video monitoring of the front of the building, the entrance, the lobby, the dispensing area and the exterior front and rear of the building. The SBPCHC's proposed location has steel bars on the windows and illumination to the exterior areas. A RAB Lighting WPLED-20MS light will be placed at the rear of the building, equipped with a RAB SMS500 motion detector. The light has a fifteen-foot throw from the building's back wall (see security plan for details).

All security guards used by the dispensary shall be licensed and employed by Mission Security. They will provide a security guard on premises from prior to opening until after closing, to secure premises and make sure all the staff are off the property. We anticipate the guard will be present on duty from 30 minutes before opening to the members, until 30 minutes after closing. Duties will include reminding all collective members of the conduct and deportment expected while they are on the premises, opening and controlling the door from the waiting room to the service area, assisting members with disabilities, and responding to any disorderly conduct in the immediate vicinity of the entrances. Each security guard used shall possess a valid state Department of Consumer Affairs Security Guard Card at all times. Our security guards will not possess or carry firearms or tasers while working at the SBPCHC.

SBMC §28.80.060.E.4. Security Cameras. The Security Plan shall show how the Property will be monitored at all times by closed-circuit television for security purposes. The camera and recording system must be of adequate

quality, color rendition and resolution to allow the ready identification of an individual on or adjacent to the Property. The recordings shall be maintained at the Property for a period of not less than thirty (30) days.

The security plans have all been updated to show that four exterior cameras were added, two for the exterior of the front of the building and two for the exterior of the rear of the building. The SBPCHC comprehensive security surveillance camera system will monitor the interior and as well as the building's exterior (front and rear). The cameras are IC Realtime's model ICR-300H3. Fourteen video cameras will provide views of the exterior and interior of the building. Four cameras will be mounted at the front entrance and in the lobby. Another two cameras will be located in the main dispensing room. Another four cameras will monitor the rear of the building and the back staff area where the medical cannabis will be stored after hours in the vault. Two cameras each will be mounted on the front and rear of the exterior of the building capturing the front and rear's exterior. Security video will be maintained on a secured IC Realtime's server for a period of not less than 30 days. The security camera recorder and playback system will be kept in the walk-in vault to provide maximum security. A monitor will also be setup at the security guard station. In case there were to be an incident at said location, no one would be able to access and/or destroy the recorded footage. Please refer to the updated security plans for details on the position of the video cameras as well as the location of the camera recorder and playback system.

SBMC §28.80.060.E.5. Alarm Systems. The Operations Plan shall provide that professionally monitored burglary and fire alarm systems shall be installed and such systems shall be maintained in good working condition within the Storefront Collective Dispensary at all times.

SBPCHC will contract with a local alarm company, and they will install a state-of-the-art burglary alarm system. The system is professionally monitored by the alarm company twenty-four hours a day. If the alarm is triggered, alarm personnel will immediately contact SBPCHC managerial staff and if necessary, contact the Santa Barbara Police Department.

SBMC §28.80.060.E.6. Emergency Contact. A Operations Plan shall provide the Chief of Police with the name, cell phone number, and facsimile number of a Management Member to act as an on-site community relations staff person to whom the City may provide notice of any operating problems associated with the Storefront Collective Dispensary.

The emergency contact(s) for the SBPCHC is:

Joe Allen, Attorney, Cell – (805)-689-1280 Fax – (805) 684-2470

Or Matt Armor, Cell – (805) 705-3866

SBMC §28.80.060.E.7. Public Nuisance. The Operations Plan shall provide 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 subject Storefront Collective Dispensary.

SBPCHC operating plan shall provide 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 subject Storefront Collective Dispensary. As a member of the SBPCHC collective each patient must read and sign a "patient agreement form." The form clearly states that once the patient receives their medicine they must leave the facility and make their way off the premises. Furthermore, by having a security guard on premises, their presence should dissuade any activity that would be deemed a nuisance to the surrounding area. There will also be a camera feed to the security guard's desk monitor, which contains all the camera feeds of both inside and outside the building. One of our Collective staff members will tour the grounds, both front and rear of the building, every two hours and sign off to that effect in our daily log book. If need be, one or more of the management members will go outside to address the issue if it appears. We will also inform our collective members that if they were deemed a nuisance in any way, that their membership in the collective would be revoked. The patient member visiting the dispensary many times may suffer from a wide range of symptoms including limitations on ability and communication. To enhance the safety of the patient and the area, should a patient need assistance in exiting the area or neighborhood in a timely manner, a staff member or member volunteer will be dispatched to assist and escort them to their destination.

SBMC §28.80.060.E.8. Loitering Adjacent to a Dispensary. The Operations Plan shall provide that the Management Members will take all reasonable steps to reduce loitering by Collective members in public areas, sidewalks, alleys and areas surrounding the Property and adjacent premises during the business hours of the Storefront Collective Dispensary.

As a member of the SBPCHC collective, each patient must read and sign a "patient agreement form." The form clearly states that once the patient receives their medicine they must leave the facility and make their way off the premises, and there is to be no loitering. We will also inform each collective member that loitering on the sidewalk, in the parking lot, or anywhere around the building is unacceptable. Furthermore, by having a security guard on premises, their presence should dissuade any loitering around the building. If need be, a management member and/or staff member will go outside to address any issues if they appear. The patient member visiting the dispensary many times may suffer from a wide range of symptoms including limitations on ability and communication. To enhance the safety of the patient and the area, should a patient need assistance in exiting the area or neighborhood in a timely manner, a management and/or staff member will be dispatched to assist and escort them to their destination.

SBMC §28.80.060.E.9. Trash, Litter, Graffiti. *The Operations Plan shall provide that the Management Members will keep area which includes the sidewalks adjoining the Dispensary plus ten (10) feet beyond property lines (as well as any parking lots under the control of the Dispensary) clear of litter, debris, and trash.*

SBPCHC shall provide that the Management Members will keep areas which include the sidewalks adjoining the Dispensary plus ten (10) feet beyond property lines (as well as any parking lots under the control of the Dispensary) clear of litter, debris, and trash.

SBMC §28.80.060.E. 10. Removal of Graffiti. The Operations Plan shall provide a method for the Management Members to promptly remove all graffiti from the Property and parking lots under the control of the Collective within 72 hours of its appearance.

SBPCHC shall coordinate with landlord and building maintenance crews in regards to the color of paint used on the building. If graffiti is found, one of our management staff will promptly clean, pressure wash and repaint affected

area with the building's matching paint. If graffiti is found on the window, solvents will be used to quickly remove any affected area. This will all be completed within a seventy-two hour period.

SBMC §28.80.060. F. Filing Requirements - Information Regarding Storefront Collective Dispensary Management. A Storefront Collective Dispensary Applicant shall also provide the following Management Member and Collective information as part of a Storefront Collective Dispensary application:

For security reasons, the addresses furnished to the City shall be kept with City Staff and the Police Department. The addresses are not to be posted on the planning department website along with the application in order to protect the Collective and Management Member's safety. Issue to be discussed.

SBMC §28.80.060.F.1. The name, address, telephone number, title and function(s) of each Management Member;

Joseph Allen,

Telephone number (805) 892-2480

Collective Agent of Service, Collective Director and Attorney for Collective.

Matt Armor,

Telephone number:

Collective on-site Co-Manager. Manages day-to-day activity.

Greg McGee Jr.,

Telephone number:

Collective on-site Co-Manager. Manages day-to-day activity.

SBMC §28.80.060.F.2. For each Management Member, a fully legible copy of one (1) valid government issued form of photo identification, such as a state driver's license or identification card. Acceptable forms of government issued identification include, but are not limited to, driver's license or photo identity

cards issued by the state Department of Motor Vehicles (or equivalent) that meet REAL ID benchmarks, a passport issued by the United States or by a foreign government, U.S. Military ID cards (active duty or retired military and their dependents) or a Permanent Resident card. *See attached Exhibit C*

SBMC §28.80.060.F.3. Written confirmation as to whether the Collective or a Management Member of the Collective previously operated in this or any other county, city or state under a similar license or permit, and whether the Collective or Management Member Applicant ever had such a license or permit revoked or suspended by and the reason(s) therefore.

No collective member has ever operated or volunteered in this or any other county, city or state under a similar license or permit, and no Collective or Management Member Applicant has ever had such a license or permit revoked or suspended.

SBMC §28.80.060.F.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.

The SBPCHC is not a corporation. See 5.: Unincorporated Association.

SBMC §28.80.060.F.5. If the Collective is an unincorporated association, a copy of the articles of association;

SBPCHC is an unincorporated non-profit association. See exhibit D

SBMC §28.80.060.F.6. The name and address of the Applicant's or Collective's current designated Agent for Service of Process:

Joseph D. Allen, Attorney at Law, 131 E. Anapamu St. Suite A, Santa Barbara CA 93101; Tel: 805-892-2480; fax: 805-892-2470

SBMC §28.80.060.F.7. A. statement dated and signed by each Management Member, of the Collective, under penalty of perjury, that the Management 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 Management Member(s);

See attached Exhibit E

SBMC §28.80.060.F.8. Whether Edible Medical Marijuana products will be prepared and distributed at the proposed Dispensary Property;

There will be Edible Medicinal Cannabis products distributed at SBPCHC. They will include lozenges, tinctures, chocolates and cookies. Some of the edible products will only have CBD and other cannabinoids from the cannabis plant in them and will not contain THC, the psychoactive cannabinoid.

SBMC §28.80.060.F.9. The Property location or locations where any and all Medical Marijuana will be collectively cultivated by the Collective members and Management Members;

The property locations where the Medical Marijuana will be cultivated are:

Our cultivation of Medical Marijuana will be limited to Collective members and Management Members only. Both properties are secure with someone on premises at all times. Both properties are not visible to any persons and/or neighbors. Both properties are located in Santa Barbara County and meet the requirements of SBMC 28.80.080.G.3.

Section 28.80.080 On-Going Management Requirements for Medical Marijuana Storefront Collective Dispensaries.

Storefront Collective Dispensary operations shall be maintained and managed on a day-to-day basis only in compliance with the following operational standards and requirements:

SBMC §28.80.080.A. Criminal History. A Storefront Collective Dispensary permittee, including all Management Members of that permittee, shall not have been convicted of a felony or be on probation or parole for the sale or distribution of a controlled substance and shall remain free of such a conviction or probation during the period of time in which the Storefront Collective Dispensary is being operated.

SBPCHC 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.

SBMC §28.80.080.B. Minors. It shall be unlawful for any Storefront Collective Dispensary permittee, a Management Member of the permittee, or any other person effectively in charge of any Storefront Collective Dispensary to employ any person who is not at least 21 years of age. Persons under the age of twenty-one (21) years shall not be allowed on the premises of a Medical Marijuana Collective Dispensary. The entrance to a Storefront Collective Dispensary shall be clearly and legibly posted with a notice indicating that persons under the age of twenty-one (21) 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.

SBPCHC shall not have anyone as a patient member who is under the age of twenty-one (21) years of age unless it is requested by the parent or legal guardian. SBPCHC shall not allow anyone on the premises who is under the age of twenty-one (21) years of age unless they are accompanied by their parent or guardian. SBPCHC will post by the entrance to the Storefront Collective Dispensary a notice that clearly and legibly indicates that persons under the age of twenty-one (21) 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.

SBMC §28.80.080.C. Storefront Collective Dispensary Size and Access The following access restrictions shall apply to all Storefront Collective Dispensaries permitted by this Chapter:

SBMC §28.80.080.C.1. A Storefront Collective Dispensary shall not be enlarged in size (i.e., increased floor area) without prior review and approval of the change from the Staff Hearing Officer and an approved amendment to the existing Storefront Collective Dispensary permit pursuant to the requirements of this Chapter,

The building size of the dispensary is approximately 1,500 sq. ft. There are no plans to make any changes to the floor area without approval by a Staff Hearing Officer, pursuant to SBMC 28.80.080.C, Storefront Collective Dispensary Size and Access.

SBMC §28.80.080.C.2. An expressly designated Management Member or

Members shall be responsible for monitoring the Property of the Storefront Collective Dispensary for any nuisance activity (including the adjacent public sidewalk and rights-of-way) which may occur on the block within which the Storefront Collective Dispensary is operating.

Our onsite staff will be responsible for monitoring the property of the SBPCHC for any nuisance activity (including the adjacent public sidewalk and rights-of-way) that may occur on the block within which the Storefront Collective Dispensary is operating. The rear door to the building will remain locked at all times and only accessed for emergency purposes only.

SBMC §28.80.080.C.3. Only Collective members as primary caregivers or qualified patients shall be permitted within a Storefront Collective Dispensary building for the purposes of cultivating, processing, distributing, or obtaining medical marijuana.

Only Collective members as primary caregivers or qualified patients shall be permitted within the SBPCHC building for the purposes of cultivating, processing, distributing, or obtaining medical cannabis.

SBMC §28.80.080.C.4. A qualified patient or a primary caregiver shall not visit a Storefront Collective Dispensary without first having obtained a valid written recommendation from his or her licensed physician recommending the use of medical marijuana or, in the case of a primary caregiver, without first having been expressly designated a primary caregiver to a qualified patient as required by the Compassionate Use Act.

No qualified patient or a primary caregiver shall enter the SBPCHC without first having obtained a valid written recommendation from his or her licensed physician recommending the use of medical marijuana or, in the case of a primary caregiver; without first having been expressly designated a primary caregiver to a qualified patient as required by the Compassionate Use Act.

SBMC §28.80.080.C.5. A qualified patient or primary caregiver may not obtain medical marijuana upon their first in-person visit to a Storefront Collective Dispensary and, instead, may only become a member of the Collective at the first visit to a particular Dispensary. Upon joining the Collective, a registered member of a Collective 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.

Addressed in SBPCHC "Operations Plan"

SBMC §28.80.080.C.6. Only a primary caregiver and qualified patient members of the Collective Dispensary shall be allowed within the designated marijuana dispensing area of a Storefront Collective Dispensary (as shown on the site plan required by the Application) along with only a necessary Management Members.

Only a primary caregiver and qualified patient members of the Collective Dispensary shall be allowed within the designated marijuana dispensing area of a Storefront Collective Dispensary (as shown on our site plan required by the Application) along with only a necessary Management Members.

SBMC §28.80.080.C.7. Restrooms with the Storefront Collective Dispensary shall remain locked and under the control of Collective Management Members at all times.

Restroom access will be available to all collective members and staff alike. It will be under the control of counter staff, which will control access by members from the service area to the rear for use of the restroom. The restroom will be brought up to current ADA standards for both members with disabilities and staff. The bathroom door will meet the door hardware requirements of Chapter 11B of the 2013 California Building Code. SBPCHC restroom is located in the rear of building behind a wall. There is an accessible access route from the dispensing area to the restroom. Upon request to use the restroom by a collective member/patient, they will be escorted back to use the restroom for security reasons.

D. Medical Marijuana Dispensing Operations. The following medical marijuana distribution restrictions and conditions shall apply to all of the day-to-day medical marijuana dispensing operations which occur within a City permitted Storefront Collective Dispensary:

SBMC §28.80.080.D.1. A Storefront Collective Dispensary shall only dispense to qualified patients or primary caregivers with a currently valid physicians approval or recommendation in compliance with the criteria of the Compassionate Use Act of 1996 and the SB 420 Statutes to those persons who are registered as active members of that Collective and may do so only during storefront dispensary operating 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. Storefront Collectives Dispensaries shall require such persons receiving medical marijuana to provide valid official identification, such as a Department of Motor Vehicles driver's license or State Identification Card each time they seek to obtain medical marijuana.

In order to stay in compliance with the criteria in California Health and Safety Code Section 11362.5 et seq., Santa Barbara Patients Collective and Healing Center will only dispense to qualified patients or caregivers with a current and valid physician recommendation and a State issued driver's license or identification card to prove they are a California resident. All documents will be verified prior to allowing access to the dispensing room and only after the 24-hour waiting period, as is the protocol. The rules of conduct, specifically including the points on the attachments, will be spelled out in a poster-sized sign located on the wall of the front waiting room, adjacent to the access door through to the service area, and visible directly behind the desk of the security guard. Thus every member who comes to the desk to sign in and request opening the door to the service area will be facing the poster displaying the rules.

Patients can only access cannabis at said location during storefront dispensary operating 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. 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.

SBMC §28.80.080.D.2. Prior to dispensing medical marijuana, a Management Member of the Storefront Collective Dispensary shall obtain a re-verification from the recommending physician's office personnel that the individual requesting medical marijuana is or remains a qualified patient or a primary caregiver.

SBPCHC will obtain verification from the recommending physician's office personnel that the individual requesting medical cannabis is or remains a qualified patient pursuant to state Health & Safety Code Section 11362.5. All recommendations are good for only one year. SBPCHC will maintain a copy of the verified recommendation of each qualified collective patient/caregiver on a physically secure computer. Hard copies of the patients/caregivers

driver's license or Identification card and physician recommendation will be kept in securely locked filing cabinets. Patient's status will be checked on each visit to ensure that the physician's recommendation remains current. Patients with recommendations that are expiring soon will be notified. No patient or caregiver will receive medical cannabis unless the physician recommendation is validated and is also current.

SBMC §28.80.080.D.3. A Storefront Collective Dispensary shall not have a physician on-site to evaluate patients and provide a Compassionate Use Act recommendation for the use of medical marijuana.

SBPCHC shall not have a physician on-site to evaluate patients and provide a Compassionate Use Act recommendation for the use of medical marijuana.

SBMC §28.80.080.D.4. Every Storefront Collective Dispensary shall display at all times during its regular business hours, the permit issued pursuant to the provisions of this Chapter for such Collective Dispensary in a conspicuous place so that the same may be readily seen by all persons entering the Storefront Collective Dispensary.

SBPCHC shall display at all times during its regular business hours, the permit issued pursuant to the provisions of this Chapter for such Collective Dispensary in a conspicuous place so that the same may be readily seen by all persons entering the Storefront Collective Dispensary.

SBMC §28.80.080.D.5. No Storefront Collective Dispensary shall hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages, or operate a business on the premises of the Dispensary that sells alcoholic beverages. No alcoholic beverages shall be allowed or consumed on the premises.

SBPCHC shall not hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages, or operate a business on the premises of the Dispensary that sells alcoholic beverages. No alcoholic beverages shall be allowed or consumed on the premises.

SBMC §28.80.080.D.6. Storefront Collective Dispensaries shall be considered commercial use relative to the parking requirements imposed by Santa Barbara Municipal Code Section 28.90.100(1).

SBPCHC Storefront Collective Dispensary shall be considered commercial

use relative to the parking requirements imposed by Santa Barbara Municipal Code Section 28.90.100(1).

SBMC §28.80.080.D.7. A notice shall be clearly and legibly posted in the Storefront Collective Dispensary indicating that smoking, ingesting, or consuming marijuana on the premises or in the vicinity of the Dispensary is prohibited. Signs on the premises shall not obstruct the entrance or windows. Address identification shall comply with Fire Department illuminated address signs requirements.

No patient, qualified caregiver or staff may consume, eat, or smoke cannabis on the premises. The Patient Agreement signed by every patient of the SBPCHC clearly defines the consumption restrictions on the premises, accessory structures, parking lot or parking area and surroundings within 200 feet, by any collective member who receives their medical cannabis from the dispensary. Security personnel will monitor site activity to ensure rules are being followed. SBPCHC may suspend services to any qualified collective patient found to be in violation of the Patient Agreement form. Signs on the premises shall not obstruct the entrance or windows. Address identification shall comply with Fire Department illuminated address signs requirements.

SBMC §28.80.080.D.8. Business identification signage for Storefront Collective Dispensaries shall comply with the City's Sign Ordinance (SBMC Chapter 22.70) and be limited to that needed for identification only, consisting of a single window sign or wall sign that shall not exceed six square feet in area or 10 percent of the window area, whichever is less.

SBPCHC will comply with the City's Sign Ordinance (SBMC Chapter 22.70) and be limited to that needed for identification only, consisting of a single window sign or wall sign that shall not exceed six square feet in area or 10 percent of the window area, whichever is less.

E. Dispensary Medical Marijuana On-Site Consumption and Re-Distribution Restrictions. The following medical marijuana consumption restrictions shall apply to all permitted Storefront Collective Dispensaries:

SBMC §28.80.080.E.1. Medical marijuana shall not be consumed by qualified patients on the Property or the premises of the Storefront Collective 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. Collective Dispensary management member employees who are qualified patients may consume marijuana within the enclosed building area of the premises, provided such consumption occurs only via oral consumption (i.e., eating only) but not by means of smoking or vaporization.

No patient, qualified caregiver or dispensary employee may consume, eat, smoke or vaporize cannabis on the premises. The Patient Agreement signed by every patient of the SBPCHC clearly defines the consumption restrictions on the premises, accessory structures, parking lot or parking area and surroundings within 200 feet, by any collective member who have received medical cannabis from the dispensary. Security personnel will monitor site activity to ensure rules are being followed. SBPCHC may suspend or terminate services to any qualified collective patient/caregiver found to be in violation of the Patient Agreement.

SBMC §28.80.080.E.2. Storefront Collective Dispensary operations shall not result in illegal redistribution or sale of medical marijuana obtained from the Collective Dispensary, or the use or distribution in any manner which violates state law.

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

SBMC §28.80.080.F. Retail Sales of Other Items by a Storefront Collective Dispensary. The retail sales of related marijuana use items at a Storefront Collective Dispensary may be allowed only under the following circumstances:

SBMC §28.80.080.F.1. With the approval of the Staff Hearing Officer, a Collective Dispensary may conduct or engage in the commercial sale of specific products, goods, or services (except drug paraphernalia) in addition to the provision of medical marijuana on terms and conditions consistent with this Chapter and applicable law.

SBPCHC has no plans to sell specific products, goods or services in addition

to the provision of medical cannabis except for literature, clothing and jars.

SBMC §28.80.080.F.2. No Collective Dispensary shall sell or display for sale any drug paraphernalia or any implement that may be used to administer medical marijuana.

The SBPCHC will not sell or display and drug paraphernalia or any implement that may be used to administer medical cannabis.

SBMC §28.80.080.G. Storefront Collective Dispensary - Compliance with the Compassionate Use Act of 1996 and SB 420 Statutes.

SBMC §28.80.080.G.1. State Law Compliance Warning. Each Collective Dispensary shall have a sign 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 nonmedical purposes are violations of state law.

SBPCHC shall have a sign 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 nonmedical purposes are violations of state law.

SBMC §28.80.080.G.2. Not For Profit Operation of the Storefront Collective Dispensary.

No Medical Marijuana Storefront Collective Dispensary shall operate for profit. Cash and in-kind contributions, reimbursements, and reasonable

compensation for services provided by Management Members and Collective members toward the Collective's actual expenses for the growth, cultivation, processing, and provision of Medical Marijuana to qualified patients of the Collective shall be allowed provided that such reimbursements are in strict compliance with the applicable provisions of the SB 420 Statutes. All such cash and in-kind reimbursement amounts and items shall be fully and properly documented in the financial and accounting records of the Collective Dispensary in accordance with and as required by the recordkeeping requirements of this Chapter.

SBPCHC shall not operate for profit. Cash and in-kind contributions, reimbursements, and reasonable compensation for services provided by Management Members and Collective members toward the Collective's 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 and properly documented in the financial and accounting records of the SBPCHC in accordance with and as required by the recordkeeping requirements of this Chapter.

SBMC §28.80.080.G.3. Cultivation of Medical Marijuana by the Collective. The Collective cultivation of medical marijuana shall be limited to the Collective members and Management Members. Cultivation of medical marijuana by the Collective members and the Management Members shall 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 will be visible with the un-aided eye from any public or other private property, nor shall cultivated medical marijuana or dried medical marijuana be visible from the building exterior on the Property. 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. Cultivation of medical marijuana by the SBPCHC members and the Management Members shall occur exclusively within the boundaries of the counties of Santa Barbara, Ventura, or San Luis Obispo.

SBMC §28.80.080.G.4. Distribution of Medical Marijuana Within Santa Barbara Only.

Distribution of the medical marijuana 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.

Distribution of the 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.

SBMC §28.80.080.G.5. Membership Limited to One Collective. Membership in a Collective which operates a Storefront Collective Dispensary within the City shall be limited to one Collective per qualified patient or primary caregiver. Each Collective shall also consist only of individuals residing with Santa Barbara County, as the term "principal residence" is defined in the federal Internal Revenue Code.

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

SBMC §28.80.080.H. Maintenance of Appropriate Collective Records Regarding Cultivation and Compliance with the SB 420 Statutes.

SBMC §28.80.080.H.1. Cultivation Records. Every permitted Storefront Collective Dispensary 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.

SBPCHC shall maintain on-site 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 SBPCHC's medical marijuana is being cultivated. Such records shall also record the total number of marijuana plants cultivated or stored at each cultivation location. SBPCHC 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 Cannabis distributed from our Dispensary.

SBMC §28.80.080.H.2. Membership Records. Every Storefront Collective Dispensary shall maintain full and complete records of the following membership information: a. the full name, date of birth, residential address, and telephone number(s) of each Collective member and Management Member, b. the date each Collective member and Management Member joined the Collective, 3. the exact nature of each Collective member's and Management Member's participation in the Collective, and 4. the current status of each member and Management Member as a Qualified Patient or Primary Caregiver.

SBPCHC shall maintain full and complete records of the following membership information: a. the full name, date of birth, residential address, and telephone number(s) of each Collective member and Management Member, b. the date each Collective member and Management Member joined the Collective, 3. the exact nature of each Collective member's and Management Member's participation in the Collective, and 4. the current status of each member and Management Member as a Qualified Patient or Primary Caregiver.

SBMC §28.80.080.H.3. Financial Records. The Collective Dispensary 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 Management Members or other members of the Collective, as well as records

of all operational expenditures and costs incurred by the Storefront Collective Dispensary in accordance with generally accepted accounting practices and standards typically applicable to business records.

SBPCHC 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 Management Members or other members of the Collective, as well as records of all operational expenditures and costs incurred by the Storefront Collective Dispensary in accordance with generally accepted accounting practices and standards typically applicable to business records.

SBMC §28.80.080.H.4. Dispensary Record Retention Period. The records required above by subparagraphs (1), (2), and (3) of this subsection shall be maintained by the Medical Marijuana Collective Dispensary 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.

SBPCHC records as required above by subparagraphs (1),(2), and (3) of this subsection shall be maintained by SBPCHC 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.

Section 28.80.100 Sale, Distribution, or Exchange of Medical Marijuana With a non-Medical Marijuana Collective Member.

SBMC §28.80.100.A. Transfers to or from a Non-Collective Member. A Storefront Collective Dispensary, including the Management Member operating the Dispensary, shall not cause or permit the sale, distribution, or exchange of Medical Marijuana or of any Edible Medical Marijuana product to any non-Collective Management Member or member. No Storefront Collective Dispensary shall possess medical marijuana that was not collectively cultivated by its Management Members or members either at the Property designated for the cultivation or at its prior location allowed in accordance with this Chapter.

SBPCHC will not permit the sale, distribution, or exchange of Medical Marijuana or of any Edible Medical Marijuana product to any non-Collective Management Member or member. The SBPCHC will not possess medical

marijuana that was not collectively cultivated by its Management Members or members either at the Property designated for the cultivation or at its prior location allowed in accordance with this Chapter.

SBMC §28.80.100.B. Assistance for Edible Marijuana Products. Sales of edible medical marijuana products may be permitted at a Storefront Collective Dispensary and an individual or business within the City which assists a Dispensary in preparing and processing such a product will be deemed by the City as an "individual who provides assistance to a qualified patient or person with an identification card, or his or her designated primary caregiver, in administering medical marijuana to a qualified patient..." as that phrase is used in state Health and Safety Code section 11362.765(b)(3).

SBPCHC acknowledges that the sales of edible medical marijuana products is permitted and an individual or business within the City which assists our Collective in preparing and processing such a product will be deemed by the City as an "individual who provides assistance to a qualified patient or person with an identification card, or his or her designated primary caregiver, in administering medical marijuana to a qualified patient..." as that phrase is used in state Health and Safety Code section 11362.765(b)(3).

Section 28.80.130 Transfer of Collective Dispensary Permits

SBMC §28.80.130.A. Permit - Site Specific. A permittee shall not operate a Storefront Collective Dispensary under the authority of a Storefront Collective Dispensary permit at any place other than the address of the Collective Dispensary stated in the application for the permit. All Collective Dispensary permits issued by the City pursuant to this chapter shall be non-transferable to a different location.

SBPCHC will not operate a Storefront Collective Dispensary under the authority of a Storefront Collective Dispensary permit at any place other than the address of our Collective Dispensary as stated in the application for the permit. Our Collective Dispensary permit will be non-transferable to a different location, unless authorized by the City.

SBMC §28.80.130.B. Transfer of a Permitted Collective Dispensary. A permittee shall not transfer ownership or control of a Storefront Collective Dispensary or attempt to transfer a Collective Dispensary permit to another

person unless and until the transferee obtains an amendment to the permit from the Staff Hearing Officer pursuant to the permitting requirements of this Chapter stating that the transferee is now the permittee. 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.

SBPCHC will not transfer ownership or control of our Storefront Collective Dispensary or attempt to transfer our Collective Dispensary permit to another person unless and until the transferee obtains an amendment to the permit from the Staff Hearing Officer pursuant to the permitting requirements of this Chapter stating that the transferee is now the permittee. 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.

SBMC §28.80.130.C. Request for Transfer with a Revocation or Suspension Pending.
No Storefront Collective Dispensary permit may 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.

The SBPCHC 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.

SBMC §28.80.130.D. Transfer without Permission. Any attempt to transfer a Storefront Collective Dispensary permit either directly or indirectly in violation of this Chapter is declared void, and the permit shall be deemed revoked.

It is understood that any attempt to transfer our Storefront Collective Dispensary permit either directly or indirectly in violation of this Chapter is declared void, and the permit shall be deemed revoked.

Section 28.80.140 Medical Marijuana Vending Machines.

No person shall maintain, use, or operate a vending machine which dispenses marijuana to a qualified patient or primary caregiver unless such machine is located within the interior of a duly permitted Collective Dispensary.

SBPCHC will not possess or operate a vending machine that dispenses cannabis to a qualified patient or primary caregiver unless such machine(s) is located within the interior of our duly permitted Collective Dispensary.

Section 28.80.150 Business License Tax Liability.

An operator of a Storefront Collective Dispensary shall be required to 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.

SBPCHC is aware of the following language: An operator of a Storefront Collective Dispensary shall be required to 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.

APPROVAL CRITERIA

Describe how the dispensary meets the criteria below. Staff recommends that you add a discussion below each criterion in this Microsoft Word document. You can block and move this discussion into m letter or other format of your choice.

Section 28.80.070 Criteria for Review of Collective Dispensary

Applications by the City Staff Hearing Officer.

SBMC §28.80.070.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, issue a Storefront Collective Dispensary permit with conditions in accordance with this Chapter, or deny a Storefront Collective Dispensary permit.

SBMC §28.80.070.BCriteria 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:

SBMC §28.80.070.C.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.

Santa Barbara Patients Collective and Healing Center activities will be consistent with the intent of the Compassionate Use Act of 1996 and the SB 420 Statutes for providing medical cannabis 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.

SBMC §28.80.070.C.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.

To the best of our knowledge the proposed location has not been identified by the City Chief of Police as an area of increased or high crime activity.

SBMC §28.80.070.C.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.

Not applicable.

SBMC §28.80.070.C.4. That issuance of a Collective Dispensary permit for the Collective Dispensary size requested is appropriate to meet needs of community for access to medical marijuana.

The issuance of our Collective Dispensary permit for the Collective

Dispensary size requested is appropriate to meet the needs of the community for access to medical cannabis.

SBMC §28.80.070.C.5. That issuance of the Collective Dispensary permit would serve needs of City residents within a proximity to this location.

By issuance of our Collective Dispensary permit we will serve the needs of our City residents, especially those in the upper State Street area.

SBMC §28.80.070.C.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.

This 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.

SBMC §28.80.070.C.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.

Our Dispensary's operations plan, site plan, floor plan, 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. SBPCHC features 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.

SBMC §28.80.070.C.8. That all reasonable measures will be 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.

The Collective members will be informed that we will be very strict with our protocols of behavior in and around the building. We will take all reasonable measures to control the establishment's patrons' conduct so as not to result in disturbances, vandalism, crowd control inside or outside the premises, traffic control problems, cannabis use in public, or creation of a public or private nuisance, or interference of the operation of another business.

SBMC §28.80.070.C.9. That the Storefront Collective Dispensary is likely to have no potentially adverse affect 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.

SBPCHC will not be a source of adverse affects on the health, peace, or safety of persons living or working in the surrounding area, or overly burdening our neighborhood, or contributing 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.

SBMC §28.80.070.C.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.

SBPCHC will not violate 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 our permit.

SBMC §28.80.070.C.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 has not made a false statement of material fact or has omitted to state a material fact in the application for this permit.

SBMC §28.80.070.C.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 has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices with respect to the operation of another business within the City.

City of Santa Barbara
California

Attachment 5: The revised security plans for 3617 State Street have been distributed separately.

A copy of the security plans is available for viewing at the Planning and Zoning Counter, 630 Garden Street, Santa Barbara, CA between the hours of 8:30 A.M and 4:30 P.M. Monday through Thursday, and every other Friday. Please check our website under City Calendar to verify closure dates.

For Staff

Public Comment for:

3617 STATE St. – Medical Marijuana Storefront Dispensary

(correspondence received prior to 04/15/15 SHO meeting)

Public comment check for this item:

1. Bob Basche (opposes)
2. Pauline Nelson (opposes)
3. Cathy Romero (opposes)
4. Beverly Woxell (opposes)
5. Casey & Kathy Roberts (opposes)
6. Mark T. Nelson (opposes)
7. Sue Irwin (opposes)
8. Gordon Brewer and Judy Williams (opposes)

(Request for copies of all rcvd public comment to Applicant: Joseph Allen, Attorney at: josephallen@josephallenattorneyatlaw.com

ATTACHMENT 6

Goo, Kathleen

From: Beverly Woxell [bwoxell@cox.net]
Sent: Monday, April 13, 2015 3:06 PM
To: Community Development SHOsecretary
Subject: 3617 State Street, Medical Marijuana Diepensary

PUBLIC COMMENT CORRESPONDENCE:
DISTRIBUTED ON: 4/14/15
SHO (4):
☐ STAFF HEARING OFFICER (SUSIE REARDON)
☑ ORIGINAL TO PLANNING TECH FOR FILE (SMR)
☐ APPLICANT (AT MTNG)
☐ SHO SECRETARY (FOR MINS)
PUBLIC COMMENT CORRESPONDENCE:

Beverly Woxell Skincare
Test America Medical Center
3603 State Street
Santa Barbara, CA 93105
bwoxell@cox.net
805 448 7806

April 13th, 2015

City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102-1990
Attn: Staff Hearing Officer

Dear SHO Secretary,

I am writing this letter to you about my disapproval for the Medical Marijuana Storefront Collective Dispensary Permit. I have no problem with a dispensary of this type in town, except for the fact it will be in my business area and small strip retail mall. I believe a business of this sort should be in a self contained 4 wall, non-attached building and not with other retail establishments. Not to mention the United States Marines is three doors down to the left. Families frequent this strip mall and eat at the ice cream shoppe and the few restaurants in the plaza. I just don't see how a business of this type fits in here. I have been at my location at 3603 State Street for many years and just don't approve of a business of this type on Upper State Street Area.

Thank you for your interest in hearing the Public for this above matter.

Respectfully Yours,

Beverly Woxell

Goo, Kathleen

From: Kathleen Roberts [kc.roberts41@gmail.com]
Sent: Monday, April 13, 2015 8:28 PM
To: Community Development SHOsecretary
Subject: Medical Marijuana Dispensary

PUBLIC COMMENT CORRESPONDENCE:
DISTRIBUTED ON: 4/14/15
SHO (4):
☐ STAFF HEARING OFFICER (SUSIE REARDON)
☑ ORIGINAL TO PLANNING TECH FOR FILE (SMR)
☐ APPLICANT (AT MTNG)
☐ SHO SECRETARY (FOR MINS)
PUBLIC COMMENT CORRESPONDENCE:

To Whom It May Concern,

We live at 41 South Ontare, directly below the proposed site for a dispensary. We thoroughly oppose such a plan as this neighborhood is so congested already with commercial vehicles parking in the middle of the street to drop off their loads, employees and customers parking in this neighborhood that doesn't have sidewalks.

Please speak with someone in the City arborist office about this. Just last month, March, a delivery truck making an illegal turn in the intersection of Ontare and San Pablo hit a 60 year old olive tree and fled the seen. The city of SB came out and immediately cut down the tree because it had been compromised and was a danger to the safety of pedestrians and drivers alike.

Please consider the neighbors of this already over pressed neighborhood. Or put in side walks so that the children of this neighborhood and their parents aren't run over.

Thank you,

Sincerely,

Casey and Kathy Roberts
41 South Ontare Road
682-8046

Goo, Kathleen

From: Mark Nelson [manelson@westmont.edu]
Sent: Tuesday, April 14, 2015 10:40 AM
To: Community Development SHOsecretary
Subject: proposed medical marijuana storefront at 3617 State Street

PUBLIC COMMENT CORRESPONDENCE:
DISTRIBUTED ON: 4/14/15
SHO (4):
☐ STAFF HEARING OFFICER (SUSIE REARDON)
☑ ORIGINAL TO PLANNING TECH FOR FILE (SMR)
☐ APPLICANT (AT MTNG)
☐ SHO SECRETARY (FOR MINS)
PUBLIC COMMENT CORRESPONDENCE:

14 April 2015

Dear Santa Barbara Leaders:

I am writing to express my opposition to the proposed medical marijuana storefront at 3617 State Street, in Ontare Plaza. Ontare Plaza is already a traffic and parking nightmare, and excess cars frequently spill out on to San Pedro Lane, San Pablo Lane and South Ontare St. I am also concerned that this sort of business would attract a clientele that would have a negative impact on what is currently a peaceful, quiet and safe neighborhood. There has to be a better place with adequate parking and fewer traffic impacts than our little San Roque Gardens! In fact, it appears that there already *is* a cannabis dispensary further up the road – Santa Barbara Patients' Group at 16 S La Cumbre Rd Santa Barbara, CA 93105 – and I believe that any legitimate medical interests & needs may be served by this already existing establishment.

Sincerely,

Mark T. Nelson

3626 Santa Maria Lane

mtnelson57@hotmail.com

PUBLIC COMMENT CORRESPONDENCE:
DISTRIBUTED ON: 4/14/15
SIGN(4):
☐ STAFF HEARING OFFICER (SUSIE REARDON)
☑ ORIGINAL TO PLANNING TECH FOR FILE (SMR)
☐ APPLICANT (AT MTNG)
☐ SHO SECRETARY (FOR MINS)
PUBLIC COMMENT CORRESPONDENCE:

Goo, Kathleen

From: Boughman, Tony
Sent: Tuesday, April 14, 2015 12:27 PM
To: Community Development SHOsecretary
Subject: FW: Public Comment, Medical Marijuana Storefront, 3617 State Street

From: Sue Irwin [mailto:sueirwinrealtor@gmail.com]
Sent: Monday, April 13, 2015 2:07 PM
To: Boughman, Tony
Subject: re: Public Comment, Medical Marijuana Storefront, 3617 State Street

Dear Tony,
Thank your for taking time to read and submit my comments regarding this proposed Medical Marijuana storefront permit.

I am AGAINST allowing this business to open in this location for concerns over PARKING and TRAFFIC CONGESTION.

I live in the neighborhood directly behind this store location. Here are my three main concerns:

1) Most of the cars parked on my residential street are not residents, but people who work at businesses in Ontare Plaza or who cannot find parking to go to businesses at Ontare Plaza. People who live here, and their visitors, often cannot find parking near the homes they wish to access.

2) The corner of South Ontare and San Pedro is a U-turn hotspot for people trying to get into the Plaza, or swinging around to park on the east side of South Ontare after coming in from State Street. It is dangerous, as there are many people on foot in this area, and cars coming and going from the businesses and nearby homes, delivery and garbage trucks trying to access the businesses, and many people walking to and from their homes and/or the Ontare Plaza businesses.

3) Also I would like to point out that State Street is an alternate route when the freeway is backed up due to accidents or holiday traffic, and the congestion on State Street between Hope and Las Positas/San Roque can be a veritable "parking lot" at times without adding a popular destination to the area.

I have no problem with the idea of dispensaries; however, impacting a neighborhood that is already seeing way too much use for business parking is not a safe or desirable way to add more business to this section of Upper State Street. Nor is overloading an already-heavily trafficked parking lot or main thoroughfare. This dispensary needs a location with enough designated parking so it does not overflow into other businesses' or residents' parking needs, or a heavily used section of State Street.

Thank you,

Sue Irwin 3645 San Pedro Lane, SB

Community Development Secretary

From: Bob Basche [bobbasche@gmail.com]
Sent: Sunday, April 12, 2015 5:38 PM
To: Community Development SHOsecretary
Subject: Medical marijuana coming to our neighborhood

DISTRIBUTED ON: 4/13
SHO (4):
- ☐ STAFF HEARING OFFICER (SUSIE REARDON)
- ☑ ORIGINAL TO PLANNING TECH FOR FILE (SMR)
- ☐ APPLICANT (AT MTNG)
- ☐ SHO SECRETARY (FOR MINS)

Please do your homework before you impound our neighborhood any more than it is impounded now. We now have cars racing down our street all day long taking a short cut from State St. To get to Las Positas without traffic lights to slow them down. We also have 5 to10 cars parking in front of our house taking up spots that my visiting family and friends never seem to get. These cars are from car wash employees(6 to 8 employees daily), Jeanines employees 4 to 5 daily just to name 2 of dozen businesses that do not provide adequate parking for customers and employees. Jeanines brings into our area 6 to8 huge delivery trucks daily. They park in the middle of the street to unload deliveries. Add dispensary traffic to this embattled area and now you have a pus pocket of problems. Parking is just one of the many problems. Get over to this area and start to be aware of this impacted site. Bob Basche 805-450-2279

Sent from my iPad

Community Development SHOsecretary

DISTRIBUTED ON: 4/13

SHO (4):
- ☐ STAFF HEARING OFFICER (SUSIE REARDON)
- ☑ ORIGINAL TO PLANNING TECH FOR FILE (SMP) 4/13
- ☐ APPLICANT (AT MTNG)
- ☐ SHO SECRETARY (FOR MINS)

PUBLIC COMMENT CORRESPONDENCE:

From: Pauline Nelson [pfbnelson@hotmail.com]
Sent: Sunday, April 12, 2015 8:20 PM
To: Community Development SHOsecretary
Subject: Medical marijuana dispensary

As a resident of San Roque Gardens (Santa Maria Lane) I would like to state my opposition to this dispensary being located on Ontare, because it is already a complete nightmare trying to get out of Ontare onto State St from the San Roque gardens neighborhood, since delivery vehicles and customers for the businesses already in the plaza get all backed up and snarled in that space.
Our little neighborhood suffers by being considered a secondary parking lot for this business area, and a business that would be likely to bring a sharp increase in traffic is the absolute last thing we need.
Please, please, find another location for this...a location that could use the increased traffic!
Pauline Nelson
3626 Santa Maria Lane

Community Development SHOsecretary

From: Cathy Romero [cathyr.lpm@gmail.com]
Sent: Monday, April 13, 2015 11:10 AM
To: Community Development SHOsecretary
Subject: Marijuana Dispensary @ 3617 State Street

I VERIFY COMMENT CORRESPONDENCE
DISTRIBUTED ON: 4/13
SHO (4):
☐ STAFF HEARING OFFICER (SUSIE REARDON)
☑ ORIGINAL TO PLANNING TECH FOR FILE (SMS)
☐ APPLICANT (AT MTNG)
☐ SHO SECRETARY (FOR MINS)
PUBLIC COMMENT CORRESPONDENCE

Dear Staff Hearing Officer,

I am writing to OPPOSE the proposed marijuana dispensary at 3617 State Street.
I work in the area and regularly go to the restaurant establishments at Ontare Plaza. Marijuana dispensaries have a horrible odor, just like the Cigar Smoke Shop that is in that plaza. Marijuana dispensaries have a lot of in-and-out traffic....the parking lot there is so small, I feel that all of the other shops will suffer tremendously with that kind of parking traffic.

Marijuana dispensaries should be in isolated areas with lots of parking available to them. Ontare Plaza IS NOT the place for the dispensary.

Respectfully submitted,

Cathy Romero

Please note: Due to a compressed 9/80 work schedule, most city offices are closed every other Friday. To view the city calendar go to http://www.santabarbaraca.gov/Government/City_Calendar

-----Original Message-----
From: brewil@silcom.com [mailto:brewil@silcom.com]
Sent: Tuesday, April 14, 2015 11:05 PM
To: Community Development SHOsecretary
Subject: Proposed Medical Marijuana Dispensary

4-14-15

Dear Staff Hearing Officer:

One of our neighbors received a notice concerning the upcoming public hearing for a proposed medical Marijuana Storefront at 3617 State Street (between the blind store and the smoke shop in Ontare Plaza). She lives within 300 feet so she received the notice, but we live on Santa Maria Lane, barely out of the 300 feet limit. We have lived on Santa Maria Lane for more than thirty years and we view the proposed medical marijuana dispensary as a degradation of our neighborhood. The sale and possession of marijuana is still a serious federal crime and we do not believe the City should aid anyone in violating Federal Law.

Ontare Plaza is woefully under-parked and is a traffic nightmare. Existing businesses already use valet parking to shuttle customers' cars to on street parking in our residential neighborhood, usurping public property for private gain. San Pedro Lane is the de-facto offsite parking lot for employees and customers, and frequently San Pablo Lane is also affected. Loading operations frequently block both lanes of Ontare as traffic backs up onto State Street and Ontare Road. This would be the only medical marijuana dispensary in the City of Santa Barbara and would certainly precipitate an avalanche of increased traffic.

San Roque Gardens has already experienced more than our fair share of problems with medical Marijuana storefronts when, in 2010, the HortiPharm Caregivers was raided and the owners were arrested on charges of illegally operating a marijuana dispensary and money laundering. More recently, a significant number of massage parlors have located in our neighborhood where there were once bakeries and boutiques. Our usually tidy commercial area now has a feeling of decline, which would be exacerbated by the addition of a medical Marijuana Storefront. There has to be a better place with adequate parking and fewer traffic and quality of life impacts than San Roque Gardens! Please do not allow this incompatible use in our family focused neighborhood.

Sincerely ,

Gordon Brewer
Judy Williams
3615 Santa Maria Lane
Santa Barbara, CA 93105

Community Development SHOsecretary

From: brewil@silcom.com
Sent: Tuesday, April 14, 2015 11:05 PM
To: Community Development SHOsecretary
Subject: Proposed Medical Marijuana Dispensary

PUBLIC COMMENT CORRESPONDENCE
DISTRIBUTED ON: 4/15
SHO (4):
- ☐ STAFF HEARING OFFICER (SUSIE REARDON)
- ☐ ORIGINAL TO PLANNING TECH FOR FILE (SMR)
- ☑ APPLICANT (AT MTNG)
- ☐ SHO SECRETARY (FOR MINS)

PUBLIC COMMENT CORRESPONDENCE

4-14-15

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Sincerely ,

Gordon Brewer
Judy Williams
3615 Santa Maria Lane
Santa Barbara, CA 93105

DISTRIBUTED ON: 4/16/15 & after
(4):
☐ STAFF HEARING OFFICER (SUSIE REARDON)
☐ ORIGINAL TO PLANNING TECH FOR FILE (SMP)
☐ APPLICANT (AT MTNG)
☐ SHO SECRETARY (FOR MINS)
PUBLIC COMMENT CORRESPONDENCE

Goo, Kathleen

From: Bill Schaal [schaal_bill@yahoo.com]
Sent: Wednesday, April 15, 2015 3:42 PM
To: Community Development SHOsecretary
Cc: Boughman, Tony
Subject: Objections to Proposed Marijuana Dispensary Location 3617 State Street, Santa Barbara

William C. Schaal
3630 Santa Maria Lane
Santa Barbara, CA 93105

4/15/2015

Staff Hearing Office Secretary
PO Box 1990
Santa Barbara, CA 93102-1990
SHOSecretary@SantaBarbaraCA.gov

Objections to Proposed Marijuana Dispensary Location 3617 State Street, Santa Barbara

Dear Madam,

The City's notification distribution for the 15 April 2015, hearing for the proposed marijuana dispensary was abysmal. Very few San Roque Gardens residential neighbors received notification from the City. The majority of residents learned about it from our close-knit community network. The opinion expressed in today's hearing by City and dispensary applicant personnel that this hearing occurred only because it is required as compared to conventional retail business requirements is disrespectful of the regulations requiring the hearing, as well as the neighbors that may be potentially impacted by the dispensary.

The potential marijuana dispensary is wrong for our tranquil San Roque Gardens neighborhood. In addition, to increased congestion, our elderly and children should not be subjected to potential harm and San Roque Garden property values should not be impacted. The application and City review process focuses on direct dispensary activities and is myopic about the complete picture.

The potential for crime at and/or associated with the dispensary and our neighborhood is very real. A dispensary in Anaheim was the target of a violent, take-over style armed robbery. This type of robbery occurred in San Leandro in which the owner shot and killed an 18 year old suspect. There was also an invasion robbery in Laytonville. In 2013, The Denver, CO, Police Department reported found the current annual robbery and burglary rate of dispensaries is about 50%. For comparison,

liquor stores experience a 20% burglary rate. As reported by police some dispensaries attract street dealers attempting to sell marijuana at a lower rate to patrons entering dispensaries. Perhaps illegal dealers are unconcerned about selling un regulated marijuana to public, perhaps even children.

The City and applicant failed to adequately address the potential congregation of patrons, hooligans, and criminals in the plaza alleyway on the west side of the bakery. I walk by this alleyway a few times each week and, even with my 100 pound dog present on leash, I am cautious near this alleyway.

The Staff Hearing Officer Staff Report dated 8 April 2015, Page 3, Item IV, Section V.B.2, Response paragraph 1, Sentence 1, states the "location is not identified by the City Police Department as an area of increased or high crime activity." I challenge the City and dispensary applicant: Why introduce the potential for increased crime and criminal elements in a neighborhood presently safe for its residents, including its children and elderly?

The proposed dispensary location will cause negative traffic impacts. Presently, it can be difficult to access State Street in morning when Ontare Plaza delivery trucks and employees parking on South Ontare and San Pedro Lane converge. These conditions occur frequently and endanger pedestrians and bicyclists, as well as vehicles. The San Francisco Green Cross Dispensary completed sales to as many as 43 in-store patrons in one hour. Neighbors of another San Francisco dispensary experienced patrons double-parking and blocking driveways. Some dispensaries have been associated with an increase in traffic accidents and arrests for driving under the influence of marijuana. Neighbors in West Hollywood experienced increased pedestrian and vehicle traffic and noise.

The opinion expressed by the City officials and in the dispensary application that congestion in and near the Ontare Plaza will not be greater than with any retail operation is arrogant. Using the applicants maximum sales figures, in which one sale will be transacted every 10 minutes, then that is 6 sales per hour, 60 sales per day, and 360 sales per week. This is a significant increase in traffic and does not equate to "a wash" in traffic load. Additionally, the applicant has made no attempt to join the valet service contracted by several of the plaza's business tenants.

The Samsung medical doctor in today's hearing proposed that dispensaries should be placed in high commercial and low residential areas. The Ontare Plaza is exact opposite of this (e..g, low commercial and high residential area). Some California cities recognize the value in the formula proposed by the medical doctor. For example, the City of San Jose approved a 2014 measure requiring dispensaries to operate only in specified industrial areas that make up less than 1 percent of the city. The City of Santa Barbara should adopt this approach because it mitigates crime and congestion.

The applicant stated in today's hearing that the dispensary is not necessarily limited to cash-only sales. He referred to a specific legislation allowing the use of checks and credit cards for transactions. My research indicates that a federal bill was introduced in March 2015, that would expand banking access for medical marijuana businesses, enabling them to function largely like traditional businesses. However, I find no indication that this bill has been passed. Moreover, my research indicates the Treasury Department's 2014 guidance did not improve monetary transactions for dispensaries because: 1) these are only guidelines, and 2) most banks are still extremely wary of working with marijuana businesses since the plant remains illegal under federal law. The applicant should be required to identify the approved legislation. Otherwise, the dispensary will operate on a cash basis, which poses significant risk to the dispensary and neighboring businesses and residents.

Marijuana Policy Project Communications Director Mason Tvert emphasizes dispensaries operate as cash businesses because federally insured banks are prohibited knowingly handling any marijuana-related money because it is "illegal" money. Denver District Attorney Mitch Morrissey says a robbery at a dispensary may yield $300,000 and believes "it is only a matter of time before someone gets shot." The San Francisco Green Cross Dispensary reported daily sales as much as $45,000. Police report that dispensary operators in Oakland, San Francisco, San Diego, Redwood City, Vacaville, Santa Clara County, and Pacific Beach have possessed and sold illegal weapons and drugs at their dispensaries. Dispensary operators in Oakland, San Francisco, Pacific Beach, and Roseville have also been involved in organized crime and money laundering activities.

The El Cerrito City Council banned dispensaries because robberies, assaults, burglaries, murders, and attempted murders due to increased crime near the dispensaries. The California Police Chiefs Association's Task Force on Marijuana Dispensaries White Paper reminds us that dispensary problems include illegal sales to minors, as well as robbery of public (not necessarily patrons) outside the dispensary. These activities could impact our children, elderly, other residents, shoppers, and adjacent business employees. In 2014 and 2015, we have experienced an increase in the presence of criminals and committed crime in our San Roque and San Roque Gardens neighborhoods. The dispensary will be an "attractive nuisance" with the potential to draw more of these negative elements into our neighborhood.

There was discussion in today's hearing about volunteers assisting the dispensary. The application is silent on this matter. What measures and background checks are in-place to mitigate the involvement from volunteers with dubious or alternative backgrounds? Likewise, what measures and background checks are in-place to prevent volunteers with criminal histories from involvement? Singularly or any combination, silence, no procedures, and no legal oversight, is a recipe for undesirable consequences for the dispensary, neighboring workers, and nearby residents. The City should immediately address the matter of volunteer screening criteria.

The Staff Hearing Officer Staff Report dated 8 April 2015, Page 5, Criteria 9, Response paragraph 1, Sentence 2 references "...Hitchcock residential neighborhood." This reference is in error and the

report should be revised to sta , "...San Roque Gardens residentia eighborhood."

This Santa Barbara citizen encourages the City to deny the Ontare Plaza dispensary application. The City and applicant are fooling themselves, but not the public, in characterizing the dispensary as the same as any other retail operation. By its nature, the dispensary will store, transfer, and distribute a federally illegal drug. As a consequence, the dispensary is a "public nuisance" and not simply any other retail outlet.

Sincerely,
William C. Schaal

Sources

American Prospect, 09/24/2013, Life Takes Visa—Except If You Want to Buy Pot

California Legislature, 2015-2016, AB-266 Medical marijuana

California's Police Chiefs Association's Task Force On Marijuana Dispensaries, 2009, White Paper on Marijuana Dispensaries

City of Saratoga, 2011, Impacts Associated with Medical Marijuana Dispensaries in Other Jurisdictions including:

- County of Santa Clara Office of the Sheriff, 4/27/2011, Memorandum Regarding Medical Marijuana Dispensaries
- California Chiefs of Police Association, 1/2010 to 3/2010, Medical Marijuana and Associated Issues
- California Chiefs of Police Association, 03/2010 to 6/2010, Medical Marijuana and Associated Issues
- California Police Chiefs Association Task Force on Marijuana Dispensaries, 2009, White Paper on Marijuana Dispensaries
- California Chiefs of Police Association, 2004 to 2006, Medical Marijuana Dispensaries and Associated Issues
- Fullerton Police Department, 10/25/2006, Memorandum Regarding Medical Marijuana Dispensaries (MMDs)
- Concord Police Department, 10/29/2005, Letter Regarding Medical Marijuana Dispensaries - Potential Secondary Impacts
- El Cerrito Police Department, 01/11/2007, Memorandum Regarding Recent Information Regarding Marijuana and Dispensaries
- South Bay News, 10/1/2010, Twenty-two Arrested In Drug Dealing Scheme
- Los Angeles Times, 9/2/2010, Sheriff Says Pot Dispensaries Have Become Crime Targets

Huffington Post, 3/10/15, Sen[illegible] Bill Would Effectively End The Fe[illegible].al War On Medical Marijuana
Huffington Post, 06/16/2014, California's Third-Largest City Just Cracked Down On Pot Shops, And It's Part Of A Larger Problem
Huffington Post, 02/21/2014, Obama's Marijuana Banking Rules Don't Change Anything, Bankers Say
Mint News, 2/7/2014, Has Legalized Marijuana Sparked A Crime Wave?
NBC Bay Area News, 7/7/2012, Credit card transactions canceled at California medical pot dispensaries
Santa Barbara Municipal Code, 12/31/14, Chapter: 28.80 Medical Cannabis Dispensaries
USA Today, 8/31/2014, Pot shops shunned by banks haul in the cash

2) Parking
3) Light Intrusion

Require [illegible] camera feed, will the rear be alarmed

Many of my neighbors and I are very concerned about the proposed location of the Medical Marijuana Dispensary. I have lived in San Roque Gardens for over 30 years, and I'm very familiar with the ongoing traffic and parking issues in and around Ontare Plaza. Frequently, traffic and parking are disrupted because of inadequate parking for the types of business currently there. They already have valet parking in place because of the lack of adequate parking, and that is with three vacant storefronts. This business will make things much worse.

At times, traffic backs up onto Ontare Road and State Street, and more than a couple of times over the years several people have mistaken the curb-less corner as a driveway! Many of the frequent delivery trucks park in the street, as the alley is too congested to utilize. When this happens, traffic backs up blocking the entrance to Jeannine's Bakery. During these times, traffic turning left off State onto Ontare either is forced to wait through another light cycle or block the intersection.

Drivers entering the parking lot off State Street frequently cue up, sometimes out into the street because others ahead of them are waiting for a spot to open up. Since the parking lot is one-way only, they can't just loop around again.

Residential streets such as San Pedro Lane and San Pablo Lane are the off-site parking lot for employees and customers. In their rush they speed around our horseshoe [illegible] The proposed business will substantially increase motor vehicle activity in our neighborhood. There is no other place for it to go. Ontare Plaza just doesn't have enough on-site parking for this type of business.

Our neighborhood is precious. Neighbors still meet in the street to visit on a regular basis. Seniors feel safe walking to shopping, and parents feel safe letting their kids ride their bikes and run across the street to their friends. The inevitable increase in traffic will make our streets unsafe for the activities that make this a great place to live. The increase in overflow traffic and parking will have a significant negative impact upon our neighborhood.

According to the staff report, this will be the only medical marijuana dispensary in the City of Santa Barbara. One can imagine the tremendous impact this one business will have on our wonderful little neighborhood. There has to be a better place with adequate parking and fewer traffic impacts than Ontare Plaza at San Roque Gardens!

5. While the building may provide adequate space for the dispensary, the site does not provide adequate parking to serve the entire City of Santa Barbara's dispensary needs. I ask, what is the current parking ratio for this shopping plaza? I doubt it is anywhere near the current requirements.

6. Contrary to the staff report, I bring to you SIGNIFICANT nuisance issues or problems that are likely and anticipated.

7. The full-time security guard is charged with controlling the interior door separating the waiting room and the dispensing area. He or she will not be available to address issues that will impact the general public going about their normal business. Families will be less likely to frequent the established businesses such as Baskin Robbins. We won't allow our children to walk there in the summer to buy a treat.

9. The city has encouraged walk-ability throughout the city, and specifically in the Upper State area. I can't remember the last time I drove to the bank, post office or La Cumbre Plaza. My neighbors and I value the convenience of walking, but the increased traffic and parking that spills into our neighborhood will negatively impact us, and will make walking to the bank and grocery store a much more dangerous endeavor, especially since there are no sidewalks in San Roque Gardens.

Please do not approve this site for this business. It is not a good match.

Boughman, Tony

From: Goo, Kathleen on behalf of Community Development SHOsecretary
Sent: Wednesday, April 22, 2015 8:21 AM
To: Boughman, Tony
Cc: Reardon, Susan; Kato, Danny; 'josephallen@josephallenattorneyatlaw.com'
Subject: FW: A late public comment from Rick and Mindy Rister - 3617 State St. - Marijuana Dispensary

A late public comment for 3617 State St. – MST2014-00438; Marijuana Dispensary Permit...

From: Mindy [mailto:mindyrister@yahoo.com]
Sent: Thursday, April 16, 2015 10:07 PM
To: Community Development SHOsecretary
Subject: Fwd: Dispensary proposition

Sent from my iPad

Begin forwarded message:

From: Mindy <mindyrister@yahoo.com>
Date: April 16, 2015 at 10:02:29 PM PDT
To: "Shosecretary@santabarbaracCA.gov" <Shosecretary@santabarbaracCA.gov>
Subject: Dispensary proposition

Hello,
I have just been informed that there is a pending permit submitted for a medical marijuana dispensary near my home, on State Street and Ontare.
I have lived on Hope avenue for over 25 years and feel very strongly that this potential dispensary will negatively change the face of our neighborhood.

I am a Registered Nurse and I am supportive of medical marijuana prescribed for actual need, as I have seen first hand its benefits with cancer patients. I am NOT a proponent of medical marijuana for the copious bogus diagnosis's that many people use it for, such as severe ADHD etc.

My husband and I have 2 teenage boys, and we are in an ongoing battle, as many of our friends with kids, to keep our kids safe from drugs and alcohol. This possible permitted dispensary is in direct conflict with the values that my husband and I are attempting to teach our kids.

Though I can understand our personal values might not be a factor in your decision whether to allow this dispensary, I would like to share my genuine anxiety over the type of people this store will attract. I take my children to the donut store two shops down from the potential store you are considering. It will attract and congregate people that increase our neighborhood for crime and bad influence. The patrol of law enforcement would have to be increased, a cost of personnel and money that our city can't afford now.

The plaza's parking lot is currently impacted with cars, so much so that a valet is required and designated signs prohibiting parking. I can't imagine more traffic in that area. The neighborhood near Jeanines is constantly jammed with cars during day hours. Take a drive by on any Saturday, I doubt you will find a parking space.

As a local Santa Barbara State street resident, I ask you to please decline this permit for this dispensary. Thank you for considering my concerns about the traffic and obvious safety concerns that the people this type of business will attract.
Please feel free to call myself or my husband with any questions or comments

Rick and Mindy Rister
805 259-6926/ 698-5183
mindyrister@yahoo.com
Sent from my iPad

Boughman, Tony

From: Goo, Kathleen on behalf of Community Development SHOsecretary
Sent: Wednesday, April 22, 2015 8:29 AM
To: Boughman, Tony
Cc: Reardon, Susan; Kato, Danny; 'josephallen@josephallenattorneyatlaw.com'
Subject: FW: A late public comment from Rick Wolf and Elizabeth Brooks for 3617 State St. – MST2014-00438-Marijuana Dispensary Permit

Another late public comment for 3617 State St. – MST2014-00438; Marijuana Dispensary Permit...

Mahalo nui loa!
(Thank you very much!)
Kathy
Kathleen Leolani Goo, Commission Secretary
Architectural Board of Review and Staff Hearing Officer.
CITY OF SANTA BARBARA
COMM. DEV. DEPT./AHHS DIVS.
TEL: (805) 564-5470, EXT. 3308 (FAX: EXT. 5477)
E-MAIL: kgoo@SantaBarbaraCA.gov
Administration, Housing & Human Services Division (AHHS)
The Admin. Team ... Committed to Providing Quality Support.
Please consider the environment before printing this e-mail; reduce / reuse / recycle
This e-mail may contain confidential or privileged information. If you think you have received this e-mail in error, please contact the sender then delete the e-mail immediately. Thank You. City of Santa Barbara
Please note: Due to a compressed 9/80 work schedule, most city offices are closed every other Friday. To view the city calendar go to http://www.santabarbaraca.gov/Government/City_Calendar

---

From: Rick Wolf [mailto:rickwolf57@gmail.com]
Sent: Sunday, April 19, 2015 1:27 PM
To: Community Development SHOsecretary
Subject: Medical Marijuana Dispensary Permit at 3617 State St.

Hello,
As we were not included in the mailing of the announcement about the above referenced permit, and so were not aware of it until after the date noted on the announcement, we are sending our objections to this proposed permit now. Please take them into consideration.

The allowing of such an establishment in our neighborhood will have significant detrimental effects on this area. We are already suffering the effect of increased efforts in the downtown area to remove panhandlers -- they are moving up into our neighborhood in increasing numbers. Allowing a marijuana dispensary will only exacerbate the situation and draw more loiterers to this area.

We are also concerned about the increase in crime that has happened in the upper State Street area and adding this facility will add to it.

The traffic and parking on State Street is also a problem that the city has chosen to ignore. If the dispensary is allowed to be opened, where will its customers park? On the surrounding streets? They are already adversely impacted by the businesses on the 3600 block of State Street, both by customers and clients and the employees of those businesses. Take a drive around San Pedro Lane some weekday and see for yourself!

Lastly, the city has been less than fair in that it has not allowed for public comment. The notice I refer to was sent to one neighbor and the north side of our street and not to us or anyone else on San Pablo Lane. We have

an interest in preserving the quality of our neighborhood and the city should be more transparent in its operations and efforts to notify neighbors of such potentially detrimental additions to the area.

Sincerely,
Rick Wolf and Elizabeth Brooks
3625 San Pablo Lane
rickwolf57@gmail.com
805-453-5345

Jeannine's
AMERICAN BAKERY
RESTAURANT
SANTA BARBARA & MONTECITO

Susan Reardon
Staff Hearing Officer/Senior Planner II

Re: Application of Joseph Allen
3617 State Street
Santa Barbara, Ca.

RECEIVED
APR 22 2015
CITY OF SANTA BARBARA
PLANNING DIVISION

3607 State Street Santa Barbara, CA 93105 805-687-8701 phone 805-569-2725 fax

RECEIVED
APR 22 2015
CITY OF SANTA BARBARA
PLANNING DIVISION

Susan Reardon
Staff Hearing Officer/Senior Planner II

April 22, 2015

We would like to voice our strong opposition to allowing the Dispensary to lease the space at 3617 State Street.

We are the proprietors of Jeannine's Bakery at 3607 State Street. Following are our concerns that we would hope that the Planning Department would considered before giving final approval to the applicants.

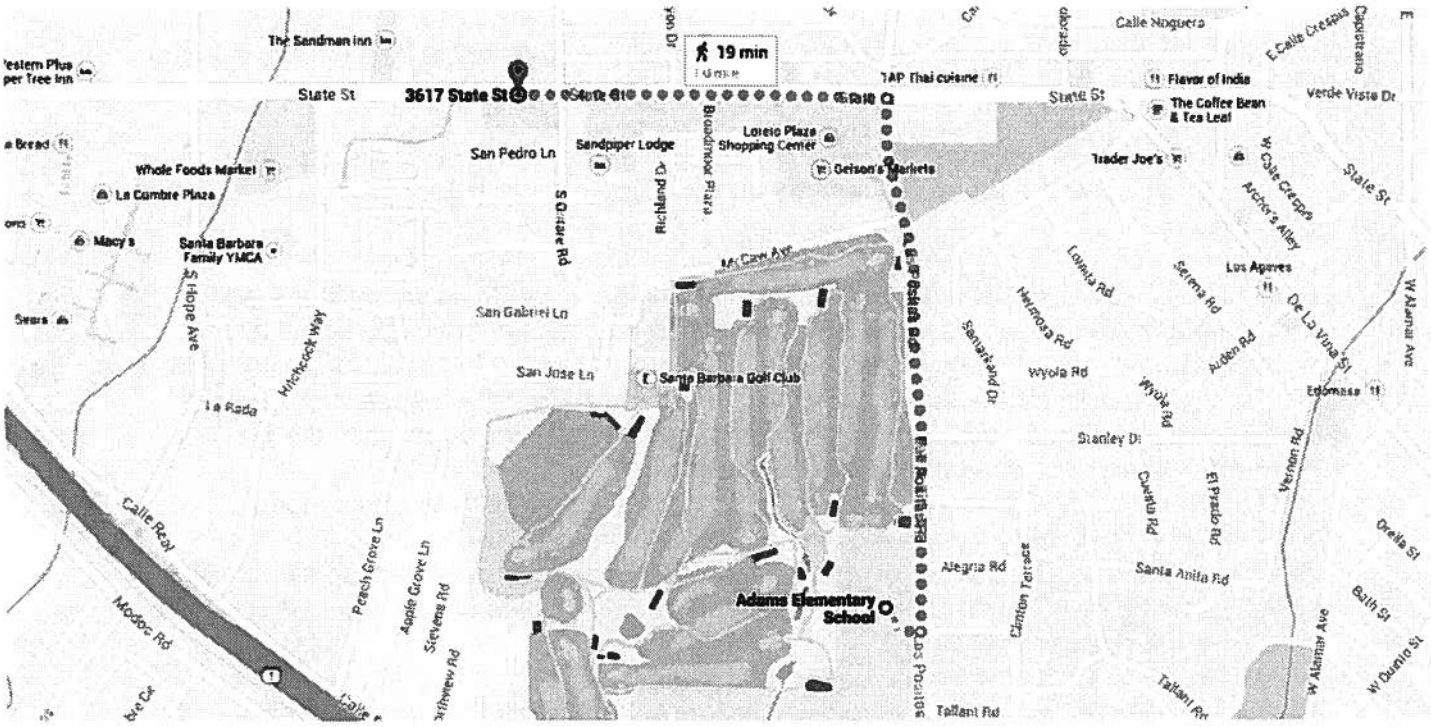
1) The PARKING SITUATION at that small neighborhood strip center is worse than bad. Try to park there between the hours of 9-4 any day! The four owners of the center have hired a parking attendant to help relieve the present situation because there is not enough available parking in the center for the existing tenants. It is assumed that the Dispensary business would generate a large amount of traffic at the center, as was the case when there was a Dispensary across the street next to Vices and Spices.
2) LOITERING BY DISPENSARY CUSTOMERS. My wife and other women attended a women's physical workout class next door to Vices and Spices when there was a dispensary there. A small crowd of men were always hanging around that location making all the women very uncomfortable, particularly while leaving when dark. Would you want to send your daughter or wife there?
3) HOME VALUES We would like to request that whoever is reading this letter, to place themselves as owning a home behind the Dispensary and determine what the value of the home would be BEFORE the space is occupied by the dispensary and AFTER. (I have been a Broker-owner of Sunset Realtors and Prudential Realty since 1972) There is NO DOUBT that the value of the homes immediately behind the strip center would be greatly reduced! In the event that one of the owners would want to sell their home after the fact that there is a dispensary immediately behind them, it would be a REQUIRED DISCLOSURE by the seller's to the prospective buyers, which without a doubt, would depreciate the value of their home. Try adding that DISCLOSURE to your listing when trying to sell your home!
4) SCHOOLS (see enclosures) Do any of at the members of the Planning Division have children attending ADAMS ELEMENTARY School or PEABODY ELEMENTARY School?! Please refer to the attached maps showing that the schools are within 1.1 and 1.2 miles of this location. Also there is EUREKA SCHOOL located at 3324 State Street which is 0.3 of a mile from the proposed Dispensary site.The EL MONTECITO SCHOOL,1 mile away, CALIFORNIA LEARNING CENTER at 3324 State Street, 0.6 miles away, and the KUMON LEARNING CENTER at 3617 State Street0,7miles away.
5) MACKENZIE PARK at 3617 State Street. (see enclosure)Do any of your children attend this very popular park? There are all types of activities for children and adults at this park which is only 0.6 of mile from the proposed site.
6) As a general comment, in the wisdom of the City of Santa Barbara, if the Planning Department feels that this type of business is acceptable and safe why is it necessary to have all the safeguards and restrictions place upon such business?
7) We are requesting that the Planning Department please reconsider and not approve this application. Do not allow this dispensary in this valuable, mature and wonderfully stable community of San Roque. The City owes its citizens the protection to maintain the character and value of this wonderful community and not allow any degradation by any businesses and or individuals.

Sordo Hardey Eleanor Hardey

Google

Walk 1.0 mile, 19 min

Directions from Adams Elementary School to 3617 State St



Adams Elementary School

Use caution - may involve errors or sections not suited for walking

Santa Barbara, CA 93105

1. Head east toward Las Positas Rd — 121 ft
2. Turn left onto Las Positas Rd — 0.6 mi
3. Turn left onto State St — 0.4 mi

   Destination will be on the left

3617 State St

Santa Barbara, CA 93105

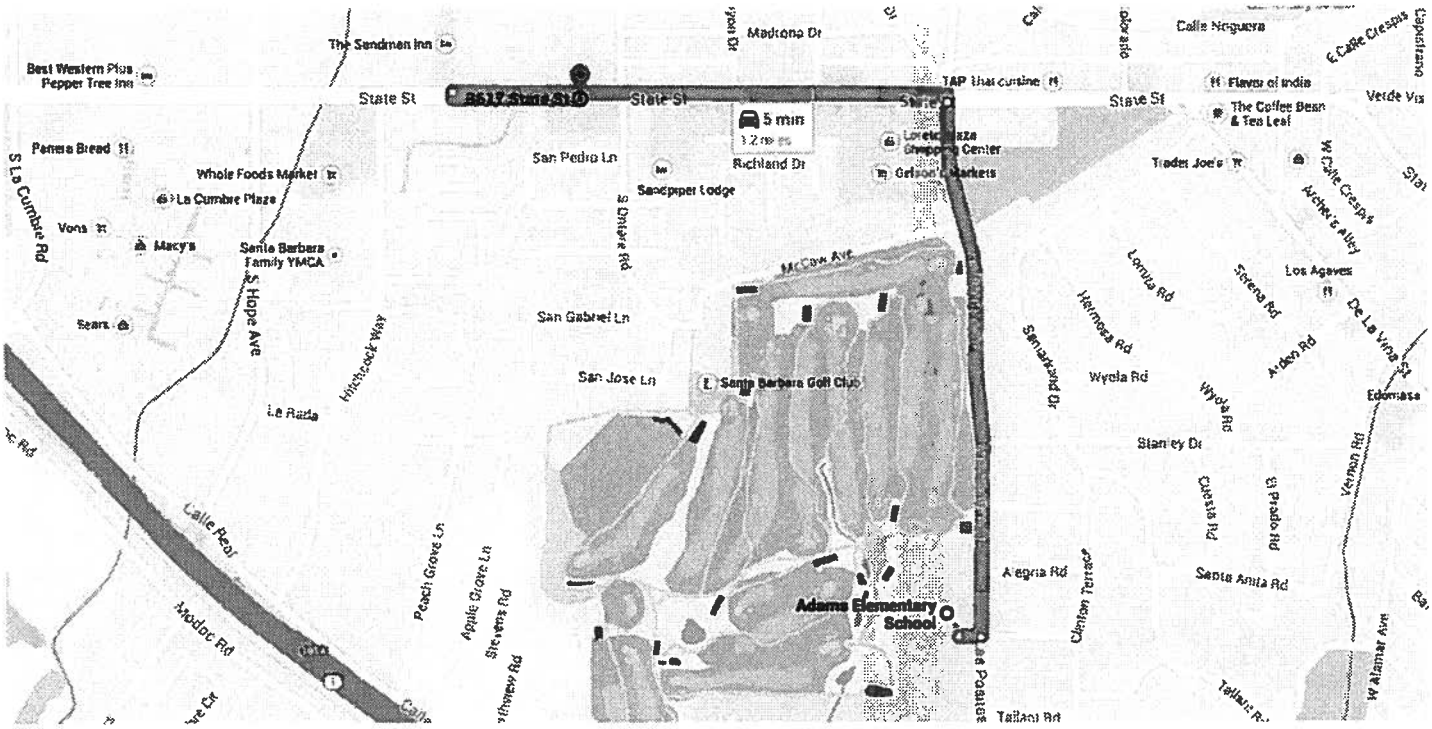
These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2015 Google

Google

Drive 1.2 miles, 5 min

Directions from **Adams Elementary School** to **3617 State St**



Adams Elementary School

Santa Barbara, CA 93105

1. Head **east** toward **Las Positas Rd**

121 ft

2. Turn **left** onto **Las Positas Rd**

0.6 mi

3. Turn **left** onto **State St**

0.5 mi

4. Make a **U-turn**

   Destination will be on the right

0.1 mi

3617 State St

Santa Barbara, CA 93105

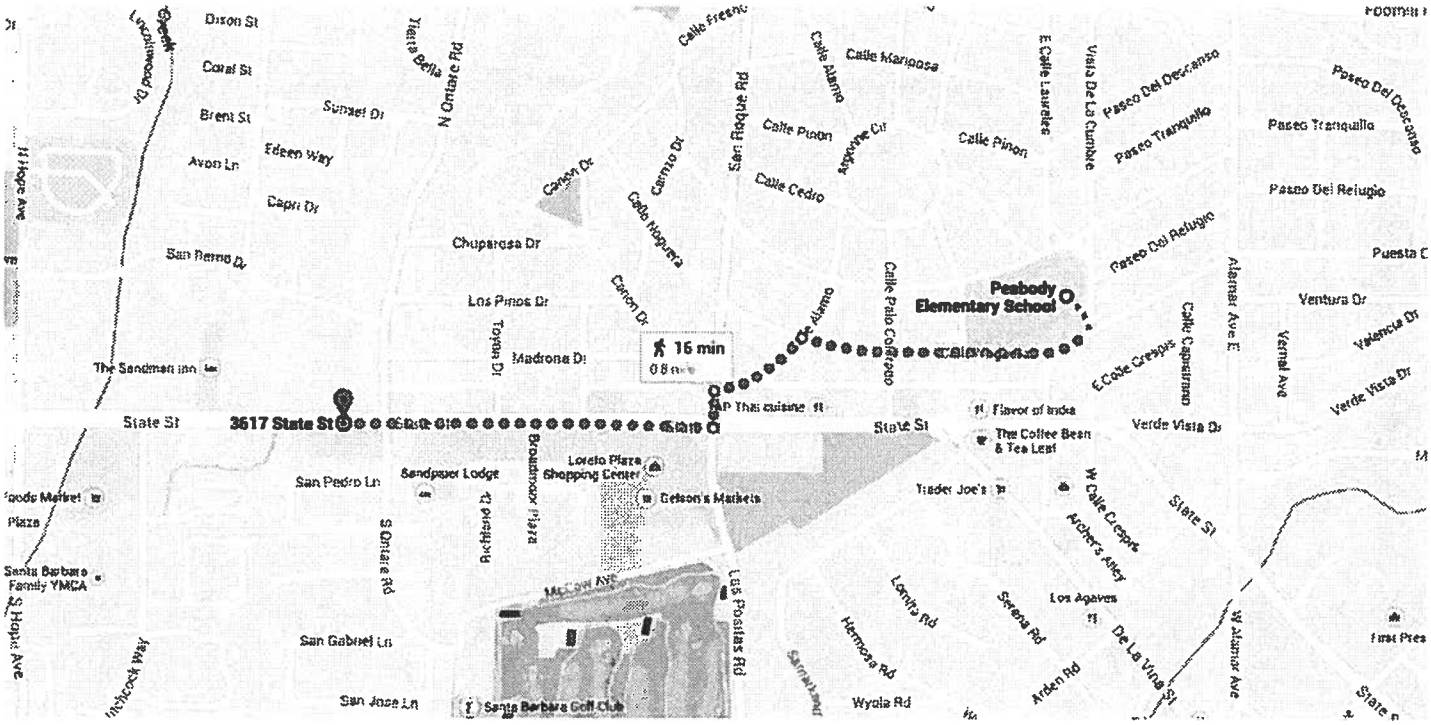
These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2015 Google

Google

Walk 0.8 mile, 16 min

Directions from **Peabody Elementary School** to **3617 State St**



Peabody Elementary School

Use caution - may involve errors or sections not suited for walking

3018 Calle Noguera, Santa Barbara, CA 93105

1. Head **southwest** on **Calle Noguera** toward **W Calle Laureles**

   0.3 mi

2. Turn **left** onto **Calle Alamo**

   0.1 mi

3. Turn **left** onto **San Roque Rd**

   200 ft

4. Turn **right** onto **State St**

   Destination will be on the left

   0.4 mi

3617 State St

Santa Barbara, CA 93105

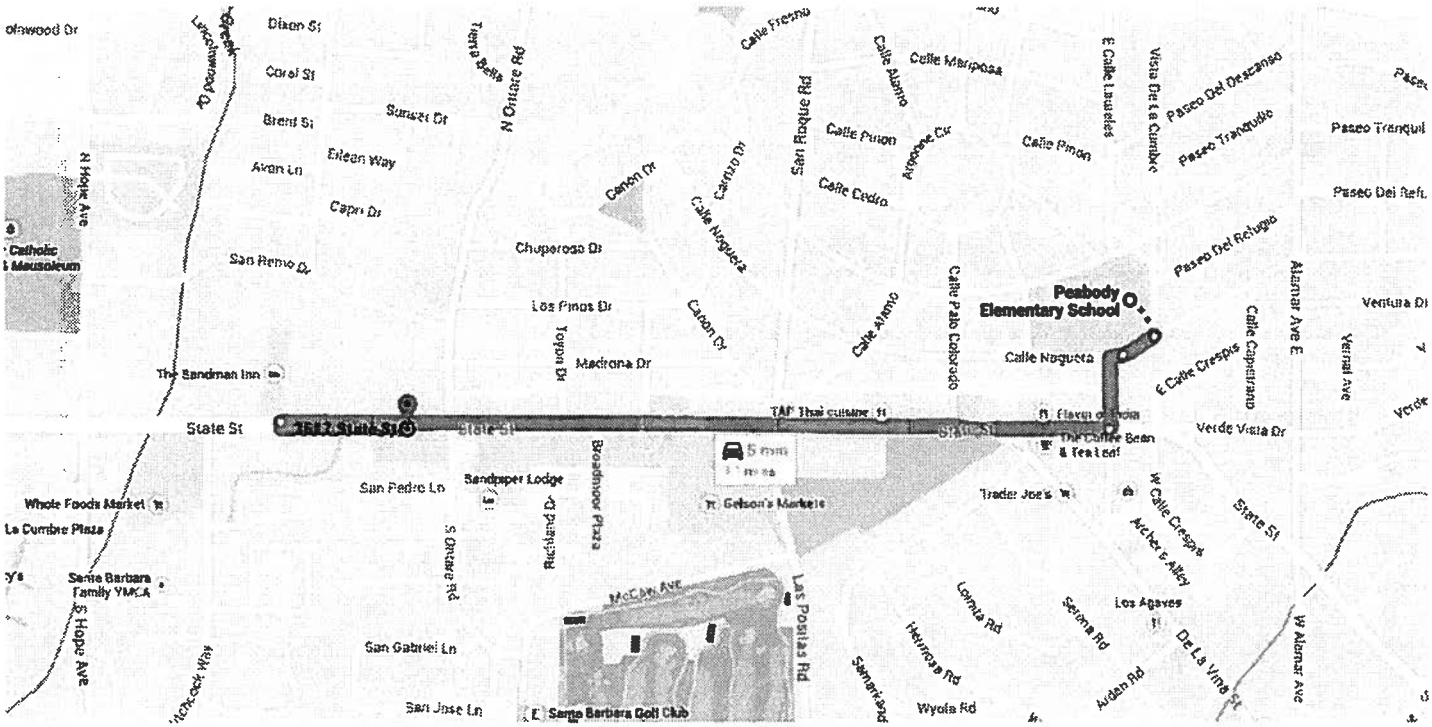
These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2015 Google

Google

Drive 1.1 miles, 5 min

Directions from **Peabody Elementary School** to **3617 State St**



Peabody Elementary School

3018 Calle Noguera, Santa Barbara, CA 93105

1. Head **southwest** on **Calle Noguera**

200 ft

2. Turn **left** onto **W Calle Laureles**

459 ft

3. Turn **right** onto **State St**

0.9 mi

4. Make a **U-turn**

   Destination will be on the right

0.1 mi

3617 State St

Santa Barbara, CA 93105

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

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CaliSchools.com
EXPLORE OUR DATABASE OF SCHOOLS IN CALIFORNIA

SEARCH
Enter School Name

Eureka School of Santa Barbara

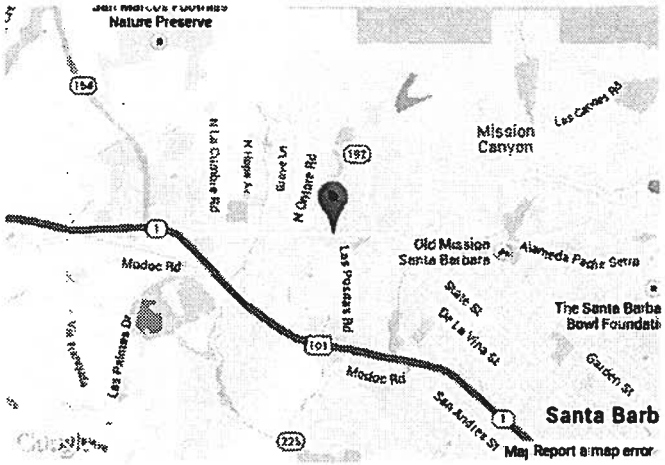
Private School in santa barbara, CA

Eureka School of Santa Barbara is located in santa barbara, California. The school belongs to Santa Barbara High School District, and its zip code is 93105. The contact phone number of Eureka School of Santa Barbara is 805-687-9031.

CaliSchools.com can provide access to our entire database of all elementary, intermediate, K-12, high schools, special education institutions, opportunity schools and community schools in your area.

Eureka School of Santa Barbara Location

Eureka School of Santa Barbara is located at 3324 State Street, Suite M, Santa Barbara, CA 93105.



Overview of Eureka School of Santa Barbara

- School Type: Coeducational
- Grades Offered: K - 12
- Religious Denomination: Non-Religious
- District: Santa Barbara High School
- County: Santa Barbara
- Address: 3324 State Street, Suite M, Santa Barbara, CA 93105
- Phone: 805-687-9031
- Offers Special Education: Yes
- School Admin: Peter Benbow (peterkandolvae@cs.com)

HIGH SCHOOL DIPLOMA ONLINE

Now you can earn your **High School Diploma Online** - without leaving the comfort of your home.

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Wedding Planner Diploma
Gunsmith Diploma
Dog Trainer Diploma

[see all certificate programs]

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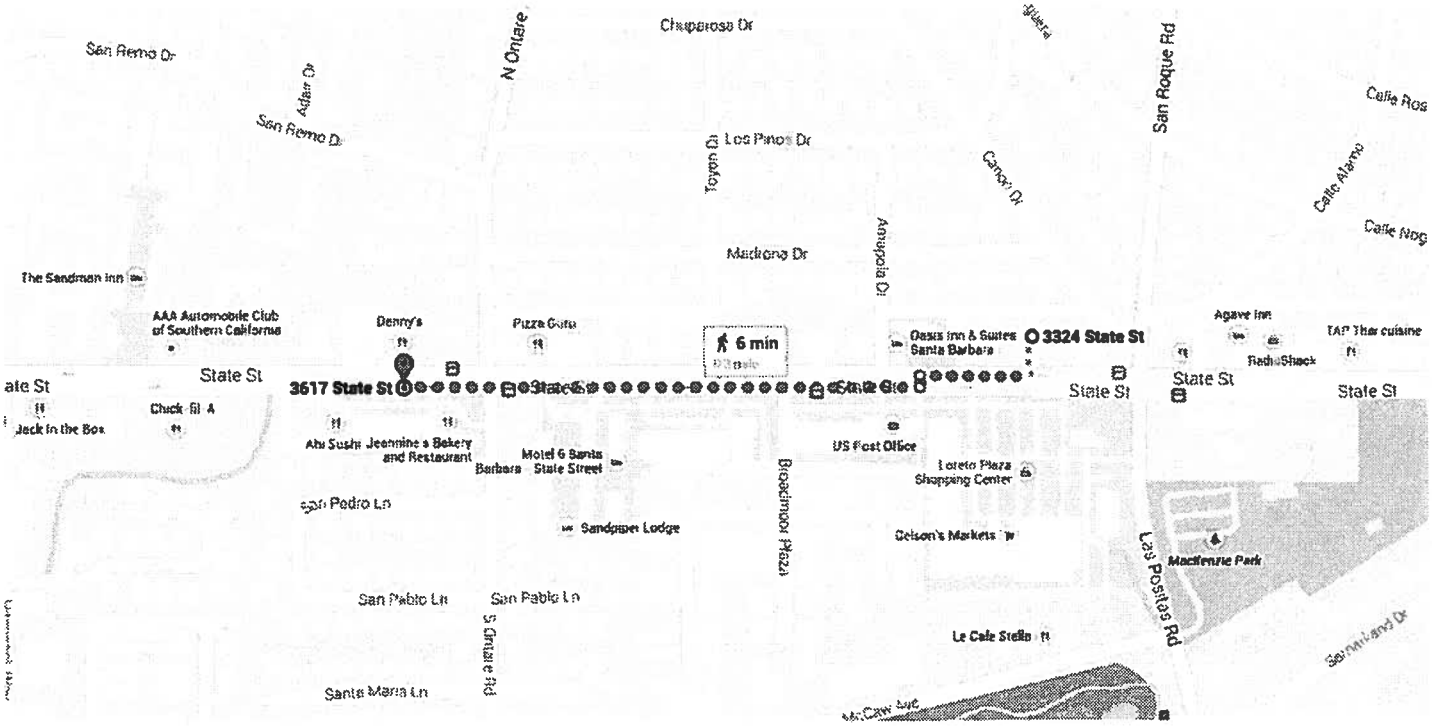
Google

Walk 0.3 mile, 6 min

Directions from **3324 State St** to **3617 State St**



3324 State St

Santa Barbara, CA 93105

Use caution - may involve errors or sections not suited for walking

1. Head **west** on **State St** — 308 ft
2. Turn **left** toward **State St** — 33 ft
3. Turn **right** onto **State St** — 0.3 mi

   Destination will be on the left

3617 State St

Santa Barbara, CA 93105

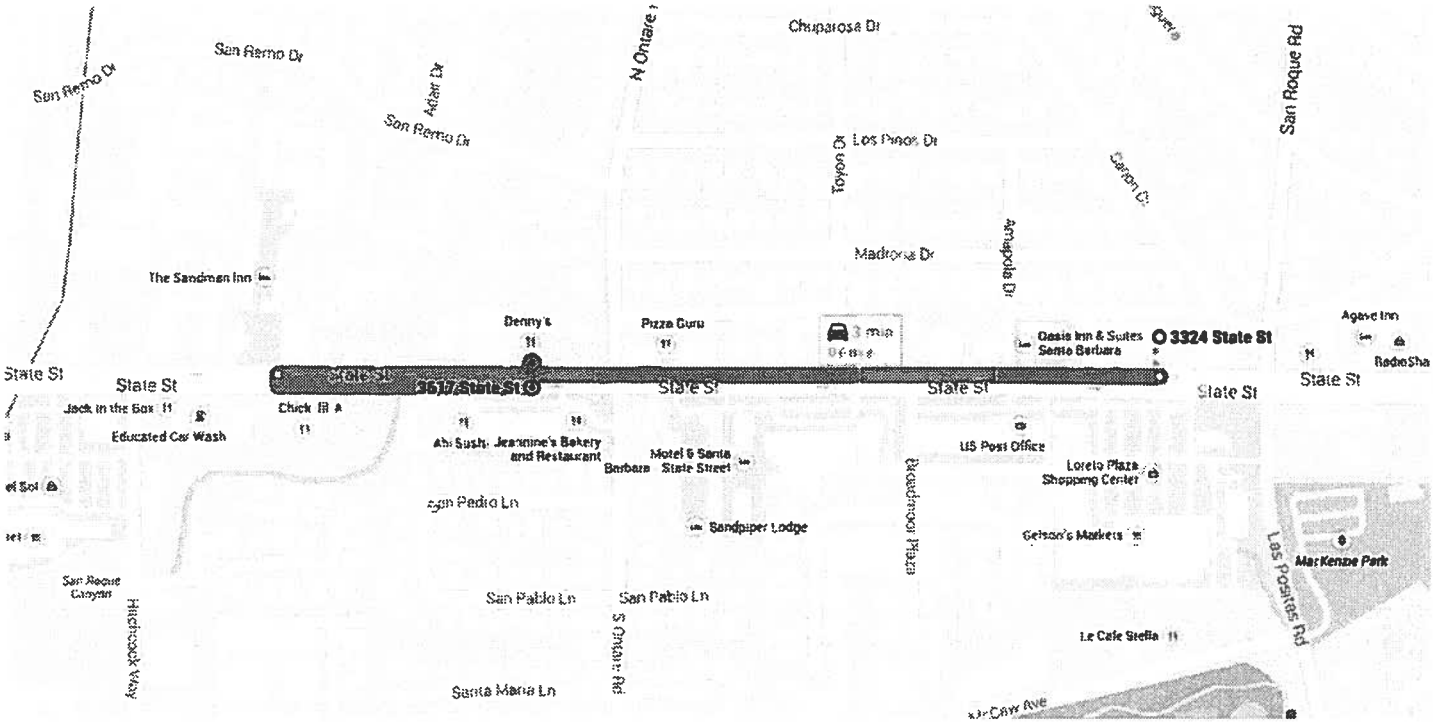
These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2015 Google

Google

Drive 0.6 mile, 3 min

Directions from **3324 State St** to **3617 State St**



3324 State St
Santa Barbara, CA 93105

1. Head west on State St toward Amapola Dr

0.5 mi

2. Make a U-turn

   Destination will be on the right

0.1 mi

3617 State St
Santa Barbara, CA 93105

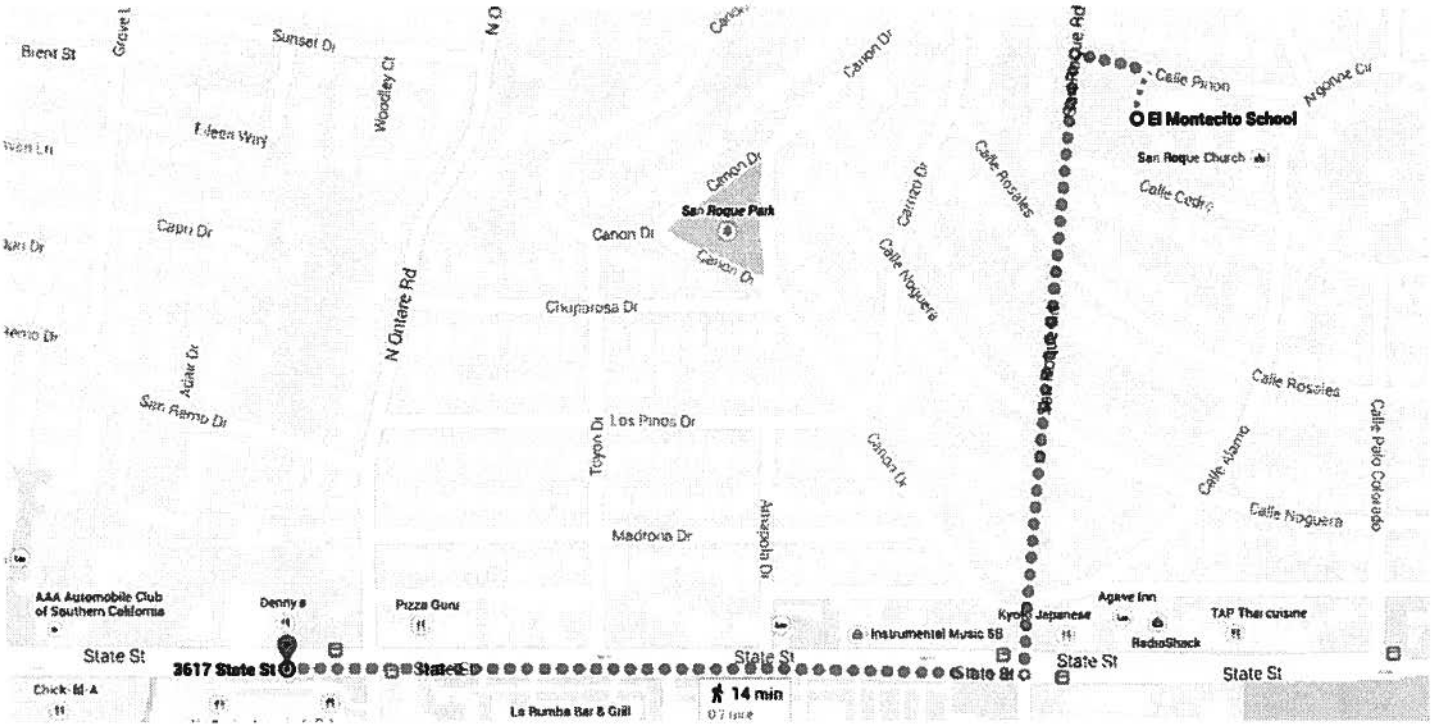
These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2015 Google

Google

Walk 0.7 mile, 14 min

Directions from El Montecito School to 3617 State St



El Montecito School

3225 Calle Pinon, Santa Barbara, CA 93105

Use caution - may involve errors or sections not suited for walking

1. Head **west** on **Calle Pinon** toward **San Roque Rd**

213 ft

2. Turn **left** onto **San Roque Rd**

0.3 mi

3. Turn **right** onto **State St**

   Destination will be on the left

0.4 mi

3617 State St

Santa Barbara, CA 93105

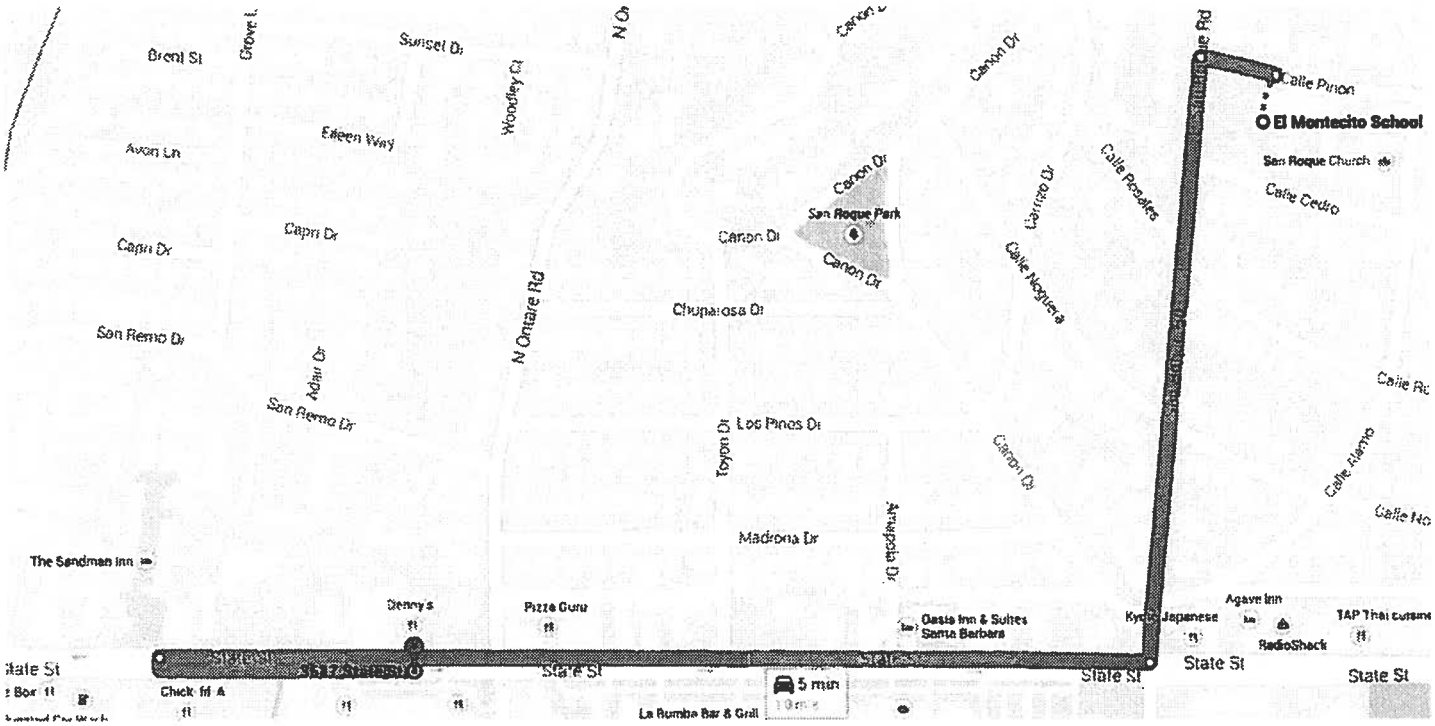
These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2015 Google

Google

Drive 1.0 mile, 4 min

Directions from **El Montecito School** to **3617 State St**



El Montecito School

3225 Calle Pinon, Santa Barbara, CA 93105

1. Head **west** on **Calle Pinon** toward **San Roque Rd**

213 ft

2. Turn **left** onto **San Roque Rd**

0.3 mi

3. Turn **right** onto **State St**

0.5 mi

4. Make a **U-turn**

Destination will be on the right

0.1 mi

3617 State St

Santa Barbara, CA 93105

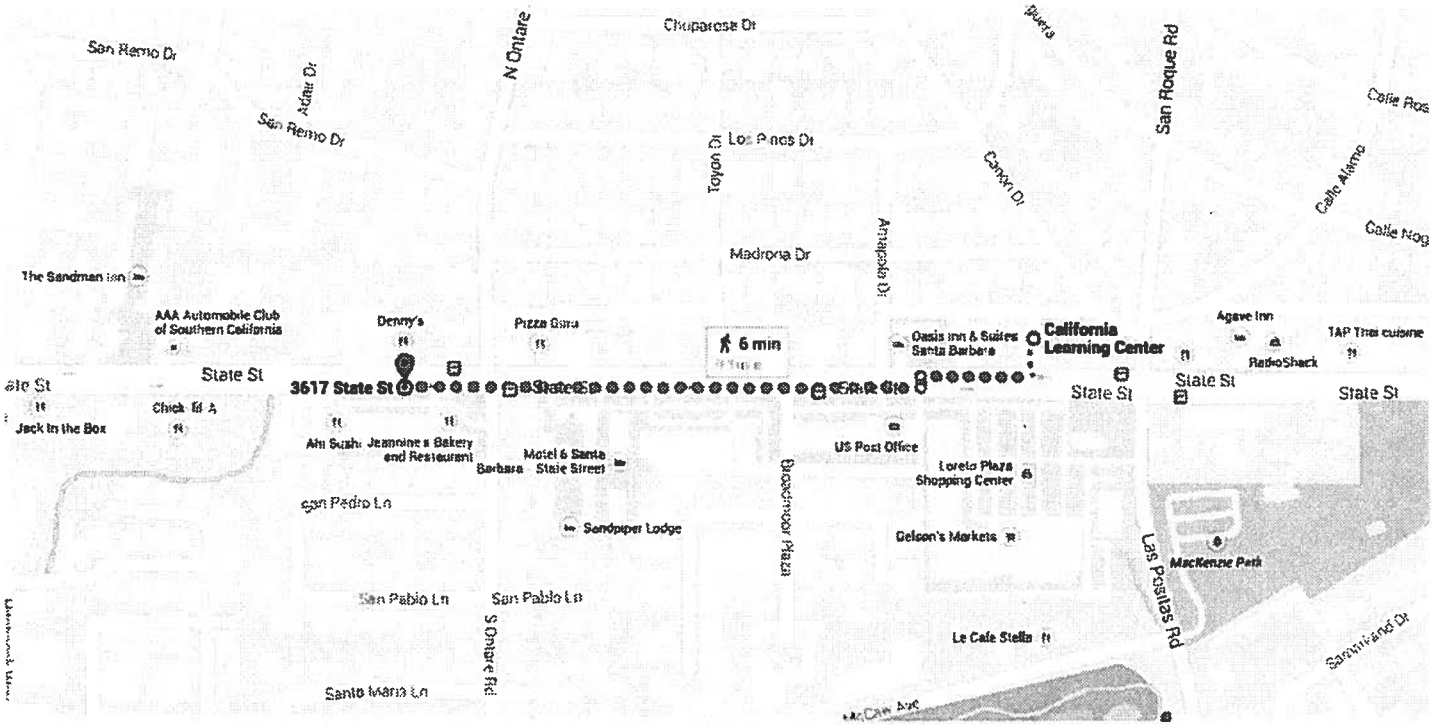
These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2015 Google

Google

Walk 0.3 mile, 6 min

Directions from California Learning Center to 3617 State St



California Learning Center

3324 State Street, Santa Barbara, CA 93105

Use caution - may involve errors or sections not suited for walking

1. Head **west** on **State St**

308 ft

2. Turn **left** toward **State St**

33 ft

3. Turn **right** onto **State St**

Destination will be on the left

0.3 mi

3617 State St

Santa Barbara, CA 93105

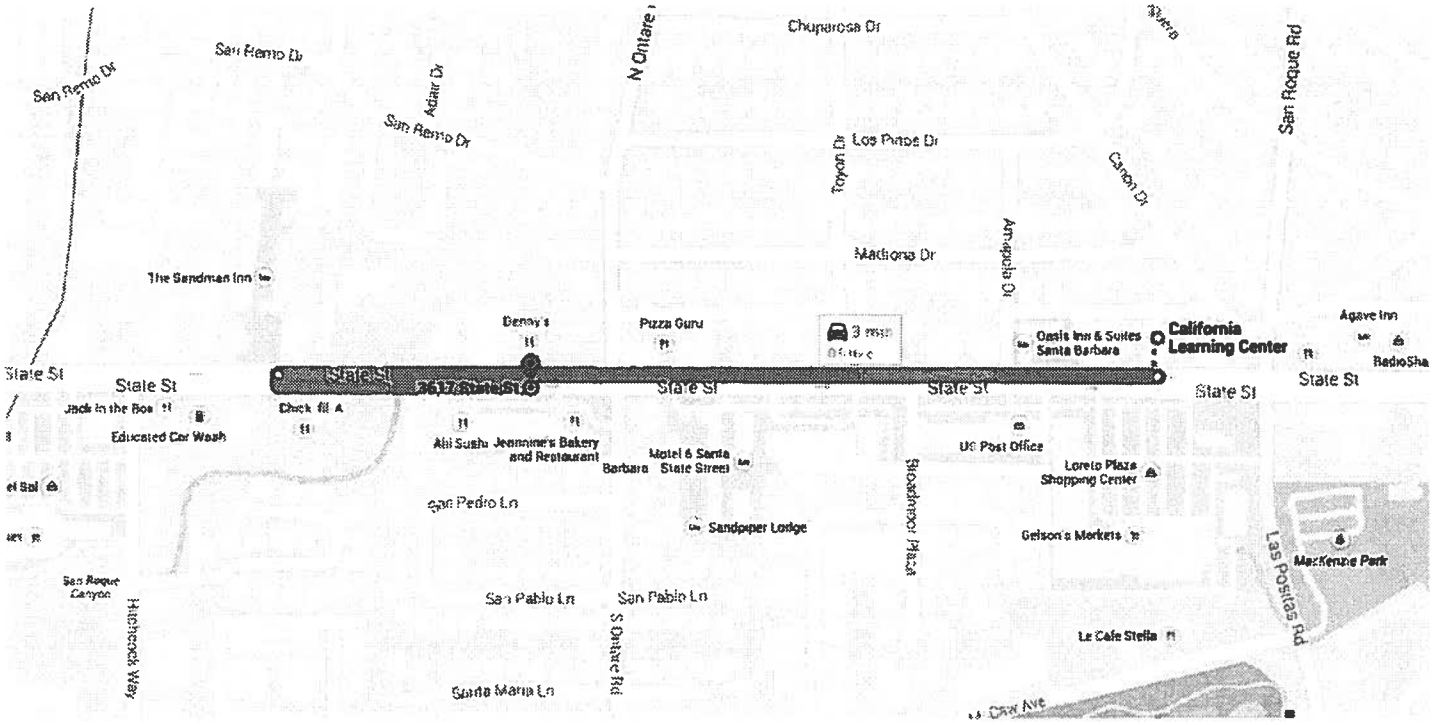
These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2015 Google

Google

Drive 0.6 mile, 3 min

Directions from California Learning Center to 3617 State St



California Learning Center

3324 State Street, Santa Barbara, CA 93105

1. Head west on State St toward Amapola Dr

0.5 mi

2. Make a U-turn

   Destination will be on the right

0.1 mi

3617 State St

Santa Barbara, CA 93105

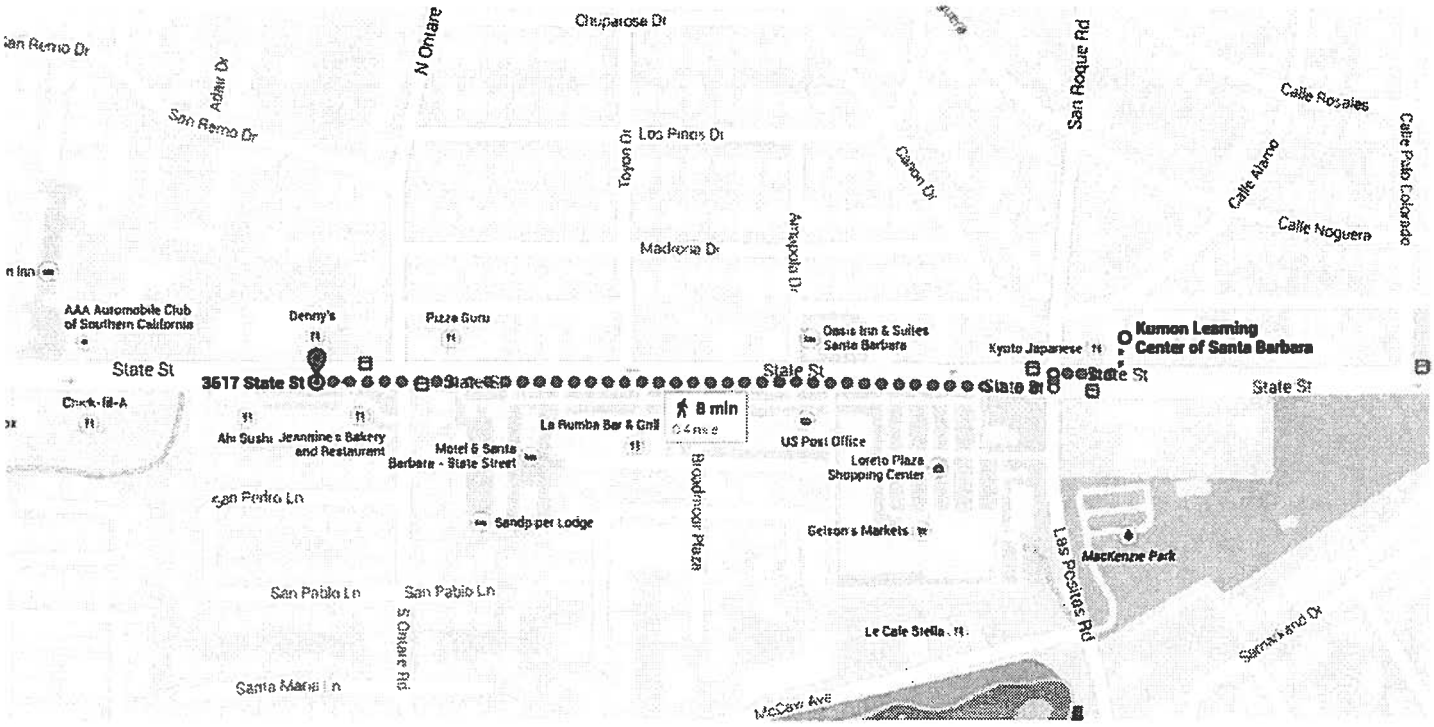
These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2015 Google

Google

Walk 0.4 mile, 8 min

Directions from Kumon Learning Center of Santa Barbara to 3617 State St



Kumon Learning Center of Santa Barbara

3230 State Street, Santa Barbara, CA 93105

Use caution - may involve errors or sections not suited for walking

1. Head **west** on **State St** toward **San Roque Rd**

194 ft

2. Turn **left** at **San Roque Rd**

39 ft

3. Turn **right** onto **State St**

   Destination will be on the left

0.4 mi

3617 State St

Santa Barbara, CA 93105

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

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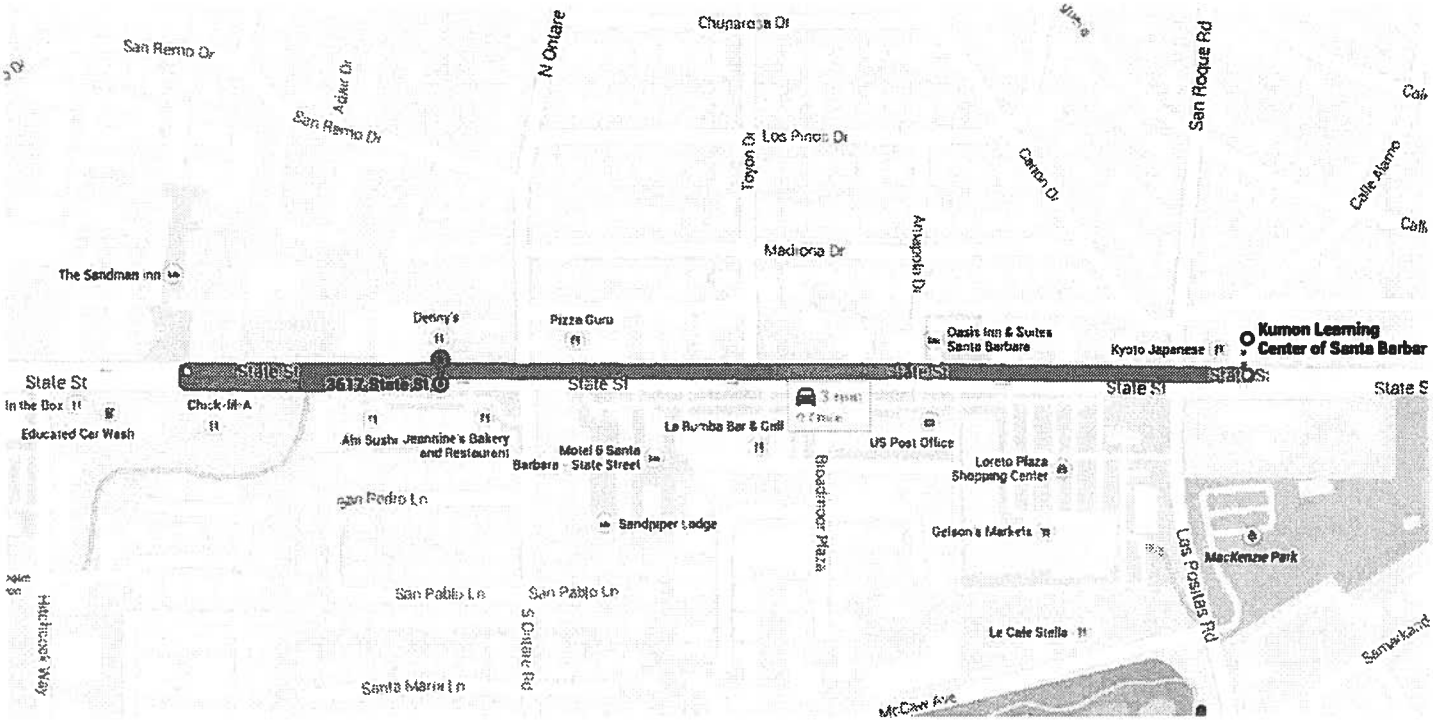
Drive 0.7 mile, 3 min

Directions from **Kumon Learning Center of Santa Barbara** to **3617 State St**



Kumon Learning Center of Santa Barbara

3230 State Street, Santa Barbara, CA 93105

1. Head **west** on **State St** toward **San Roque Rd**

0.5 mi

2. Make a **U-turn**

   Destination will be on the right

0.1 mi

3617 State St

Santa Barbara, CA 93105

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2015 Google

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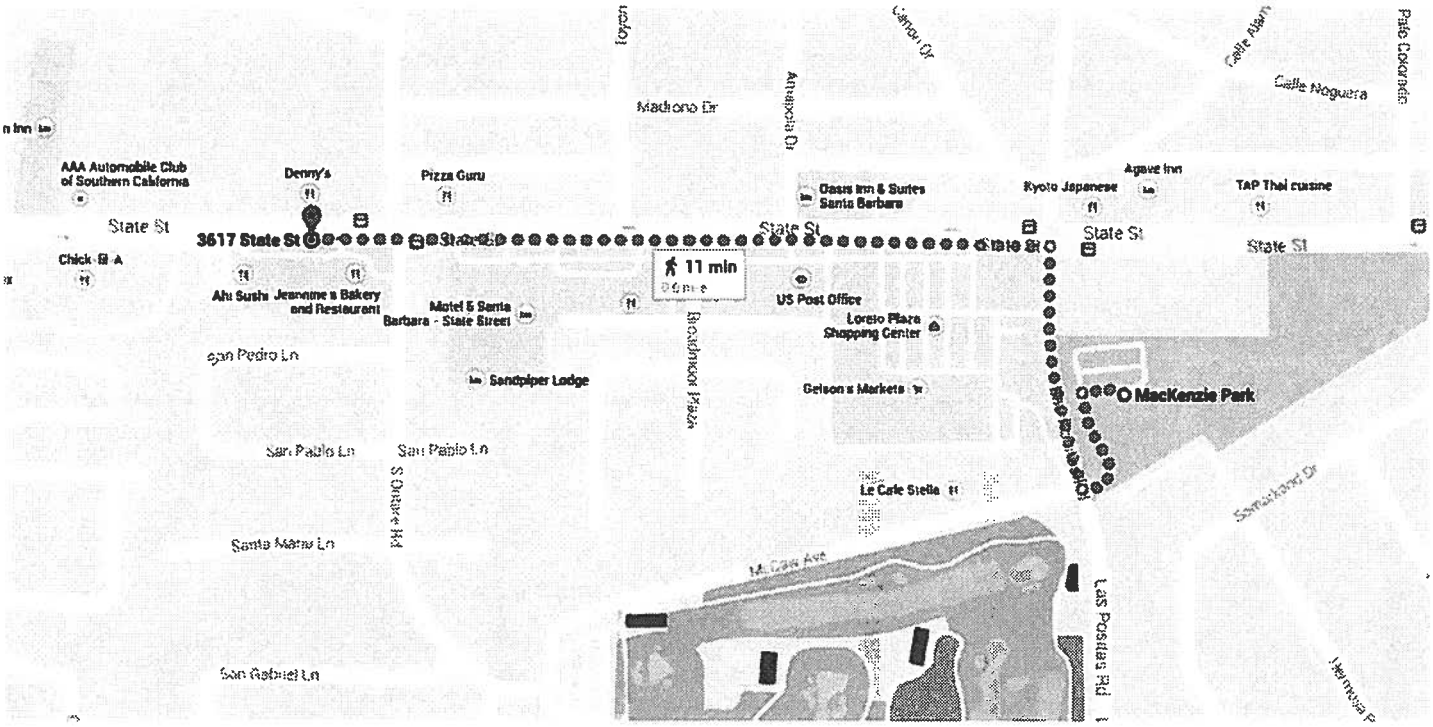
Walk 0.6 mile, 11 min

Directions from **MacKenzie Park** to **3617 State St**



MacKenzie Park
Santa Barbara, CA 93105

Use caution - may involve errors or sections not suited for walking

1. Head **west** — 115 ft
2. Turn **left** toward **Las Positas Rd** — 331 ft
3. Turn **right** onto **Las Positas Rd** — 0.1 mi
4. Turn **left** onto **State St**
   Destination will be on the left — 0.4 mi

3617 State St
Santa Barbara, CA 93105

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2015 Google

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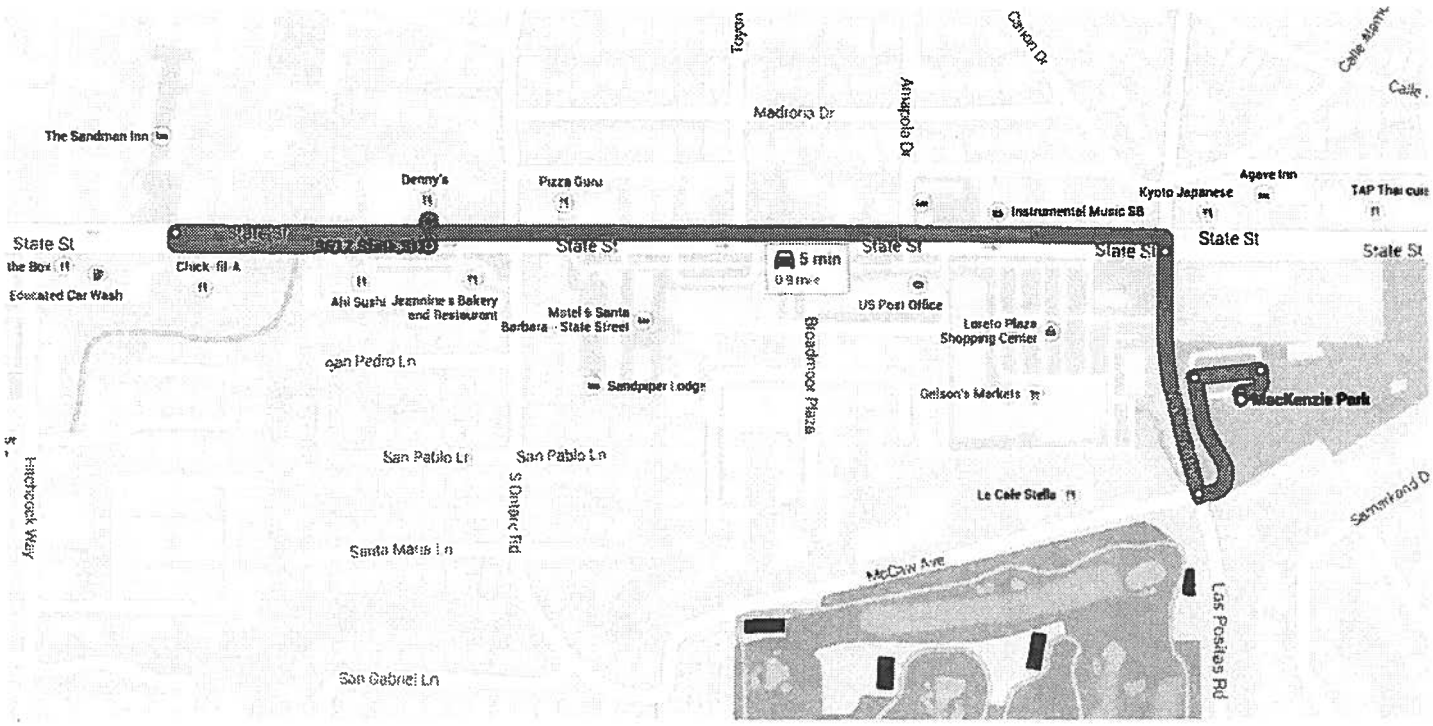
Drive 0.9 mile, 5 min

Directions from **MacKenzie Park** to **3617 State St**



MacKenzie Park
Santa Barbara, CA 93105

1. Head **east** — 105 ft
2. Turn **left** toward **Las Positas Rd** — 180 ft
3. Turn **left** toward **Las Positas Rd** — 387 ft
4. Turn **right** onto **Las Positas Rd** — 0.1 mi
5. Turn **left** onto **State St** — 0.5 mi
6. Make a **U-turn**
   Destination will be on the right — 0.1 mi

3617 State St
Santa Barbara, CA 93105

Boughman, Tony

From: Goo, Kathleen on behalf of Community Development SHOsecretary
Sent: Wednesday, April 22, 2015 8:29 AM
To: Boughman, Tony
Cc: Reardon, Susan; Kato, Danny; 'josephallen@josephallenattorneyatlaw.com'
Subject: FW: A late public comment from Rick Wolf and Elizabeth Brooks for 3617 State St. – MST2014-00438-Marijuana Dispensary Permit

Another late public comment for 3617 State St. – MST2014-00438; Marijuana Dispensary Permit...

Mahalo nui loa!
(Thank you very much!)
Kathy
Kathleen Leolani Goo, Commission Secretary
Architectural Board of Review and Staff Hearing Officer.
CITY OF SANTA BARBARA
COMM. DEV. DEPT./AHHS DIVS.
TEL: (805) 564-5470, EXT. 3308 (FAX: EXT. 5477)
E-MAIL: kgoo@SantaBarbaraCA.gov
Administration, Housing & Human Services Division (AHHS)
The Admin. Team ... Committed to Providing Quality Support.
Please consider the environment before printing this e-mail; reduce / reuse / recycle
This e-mail may contain confidential or privileged information. If you think you have received this e-mail in error, please contact the sender then delete the e-mail immediately. Thank You. City of Santa Barbara
Please note: Due to a compressed 9/80 work schedule, most city offices are closed every other Friday. To view the city calendar go to http://www.santabarbaraca.gov/Government/City_Calendar

---

From: Rick Wolf [mailto:rickwolf57@gmail.com]
Sent: Sunday, April 19, 2015 1:27 PM
To: Community Development SHOsecretary
Subject: Medical Marijuana Dispensary Permit at 3617 State St.

Hello,
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The allowing of such an establishment in our neighborhood will have significant detrimental effects on this area. We are already suffering the effect of increased efforts in the downtown area to remove panhandlers -- they are moving up into our neighborhood in increasing numbers. Allowing a marijuana dispensary will only exacerbate the situation and draw more loiterers to this area.

We are also concerned about the increase in crime that has happened in the upper State Street area and adding this facility will add to it.

The traffic and parking on State Street is also a problem that the city has chosen to ignore. If the dispensary is allowed to be opened, where will its customers park? On the surrounding streets? They are already adversely impacted by the businesses on the 3600 block of State Street, both by customers and clients and the employees of those businesses. Take a drive around San Pedro Lane some weekday and see for yourself!

Lastly, the city has been less than fair in that it has not allowed for public comment. The notice I refer to was sent to one neighbor and the north side of our street and not to us or anyone else on San Pablo Lane. We have

an interest in preserving the quality of our neighborhood and the city should be more transparent in its operations and efforts to notify neighbors of such potentially detrimental additions to the area.

Sincerely,
Rick Wolf and Elizabeth Brooks
3625 San Pablo Lane
rickwolf57@gmail.com
805-453-5345