

LAW OFFICE OF MARC CHYTILO, APC  
A PROFESSIONAL CORPORATION



#7

ENVIRONMENTAL LAW

May 4, 2020

Santa Barbara County Board of Supervisors  
105 E. Anapamu Street  
Santa Barbara, California 93101

*By email to sbcob@co.santa-barbara.ca.us*

**RE: Santa Rita Valley Ag., Inc. Cannabis Cultivation Project  
19APL-000000-00032, Item # 7, May 5, 2020**

*Chair Hart and Honorable Supervisors,*

This office represents the Appellant in this matter.

We continue to believe the appeal should be approved and the project denied on its merits, amplified by the recently discovered lack of a lease to use the land in question and the withdrawal of the applicant's agent and indemnification. If, however, the Board considers withdrawing the hearing based on the new information, we ask that the Board direct staff to request that the new information be provided promptly, and set a trigger for the expiration of this application in accordance with the LUDC-imposed 90 day deadline to submit the missing information.

Under the LUDC, the Director is to inform the applicant of incompleteness and inadequacies in the permit application. LUDC § 35.80.050.B.1. The Staff Memo recommending withdrawal of the hearing on the basis of the lease expiration and absence of agent authorization and indemnification is tantamount to an incompleteness determination.

**The applicant must not be allowed to let their application remain on hold indefinitely**, and the Board should direct the Applicant to produce an effective lease, agent authorization and indemnification agreement for this Project within 90 days. § 35.80.050.B.4.a. The Planning Director is authorized to grant a single additional 90 day extension. § 35.80.050.B.4.b. If no extension is requested or granted, the application will expire in 90 days, and if it is, in 180 days.

The Appellant requests this Project not be put on hold indefinitely. If the applicant is unable to submit a complete application in 90 days, the application should expire. § 35.80.050.B.4. With no lease, agent authorization or valid county indemnification agreement, the project cannot be processed. An indefinite suspension of this project is unfair to Appellant, surrounding Landowners, to other cannabis applicants, and adds another burden to the County's overextended planning staff.

LAW OFFICE OF MARC CHYTILO, APC

Marc Chytilo

CC: Planning Staff

May 1, 2020

Chairman Hart  
Santa Barbara County  
105 E. Anapamu Street  
Santa Barbara, California 93101

Re: 7860 West Highway 246, APN 099-230-012

I am the owner of the Property at 7680 West Highway 246 (the "Property").

At one time I entered into a term lease to a group of individuals purportedly organized as Santa Rita Valley Ag., Inc. for a proposed cannabis cultivation project on the Property.

That lease expired and is no longer effective. There is no lease for Santa Rita Valley Ag., Inc. or anyone else to use the Property in any way.

Any and all Agent Authorizations pursuant to that lease and the proposed cannabis cultivation project are hereby terminated, withdrawn and revoked.

Any and all authorizations for indemnification for the use, entitlement or development of the Property, including specifically indemnification of the County as a part of the proposed cannabis cultivation project, are hereby terminated, withdrawn and revoked.

  
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CC: Jennifer Richardson, Esq., Santa Barbara County Counsel  
Douglas Fell, Esq.