

# Santa Rita Valley AG

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BOARD OF SUPERVISORS HEARING – MAY 5, 2020

APPEAL OF LAND USE PERMIT - 18LUP-00351



# SRVAG's Project Complies with all LUP Standards - Should Be Approved

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## Basic Cannabis Cultivation Project Contemplated Under Cannabis Program

- Based on adopted LUP standards, SRVAG carefully designed this project to balance community concerns and economic viability
- 32 acres of outdoor cultivation – nothing more
- All Plans conform to County LUP Standards: Lighting, Landscaping, Screening, Security, Fencing, Transportation – explained in detail by staff in Board Letter
- Bare-bones cannabis project avoiding controversial elements

# What this project does NOT involve:

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No drying or processing on site

No grading

No tree removal

No accessory structures

No odor plan required – property zoned AG II

Not in the Santa Ynez Community Plan

No hoops – No greenhouses

# Project Improvements after Planning Commission's first hearing

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**SRVAG listened to community and Planning Commissioners - voluntarily improved project beyond required LUP standards**

**Increased cultivation setbacks**

- From Highway 246: 285 feet
- From Pence's property line: 436 feet
- From border of Pence's grapes: 673 feet

**Significantly enhanced screening and landscaping** - improves bucolic rural character/visual barriers

- Added oaks, olive trees, lavender, rural horse rail fence, and grapes to mask security fencing

**Removed sea trains** - eliminates visual, noise and potential odor impacts

# SRVAG Project will be an Asset to Santa Barbara County

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A good neighbor - listens to the community

Substantial economic resource for the County

- \$1,228,800 per year in tax revenue – 32 acres
- \$460,800 per year – 12.75 acres

# Appeal Should be Denied: Not Directed at Merits of SRVAG project

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## Appeal Challenges the County's Cannabis Program and PEIR - Not the Project:

- Ordinance needs stricter restrictions on cannabis grows
- Complains about County's permit process - lack of County transparency
- PEIR fails to address conflicts between cannabis and other ag

Pence presents no evidence to establish that the Santa Rita Valley Ag project does not meet the standards of the Cannabis Program

# Appeal Should be Denied: Challenges are Time Barred

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## Pence's Attack on the PEIR and Cannabis Program are Time Barred

- Cannabis ordinance adopted and PEIR certified in 2018 – all challenges are time barred:
  - None of the findings, mitigation measures or adequacy of the PEIR is subject to further challenge
  - Cannabis Program standards are finally determined and are “The Law of Land” of Santa Barbara County
- Pence had plenty of opportunity to raise his comments/criticisms of Cannabis Program and PEIR during adoption and certification process
- Pence cannot use the SRVAG permit appeal as a venue to raise his time-barred challenges against the County

# Appeal Should be Denied: Meritless

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Pence's Attack on PEIR and Cannabis Program is also Factually and Legally Meritless

- Staff did an excellent job refuting each of Pence's appeal points

SRVAG project is within the scope of the PEIR - no further CEQA analysis is required

- Basic outdoor cultivation project - No new effects could occur that were not examined in the PEIR
- No new significant environmental effects nor does project increase the severity of previously identified significant effects – the SRVAG project clearly does not necessitate substantial changes requiring major revisions to the PEIR
- No “new” information that was not known or could have been known at the time PEIR was certified



# Unsubstantiated Terpene Contamination Claim

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- Pence did not even raise terpene issue on his Planning Commission appeal form
- No peer-reviewed science-based evidence that terpenes adversely affect wine grapes
- No evidence from Pence that cannabis grow next to his property contaminated his wine
- No evidence terpenes can travel two football fields
  - Closest Pence wine grapes are 673 feet from SRVAG cannabis cultivation
- Not timely – Pence must have been raised at PEIR certification
- Not “new” information - Capone study existed before PEIR

# Test shows no terpenes on Pence wine

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Certified lab results from tests performed on four of Pence's 2017 vintage estate wines by Infinite Chemical Analysis Labs - preeminent testing lab:

- No terpenes from 50-acre cannabis grow directly adjacent to Pence
- Tested Pence's 2017 Unum Estate Pinot - 96 rating from Wine Enthusiast

# Conclusion

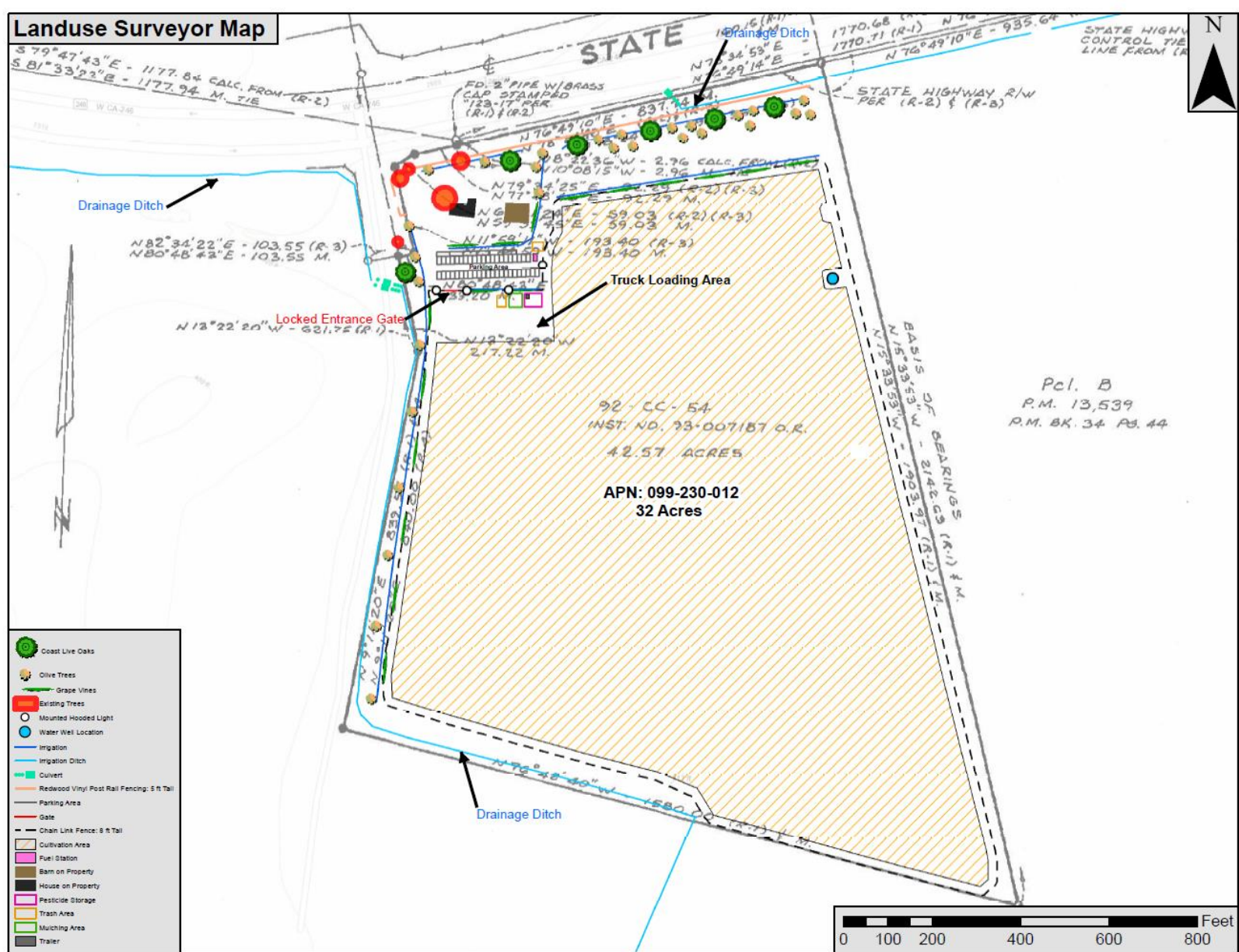
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Santa Rita Valley Ag project complies with all standards and conditions of County's LUP Cannabis Program and the appeal fails to establish otherwise

Santa Rita Valley Ag respectfully requests your Board deny the appeal and approve the LUP as recommended by staff in Attachment 2 to the Board letter

Thank You

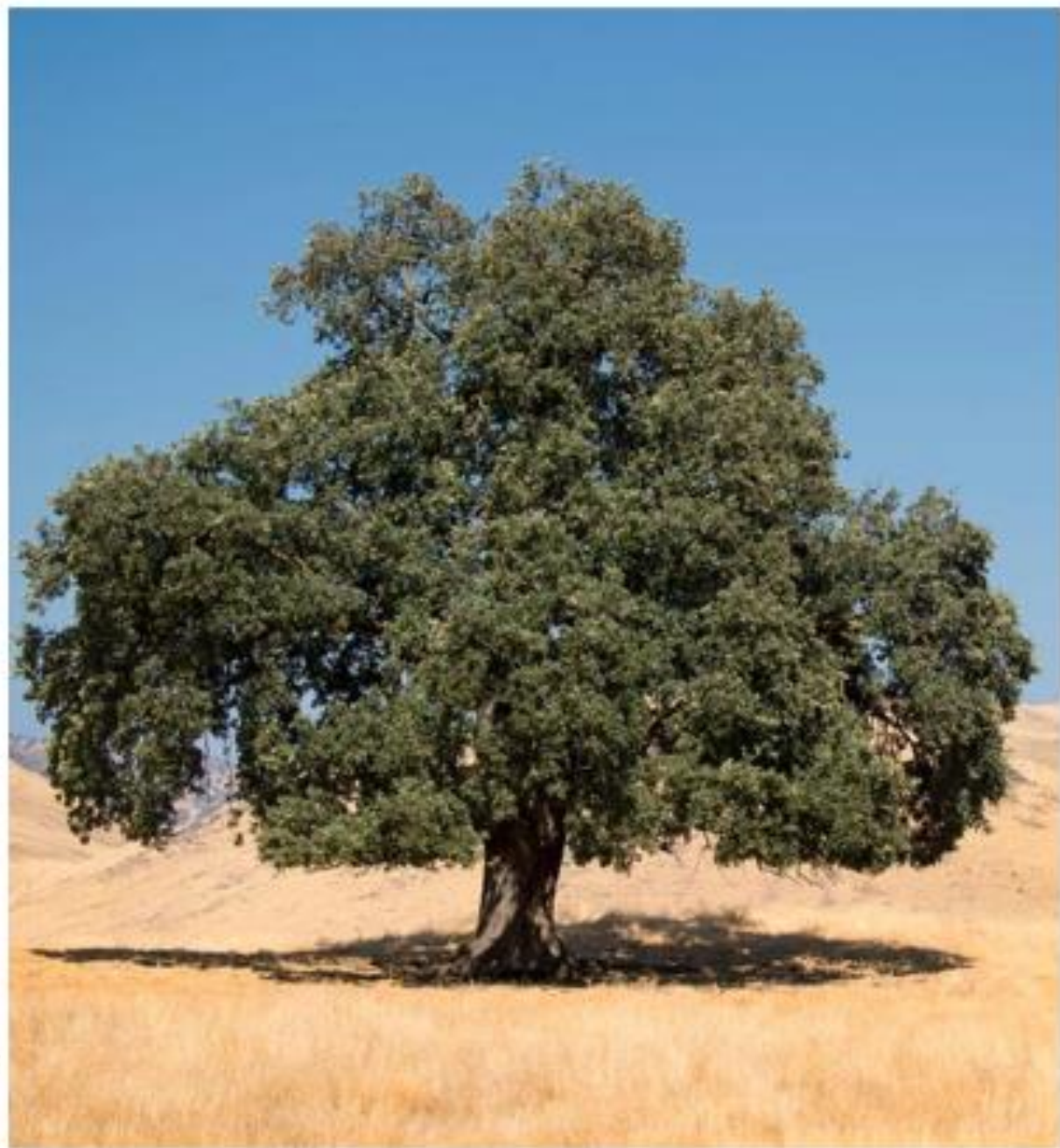
**Landuse Surveyor Map**



# Elements of Landscaping Plan – Visual Aesthetics and Screening

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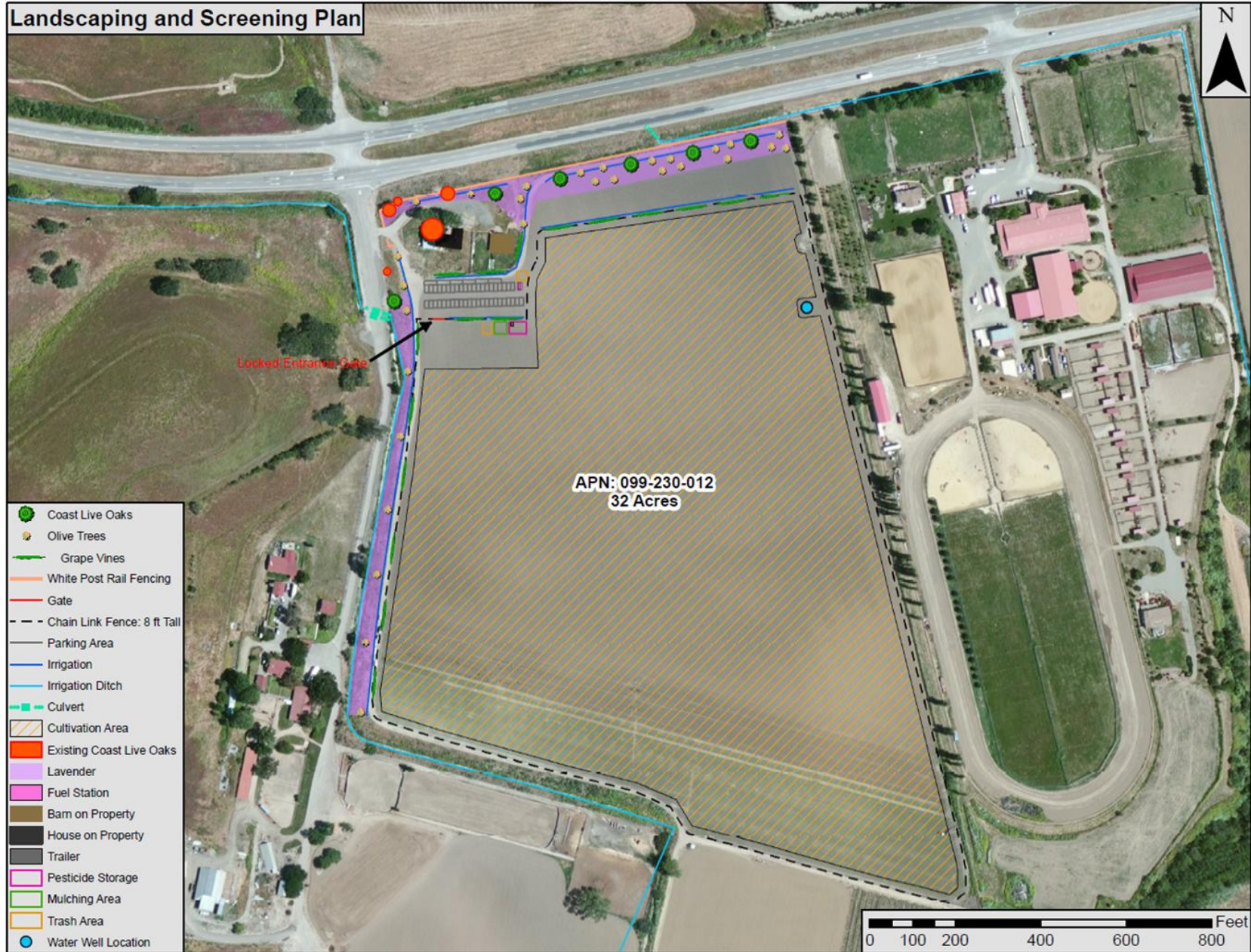
1. Remove existing barbed-wire fence
2. Add at least an additional six coastal oak trees to the existing three oaks along Highway 246 and the entrance to the Property
3. Add at least 19 olive trees and lavender along Highway 246 and eight Olive trees and Lavender along the western property line
4. Add grape vines along chain link security fence along Highway 246 and western property line to mask the fencing
5. Adding redwood colored horse rail fence along front and sides of driveway





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# Landscaping and Screening Plan









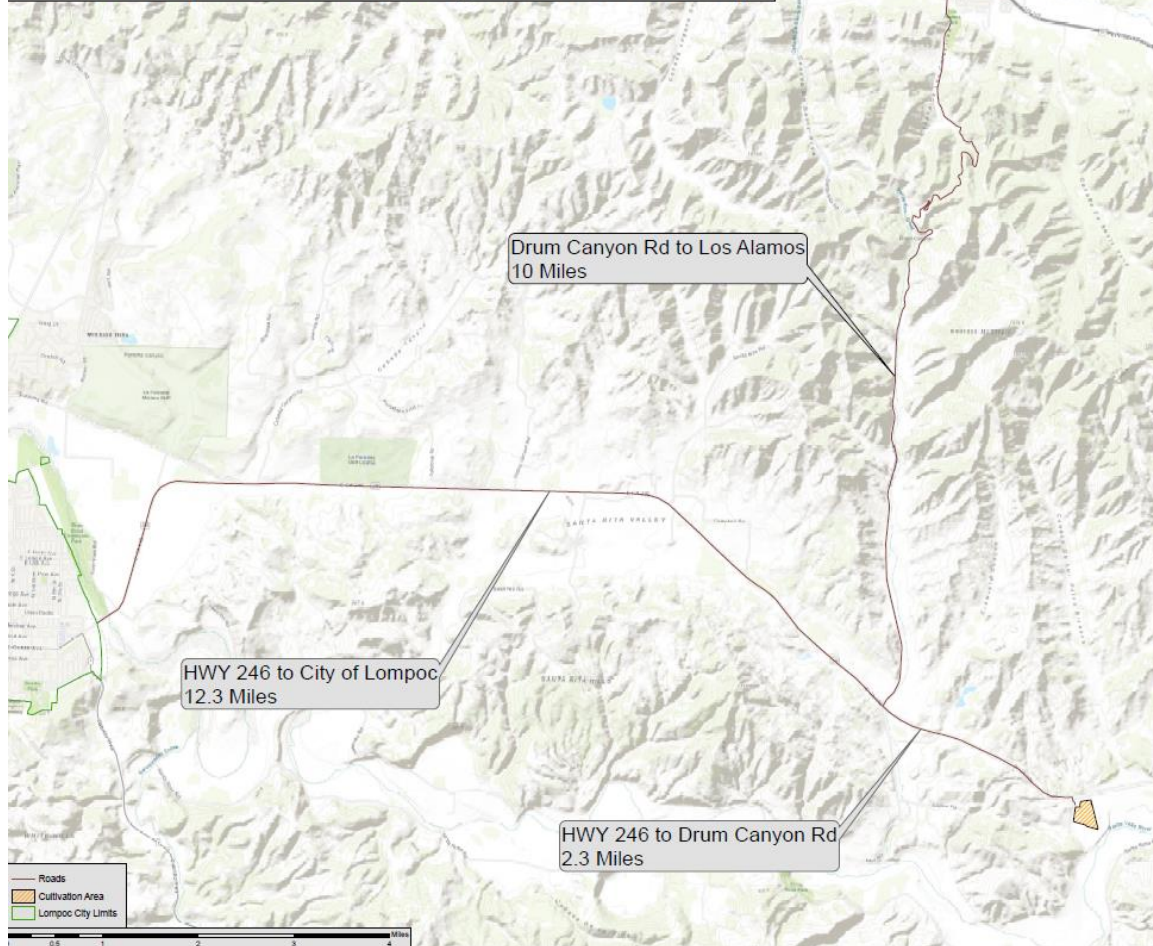


# Benefits of New Screening and Landscaping Plan

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- Improves the rural and scenic character of the property
- Creates a bucolic visual aesthetic along Highway 246
- Establishes more significant visual barriers to the cannabis cultivation
- Potentially reduces odor drifts off the property

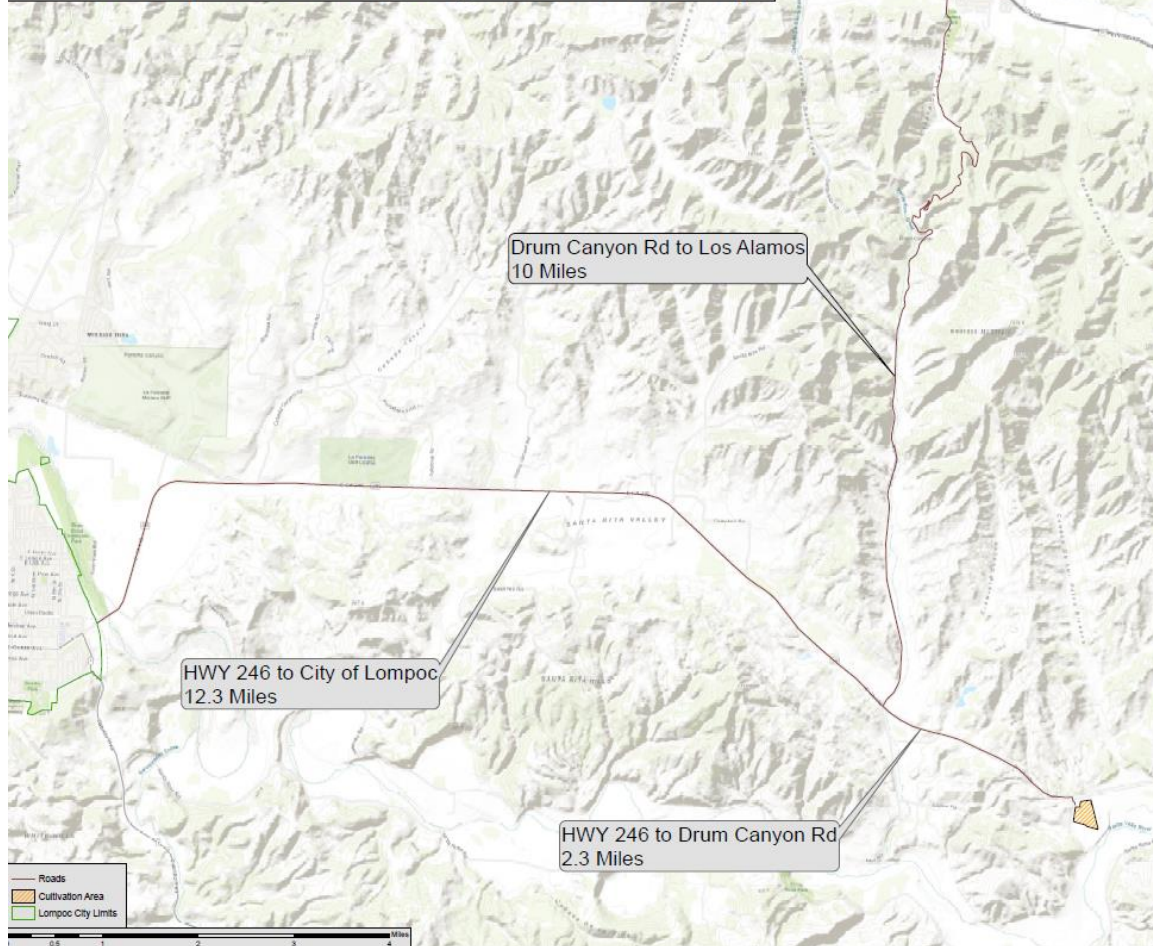
## Site Transportation Management Plan Map



## Transportation Plan Meets County Standards

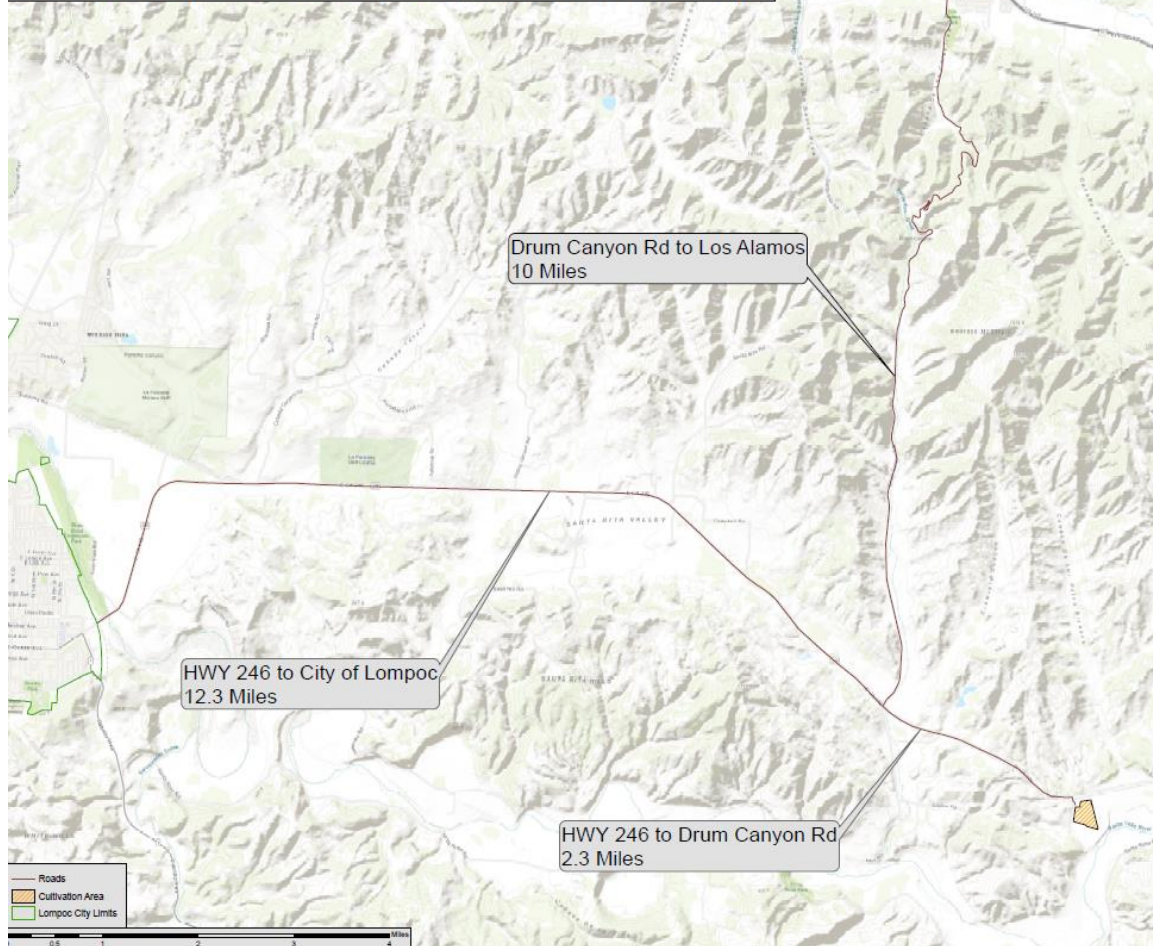
- SRVAG will grow either two crops of autoflower or a crop of autoflower and a crop of full-term plants each year. Harvest periods will generate the most transportation demand.
- Cannabis harvest is two times a year
- Harvest periods will last approximately three weeks.
- Harvest periods will employ 40-50 people. Non-harvest periods 4-5 people. Most workers will travel to the site by van pool.

## Site Transportation Management Plan Map



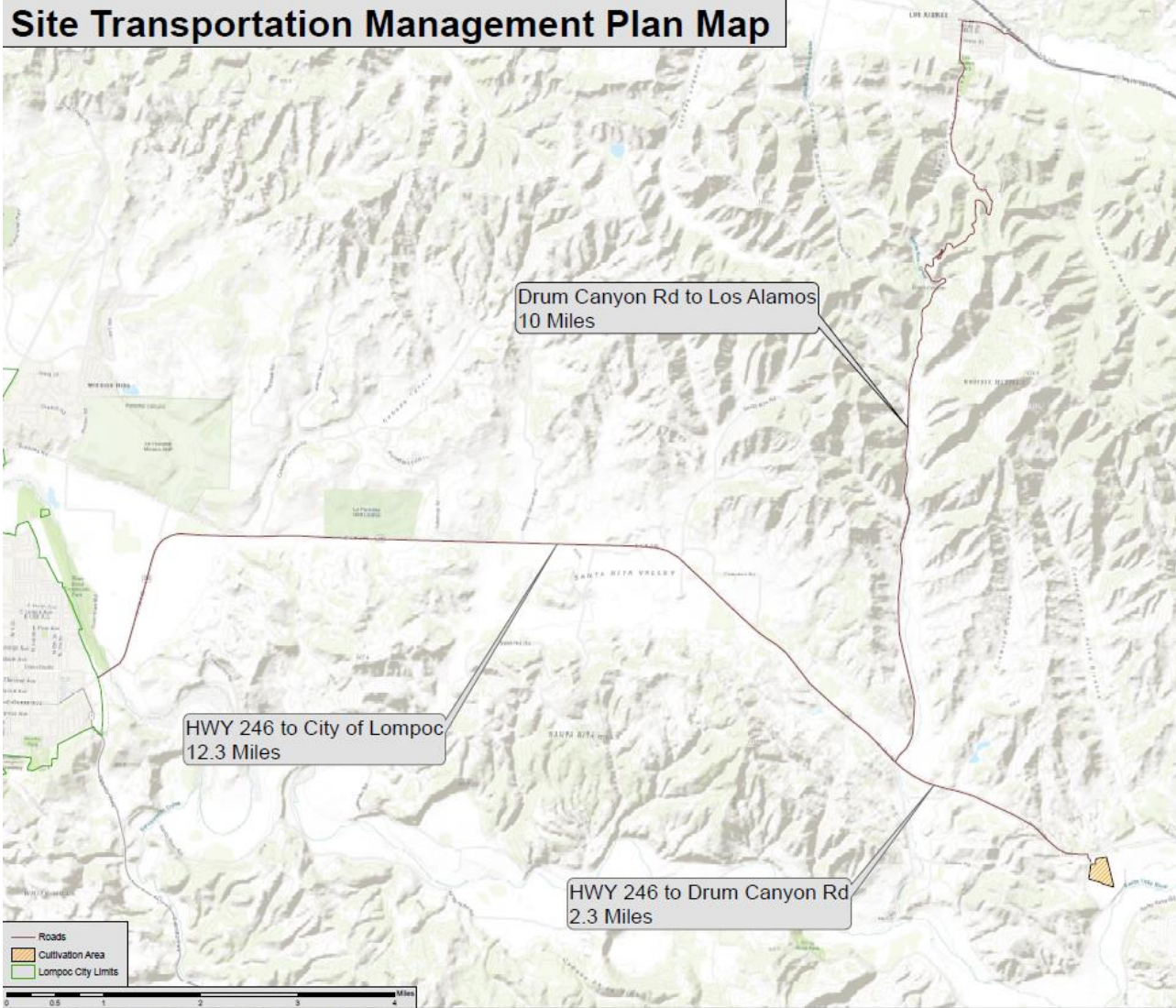
- Most seasonal workers will likely be from the County.
- Expected Normal/Harvest Hours of Operation: 6 AM - 6 PM
- Workdays: Monday through Saturday
- Two to three security personnel will monitor the property 24-hour/7 days per week for approximately 2 months prior to harvest and during harvest.

## Site Transportation Management Plan Map



- There will be no drying on site. All cannabis will ship wet to another licensed facility.
- SRVAG anticipates a maximum of 49 harvest trucks per cannabis harvest year via 53-foot enclosed trailers.
- Destination for crops will be determined by crop and market demand.
- Transportation routes include Highway 246, Drum Canyon Road, Highway 101.

## Site Transportation Management Plan Map



Cannabis will have less transportation impact than other crops

- Other agricultural crops on same property would require significantly more truck trips per harvest than the less than 50 truck loads per year for Cannabis:
  - ✓ 75 trucks per year for Broccoli
  - ✓ 300 trucks for Cabbage
  - ✓ 81 trucks for Hemp



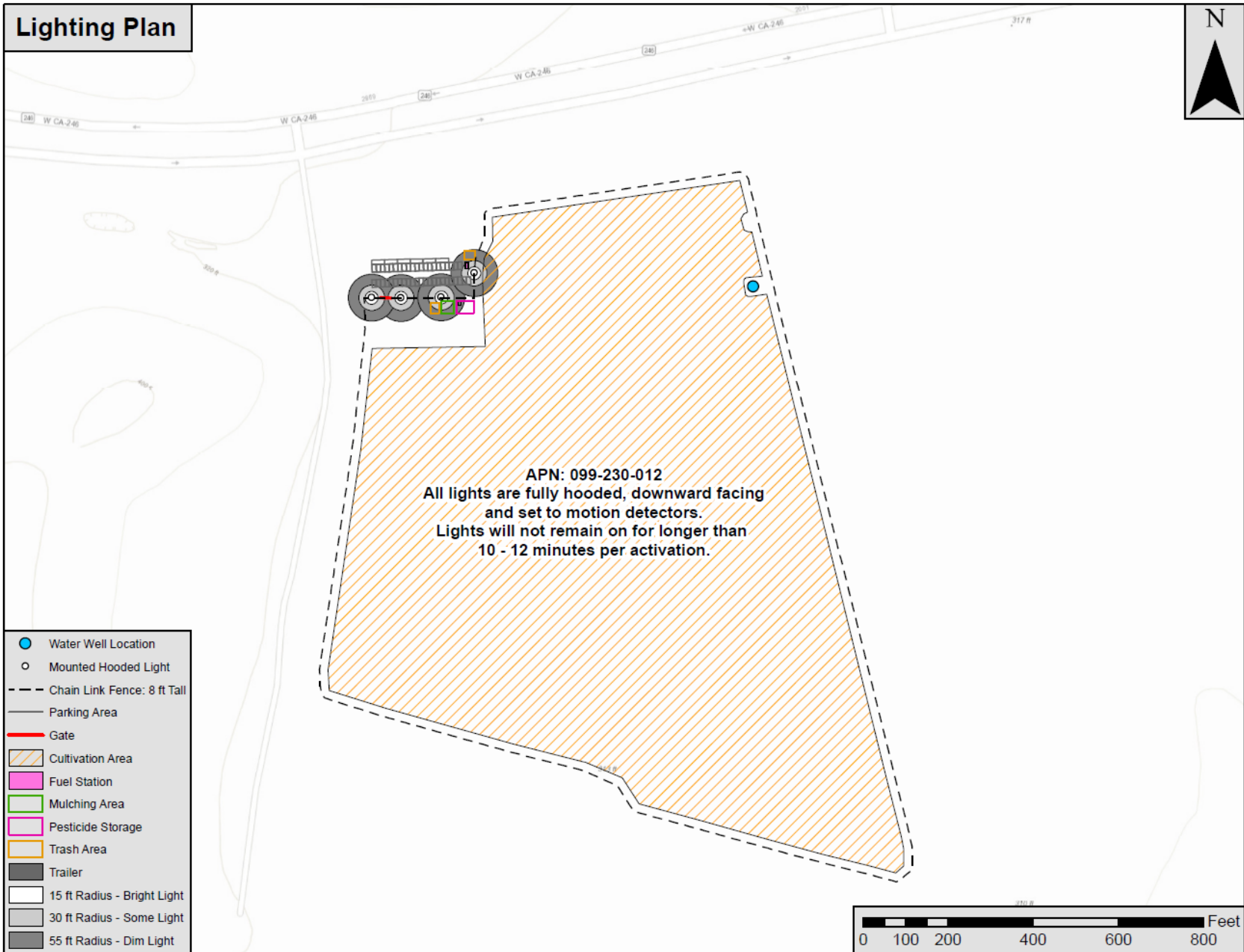
# Lighting Plan Meets County Standards

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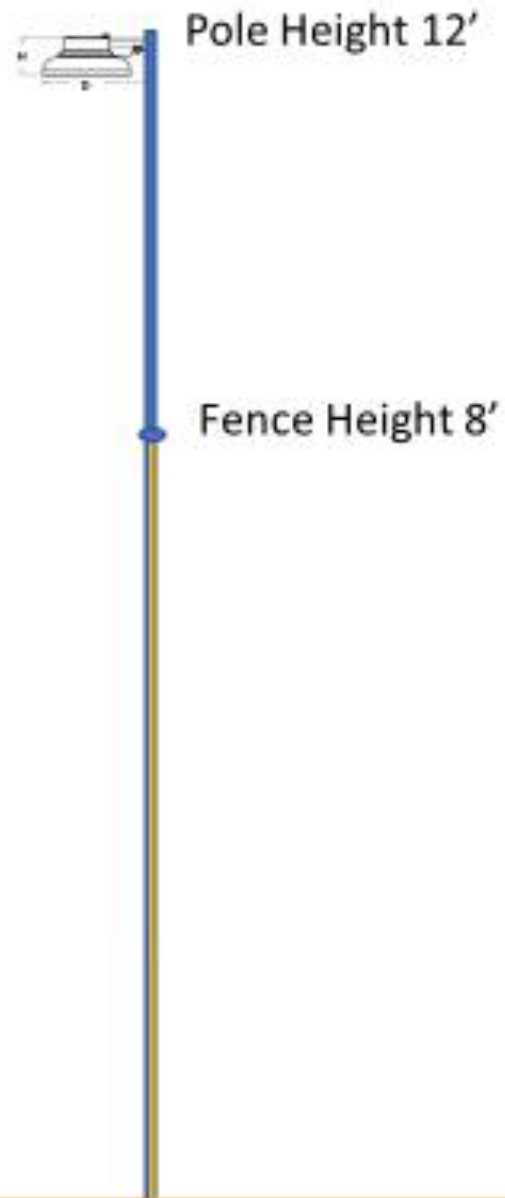
## Four lights total

- Fully hooded
- Motion-sensor
- Mounted near entry gate only

# Lighting Plan



All lights are fully hooded, downward facing and set to motion detectors.



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<b>Light Coverage Area</b>	Large area (+5000 sq. ft.)
<b>Volts</b>	120
<b>Number of Light Heads</b>	1
<b>Type</b>	Area light
<b>Bulb(s) Included</b>	✓
<b>Bulb Type</b>	Integrated LED
<b>Light Bulb Base Type</b>	LED
<b>Recommended Light Bulb Shape</b>	LED
<b>Color Temperature (Kelvins)</b>	4000
<b>Power Source</b>	Hardwired
<b>Material</b>	Aluminum
<b>Height (Inches)</b>	5.25
<b>Width (Inches)</b>	11
<b>Depth (Inches)</b>	13.5

<b>Weight (lbs.)</b>	2.45
<b>Manufacturer Color/Finish</b>	Gray
<b>Fixture Color Family</b>	Gray
<b>Fixture Finish</b>	Matte
<b>Wattage</b>	31
<b>Wattage Equivalent</b>	100
<b>UL Safety Listing</b>	✓
<b>CSA Safety Listing</b>	×
<b>ETL Safety Listing</b>	×
<b>ENERGY STAR Certified</b>	✓
<b>Lowe's Exclusive</b>	×
<b>Warranty</b>	5-year limited

# Fencing Plan Meets Code Requirements

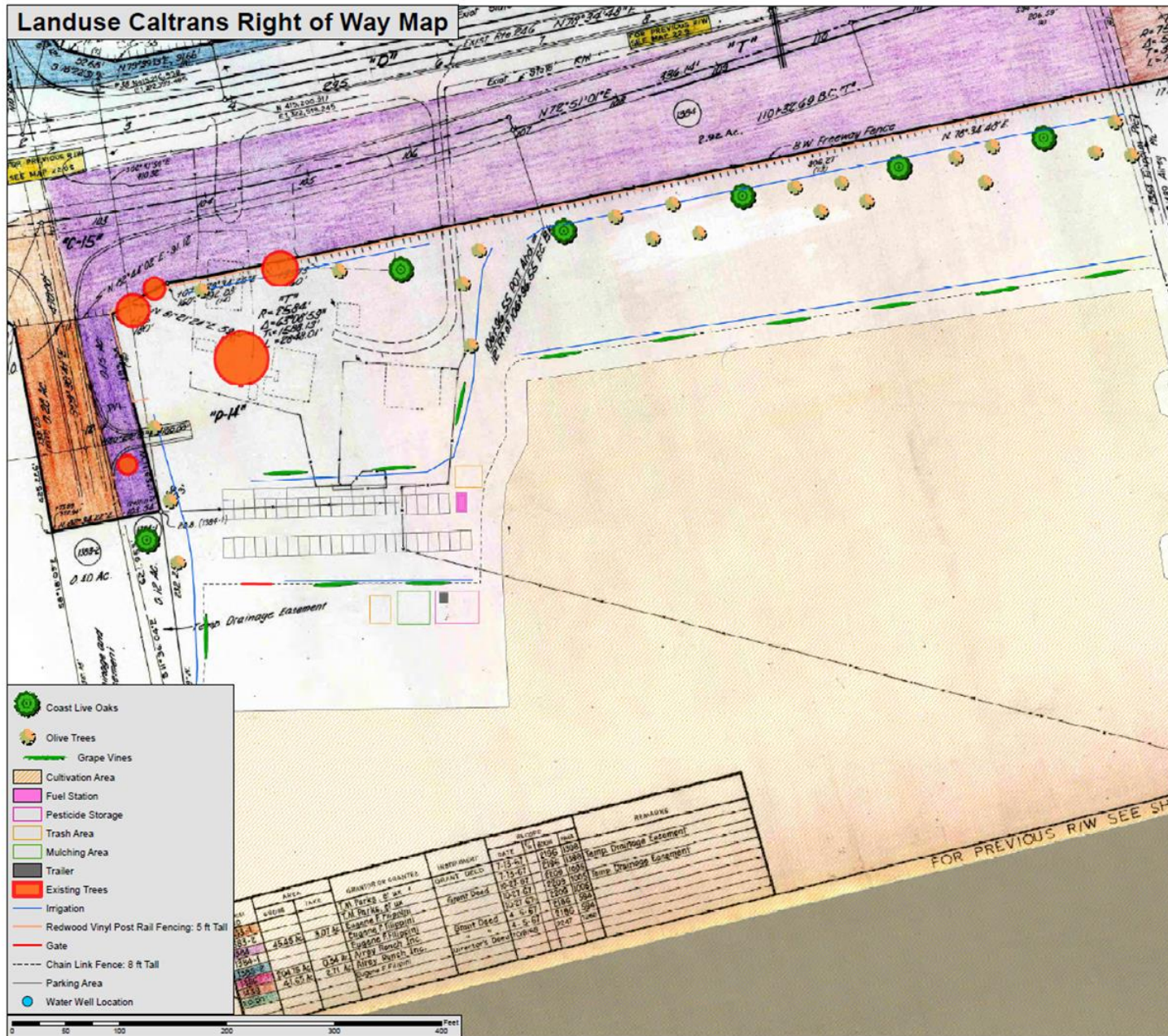
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- 8-foot chain link fence surrounding the project area
- 20-foot locked gate
- Horse rail fencing along Highway 246 frontage entrance

# Fencing Plan



# Landuse Caltrans Right of Way Map



## Santa Rita Valley AG Landuse Caltrans Right of Way Map

7680 W Hwy 246, Buellton, CA  
 Santa Barbara County  
 Owner: Sebastiano Sterpa  
 APN: 099-230-012

Township: 6N, Range 32W  
 Parcel Size: 42.5 Acres  
 Lease Size: 37 Acres  
 Cultivation Area: 32 Acres

### Description

The larger of the existing trees were present prior to the creation of the easement. These trees were not among the vegetation and structures that were removed because of the easement.

### Air Photo From 1961



### Regional Map



Santa Rita Valley AG, Landuse Caltrans Right of Way Map  
 7680 W Hwy 246  
 Buellton, CA

