



County of Santa Barbara BOARD OF SUPERVISORS

Minute Order

April 21, 2020

Present: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

PLANNING AND DEVELOPMENT

File Reference No. 20-00274

RE: HEARING - Consider recommendations regarding Santa Barbara West Coast Farms, LLC Cannabis Cultivation Appeal, Case No. 19APL-00000-00036, Third District, as follows: (EST. TIME: 3 HR.)

If your Board wishes to affirm the Planning Commission's denial of the revised project, staff recommends that your Board take the following actions:

- a) Deny the Appeal, Case No. 19APL-00000-00036;
- b) Make the required findings, including California Environmental Quality Act (CEQA) findings, for denial of the revised project, Case No. 19LUP 00000-00064;
- c) Determine that denial of the revised project is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(5) and State CEQA Guidelines Sections 15061(b)(4) and 15270(a); and
- d) Deny de novo the revised project, Case No. 19LUP-00000-00064; or

Alternatively, if your Board wishes to uphold the appeal, reverse the Planning Commission's denial, and approve the revised project, staff recommends that you take the following actions:

- a) Uphold the appeal, Case No. 19APL-00000-00036;
- b) Make the required findings, including CEQA findings, for approval of the revised project, Case No. 19LUP-00000-00064;
- c) Determine that the previously certified PEIR (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2); and
- d) Grant de novo approval of the revised project, Case No. 19LUP-00000-00064, subject to the conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY



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HEARING TIME: 11:26 AM - 3:20 PM (3 HR. 54 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be acted on as follows:

Accepted into the record the following letters:

Letter dated April 20, 2020 from David Lafond

Letter dated April 20, 2020 from Dianne Pence

Letter dated April 17, 2020 from Dianne Pence

PowerPoint Presentation dated April 20, 2020 from Marc Chytilo

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino



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- a) Deny the Appeal, Case No. 19APL-00000-00036;
- b) Make the required findings, including California Environmental Quality Act (CEQA) findings, for denial of the revised project, Case No. 19LUP 00000-00064;
- c) Determine that denial of the revised project is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(5) and State CEQA Guidelines Sections 15061(b)(4) and 15270(a); and
- d) Deny de novo the revised project, Case No. 19LUP-00000-00064; or

Alternatively, if your Board wishes to uphold the appeal, reverse the Planning Commission's denial, and approve the revised project, staff recommends that you take the following actions:

- a) Uphold the appeal, Case No. 19APL-00000-00036;
- b) Make the required findings, including CEQA findings, for approval of the revised project, Case No. 19LUP-00000-00064;
- c) Determine that the previously certified PEIR (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2); and
- d) Grant de novo approval of the revised project, Case No. 19LUP-00000-00064, subject to the conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY



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A motion was made by Supervisor Hartmann, seconded by Supervisor Adam, that this matter be acted on as follows:

- a) Denied the appeal, Case No. 19-APL-00000-00036;
- b) Adopted required findings including CEQA findings, for denial of the revised project, Case No. 19LUP-00000-00064;
- c) Approved; and
- d) Denied de novo the revised project, Case No. 19LUP-00000-00064.

The motion failed by the following vote:

Ayes: 2 - Supervisor Hartmann, and Supervisor Adam

Noes: 3 - Supervisor Williams, Supervisor Hart, and Supervisor Lavagnino



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- a) Deny the Appeal, Case No. 19APL-00000-00036;
- b) Make the required findings, including California Environmental Quality Act (CEQA) findings, for denial of the revised project, Case No. 19LUP 00000-00064;
- c) Determine that denial of the revised project is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(5) and State CEQA Guidelines Sections 15061(b)(4) and 15270(a); and
- d) Deny de novo the revised project, Case No. 19LUP-00000-00064; or

Alternatively, if your Board wishes to uphold the appeal, reverse the Planning Commission's denial, and approve the revised project, staff recommends that you take the following actions:

- a) Uphold the appeal, Case No. 19APL-00000-00036;
- b) Make the required findings, including CEQA findings, for approval of the revised project, Case No. 19LUP-00000-00064;
- c) Determine that the previously certified PEIR (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2); and
- d) Grant de novo approval of the revised project, Case No. 19LUP-00000-00064, subject to the conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY



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A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be acted on as follows:

- a) Upheld the appeal, Case No. 19APL-00000-00036;
- b) Adopted required findings including CEQA findings, for approval of the revised project, Case No. 19LUP-00000-00064;
- c) Approved; and
- d) Granted de novo approval of the revised project, case No. 19LUP-00000-00064, subject to the conditions of approval.

The motion carried by the following vote:

Ayes: 3 - Supervisor Williams, Supervisor Hart, and Supervisor Lavagnino

Noes: 2 - Supervisor Hartmann, and Supervisor Adam