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November 19, 2016

Calistoga City Council
Calistoga Planning Commission

RE: Marijuana Cultivation Ordinance

I wish to register my opposition to any outdoor growing of marijuana within Calistoga. I have extreme concerns about home invasion and trespassing issues which have brought numerous violent incidents to other communities and sometimes have impacted neighbors who are not even involved with marijuana growing due to wrong address, or inability of the criminals to determine exactly which property the drug is being grown. Sonoma County Sheriff's Department recently reported that over one third of all murders committed this year in their county were a direct result of drugs, with a large percentage of those marijuana growing related.

Furthermore, I do not want to lose usage of my outdoor areas because of the awful smell created by the growing, which many equate to a "skunk-like" stench.

No commercial growing for marijuana of any size operation should ever be allowed. The smell alone would drive away our proven industry of tourism. It would be like trying to maintain a tourist industry next door to the Richmond or Martinez oil refineries. Any revenue gained from so called cultivation grant money would be offset tenfold by decrease in current revenue streams.

Respectfully,



Scott Atkinson

Proposed new Cannabis Ordinance flunks the smell test

by Tom Sherman, Ph.D.

Calistoga's leadership is poised to respond to the recent legalization of marijuana with a restrictive, ill conceived, fear-based ordinance proposed by City staff. This unenlightened reaction to Proposition 64's passage clearly does NOT pass the "smell test: an informal method for determining whether something is authentic, credible, or ethical, by using one's common sense or sense of propriety." While progressive, future thinking municipalities have been preparing for months to capitalize on the forecast change, Calistoga's City Council rushes to take their stand against the future. Without even waiting to see how Calistogans voted on Proposition 64 (results not yet available) and knowing that the measure passed in Napa County with 60.9% favorable vote (latest available results), City leaders are ready act based on guidance from a weak and incomplete Staff Report that sends them down the wrong path. Primary issues of contention are the perpetuation of the bans on establishing MEDICAL marijuana dispensaries, commercial cultivation and outdoor cultivation of cannabis for either medical or recreational use.

Savvy leaders would look to the future and how to position their municipalities to reap benefits of the new law. The vote underscored a changing generational trajectory for marijuana in politics and culture and stands to invigorate California's teeming medical marijuana economy. An article in the Sacramento Bee reported the state's legal pot industry is expected to soar beyond the medical cannabis economy which is valued as high as \$2.7 billion by a firm specializing in attracting marijuana industry investments. New Frontier data of Washington DC and a group in Oakland predict Proposition 64's passage could lift the California market to \$6.5 billion 2020: "We are expecting a robust, growing industry that will be one of the biggest employers in California—we are transitioning from the prohibited market to regulated market." And analysis for the California Department of finance said recreational pot sales could generate from the high hundreds of millions of dollars to over 1 billion annually in total tax revenue."

While Goal 1 of the City Council's objectives for fiscal year 2016–17 is to maintain and enhance the economic vitality of the community and the financial stability of the City, the Staff Report from Lynn Goldberg allocates one sentence to acknowledge the potential revenue to be generated by sales tax from retail sales from a storefront or commercial cannabis activities (e.g. cannabis home delivery services). While skirting the issue of revenue benefit, Ms. Goldberg takes a page of her 4 1/2 page report to downplay the fact that if Calistoga passes the proposed, restrictive ordinance, the City would not be eligible to receive grants to assist with law enforcement, fire protection, or other local programs addressing public health and safety that will flow as revenue from California's taxation of cannabis sales are distributed.

While our City leaders are more than happy to fill vacant store fronts with wine tasting and sales establishments and reap the the benefits of developer fees as mega resorts transform sleepy, small town Calistoga into a high end, luxury tourist destination, they refuse to consider the biggest tax boon they could take advantage of. They seem content to inconvenience local resident MEDICAL cannabis patients, who now must travel over the hill to purchase their medicine, and lose the current tax revenues that pour into the tax coffers of Santa Rosa.

With the market for recreational marijuana poised to explode at about the same time as our new high end resorts open, Calistoga will be populated with well heeled guests from the Bay Area used to a consumer friendly, competitive cannabis marketplace. While Goal 2 of the City Council's stated objectives is to offer excellent professional services to all customers, they do the opposite by offering no cannabis related services to resident's and the guests they seek to attract.

While the Council speaks of creating an environmentally sustainable community (Goal 4), they seek to deny residents the right to grow their six plants outdoors where the sun and heat provide the perfect setting for cultivation. Instead their new ordinance, if approved, will further add to the burden of an already taxed electrical grid by forcing those who wish to grow to do so indoors increasing electrical demand from grow lights and ventilation fans. Indoor growing also brings into play supplemental carbon dioxide generators, fueled by propane tanks, and ozone generators that both bring health and safety risks. Though banned by the proposed ordinance, these devices, which would be unnecessary with outdoor cultivation, will be hidden from view making enforcement impossible.

As complaints about the skunky smell of cannabis, savvy cultivators know there are strains that produce little odor. A simple google search presents an array of mitigation remedies easily implementable for small outdoor grow areas legal under Medical Cannabis regulations or the 6 plant maximum approved for recreational use (eg: Planting an ornamental garden of strongly scented flowers and herbs that smell stronger than or similar to cannabis, to "cover" it's distinctive odor). Neighbor complaints are best resolved by encouraging neighbor communication and negotiation not heavy handed ill conceived regulation on the rights the electorate just approved.

12/29/2016

re: Outdoor Cultivation of Cannabis in Calistoga

Dear Calistoga City Council,

I'd like to start by thanking the council for hearing this issue. Additionally, I'd like to thank the Calistoga planning commission for their recommendation that Calistogans should be allowed to grow 2 outdoor cannabis plants per residence. My belief is that the city and its residents who want to pursue outdoor cultivation of cannabis need to be mutually cooperative, patient, and proactive.

Please allow me to share my history and personal experience with cannabis use. At the age of 19, I was diagnosed with Irritable Bowel Disease, my Gastroenterologist and surgeon told me I had Ulcerative Colitis. I was violently ill, and lost nearly 60 lbs. in less than 8 weeks. Due to my poor health, I had a total colectomy which resulted in my wearing a highly fashionable and luxurious colostomy bag for nearly a year and a half (at the ripe old age of 19 and 20). I continued to suffer with extreme abdominal pain, fatigue, and diarrhea. I met with a Doctor, who instructed me to use cannabis medicinally. Now 38, I have been using cannabis to treat multiple symptoms due to my diagnosis of Crohn's disease for half of my life. It relieves cramping, aids in appetite, and relaxes my musculature and joints (both of which can be painful secondary to Crohn's).

With the recent passage of Prop. 64, I would like to see the city allow a minimum of 2 outdoor plants per residence. I believe as a medical cannabis card holder and home owner in the state of CA, I should be allowed to produce my own medication. It dumbfounds me that I should be forced to grow indoors, under expensive electrical lights, when I reside in a world famous agricultural region, with plentiful sunshine and optimal growing conditions. Indoor only production is not only an increased fire risk and tax on the electrical grid, but also would be a financial burden. Indoor growing is significantly more cost prohibitive than outdoor, necessitating the purchase of multiple pieces of equipment costing several hundred or thousands of dollars, combined with the increased electricity bill one will receive. I ask, is the city council going to force Calistogans to grow their tomato plants inside as well? I do not see how growing cannabis can be considered different from growing fruits, vegetables, or herbs in one's own garden.

In closing, I'd like to remind the council of the Napa County Right to Farm Ordinance, which states:

(Napa County) will not consider the inconveniences or discomforts arising from agricultural operations to be a nuisance if such operations are legal, consistent with accepted customs and standards and operated in a non-negligent manner. If property you own, or are purchasing, or may purchase in the future is located close to agricultural lands or within agricultural lands, you may be subject to inconveniences or discomfort arising from agricultural operations. Such discomforts or inconveniences may include, but are not limited to: noise, odors, dust, chemicals, smoke, insects, operation of machinery during any 24-hour period, aircraft operation, and storage and disposal of manure. One or more of the inconveniences described above may occur even in the case of an agricultural operation, which is in conformance with existing laws and regulations and locally accepted customs and standards. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in a county with a strong rural character and a healthy agricultural sector.

I urge the council to adopt the planning committee's recommendation of allowing cultivation of 2 outdoor plants per residence.

Thank you for your time and understanding. Here's to a patient, cooperative and proactive Calistoga.

Erin Smith-Greenberg, RN
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RN