

# Melville et al. Appeal of the SFS Farms OpCo 1, LLC. Cannabis Cultivation Project

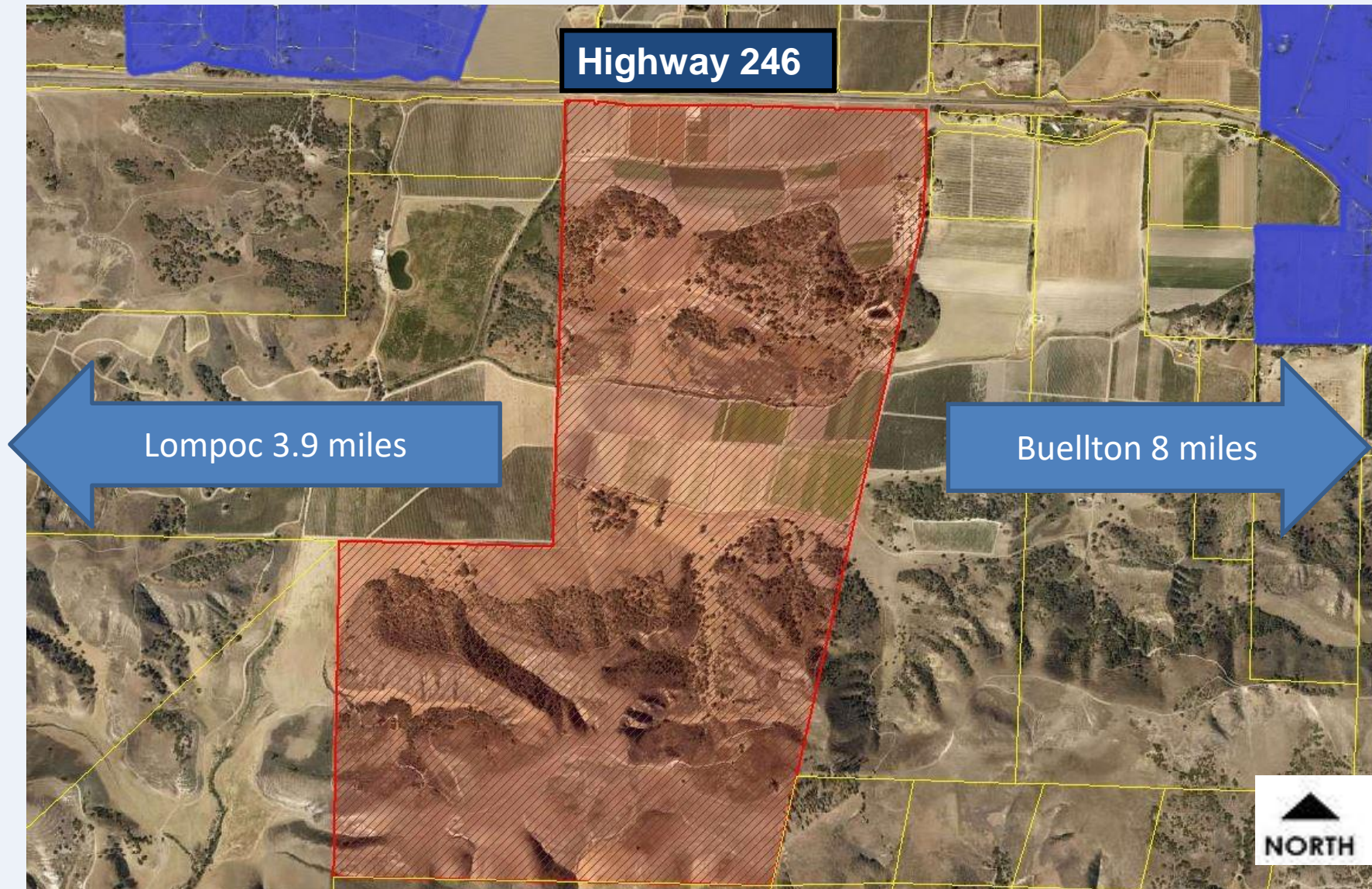
Case No(s). 21APL-00000-00012 and  
19LUP-00000-00312

Santa Barbara County Board of Supervisors  
June 22, 2021



County of Santa Barbara  
Planning and Development  
Dara Elkurdi

# Vicinity Map



# Project Timeline

- **September 10, 2020:** Land Use Permit approval
- **September 18, 2020:** Appeal filed
- **February 3, 2021:** Planning Commission approval
- **February 11, 2021:** Appeal filed

# Project Description

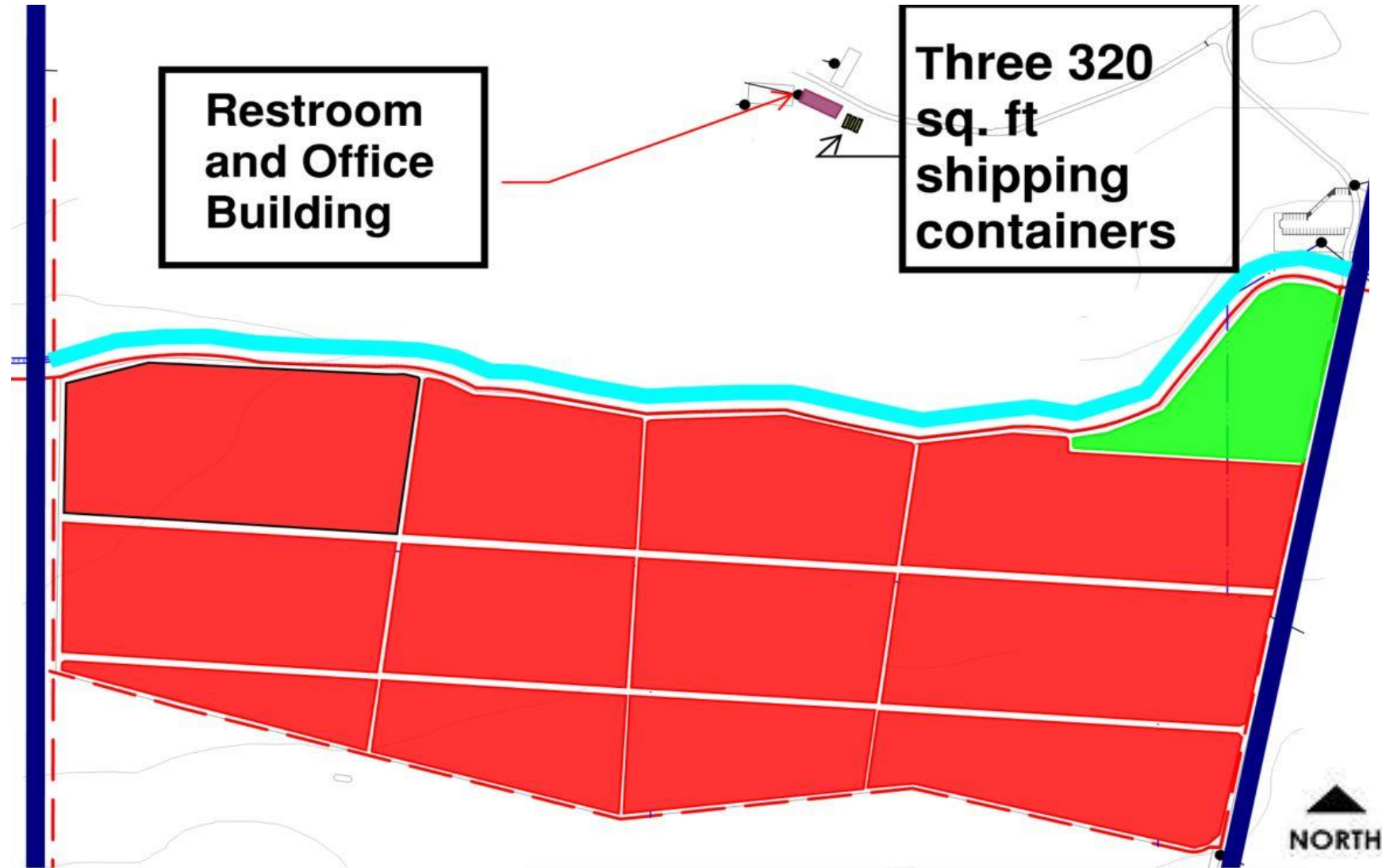
- Validate two as-built 320 sq. foot shipping containers to be used for irrigation equipment and fertilizer storage
- One new 320 sq. foot shipping container for additional storage
- 86.8-acre commercial cannabis cultivation operation
  - 82.62 acres of outdoor cannabis cultivation (no hoops)
  - 4.18 acres of nursery cultivation (no hoops)
- A proposed 200 sq. foot office and restroom within an existing 4,800 sq. foot barn
- Installation of fencing, lighting and gates
- 9 full time employees and up to 100 seasonal employees during harvest

# Site Plan

APN#: 099-150-065  
PROPERTY



# Site Plan



# Appeal Issues Raised

## 1. Issue:

There is an overconcentration of cannabis cultivation projects proposed in the Santa Rita Hills area.

## Response

- PEIR evaluated cumulative impacts of the Cannabis program
- PEIR identified the Lompoc region as an area of potential concentration
- The Project was adequately evaluated under the Cannabis Program PEIR and CEQA Section 15168

# Appeal Issues Raised

## 2. Issue:

The Project is inconsistent with Goal 1 and Policy 1.E of the Agricultural Element of the County Comprehensive Plan.

## Response:

- The Project will continue crop cultivation on the subject property
- No other non-agricultural uses are nearby
- The nearest residential zone is 0.25 miles from the subject property
- The Project is conditioned to minimize effects of noise, smoke, and dust



# Appeal Issues Raised

## 3. Issue:

Three issues related to the Project's non-compliance with the Williamson Act:

- A. Lack of a compatibility review by APAC
- B. Changes to the project description warrant APAC re-review
- C. Amendments to the Uniform Rules warrants additional environmental review

## Response:

- Project was reviewed by APAC and found to be consistent with the Uniform Rules
- The PEIR anticipated amendments to the Uniform Rules
- Cannabis is considered an agricultural use pursuant to the Uniform Rules

# Appeal Issues Raised

## 4. Issue:

Three issues related to the Project's non-compliance with CEQA:

- A. Use of the CEQA Checklist is flawed
- B. Amendments to the Uniform Rules undermine the adequacy of the PEIR
- C. PEIR's lack of analysis of impacts of cannabis odors on tourism and tasting rooms

## Response:

- The Project was adequately analyzed under CEQA
- APAC does not make decisions on Land Use Permits and the PEIR anticipated changes to the Uniform Rules
- Presence of tasting rooms was known at the time the PEIR was certified

# Appeal Issues Raised

## 5. Issue:

The Project will substantially impact adjacent agriculture due to pesticide migration

## Response:

- State and federal laws do not allow pesticide drift onto non-target property
- Regulatory framework governing
- Pesticide drift is not considered an environmental impact

# Appeal Issues Raised

## 6. Issue:

Terpenes resulting from the Project may taint the Appellant's wine grapes which requires additional environmental review and an independent research project on the impacts of cannabis terpenes

## Response

- Lack of evidence that cannabis terpenes impact quality and marketability of other crops
- Terpenes are considered to be biogenic volatile organic compounds (VOCs)
- Biogenic VOCs produced by cannabis as well as other plants such as roses, orange trees, rosemary, and oak trees

# Recommended Actions

1. Deny the appeal, Case No. 21APL-00000-00012
2. Make the required findings for approval of the Proposed Project as specified in Attachment 1 of this Board Agenda Letter, including California Environmental Quality Act (CEQA) findings
3. Determine that the previously certified Programmatic Environmental Impact Report (PEIR) (17EIR-00000-00003) is adequate and no subsequent environmental review is required pursuant to CEQA Guidelines 15162 and 15168(c) (Attachment 3 and Attachment 4)
4. Grant *de novo* approval of the Proposed Project, Case No. 19LUP-00000-00312 subject to the conditions included as Attachment 2 in the Board Agenda Letter