

Katherine Douglas

Public Comment

A-84



From: Kathryn Lohmeyer Rohrer <lohrohrer@gmail.com>
Sent: Monday, December 2, 2024 3:08 PM
To: sbcob
Subject: Public comment re `12/03/2024 Agenda Item A-84 - Reappointment of John Parke to Planning Commission
Attachments: IMG_6455.jpg

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Please circulate to the Board.

Re **12/03/2024 Agenda Item A-84** - Reappointment of John Parke to Planning Commission

Honorable Supervisors:

I write regarding an "advisory committee" that it appears was formed by Planning Commissioner John Parke in connection with the Agricultural Enterprise Ordinance (AEO), but I have not been able to locate any public record or acknowledgement of said committee.

As you can see from the below email correspondence, I have been trying to understand the nature and composition/membership of the committee, which I understand included at least the following members at various points:

- Kathy Rosenthal and Jessical Schley (realtor) of WE Watch,
- Mary Heyden (Chamberlin Ranch), and
- Chip Wullbrandt (attorney).

Commissioner Parke has not responded, but it appears that my inquiry might relate to "work that John and Roy were doing on the side." Planning & Development staff has been able to confirm only that the committee/group was not part of the AAC and that no such committee or group was created or staffed by Planning & Development staff.

At present, I am not sure of what the committee was, how it was formed, or which individuals were selected to serve on it (i.e., were all members AEO proponents or their representatives, or was the membership a mix of residents on parcels abutting AG-II/AEO parcels and AEO proponents?); and I am wondering whether it is possible to make a determination about whether communications were handled in line with applicable rules and procedures.

I make this inquiry because I have not been able to locate a record of a meeting or another public record disclosing the existence and membership of the committee, but I admit that the public record is large and I continue to search.

Although I have seen some of individuals believed to have served on this "advisory committee" make public comments in support of the AEO as drafted -- either on their own behalf (e.g., Mary Heyden for Chamberlin Ranch) or on behalf of clients with an interest in the AEO (e.g., Chip Wullbradt), I have not seen/heard either

Commissioner Parke of any of the public speakers disclose during a PC hearing on the AEO whatever communication was had about the AEO outside of public meetings between those (or other) committee members and Commissioner Parke.

I appreciate that it is *entirely* possible that, whatever this committee was/is, it was properly formed by Commissioner Parke and that there were no interactions that constitute *ex parte* communications.

Thank you for your consideration of my inquiry. Sincerely, Kathryn Rohrer

[MPC Recusal: Miramar and the 18 Pages Heard Around the Room](#) and PC procedures manual @ [County Planning Commission | Santa Barbara County, CA - Official Website](#)

13. CONCEPTUAL REVIEW

STANDARD AGENDA:

B. Procedure for Conduct of Public Hearings

1. The Recording Secretary announces the agenda item to be heard and reads the request from the agenda.
2. The Chair asks Commissioners as to site visitation and *ex parte* receipt of any evidence from the applicant or other interested party. A member who has received evidence outside of a hearing or has viewed the subject property, or is familiar with the subject property, shall fully disclose at the hearing such evidence and observations and familiarity with the property so that the applicant, opponent, interested persons and other members of the decision-making body may be aware of the facts or evidence upon which the member is relying and have an opportunity to controvert them. All written evidence received outside of the hearing shall be filed with the Recording Secretary, distributed to the other members, and be included in the record if filed in a timely manner.

Updated 2/19/2024

County Land Use Issues

Agricultural Tourism and the County's Agricultural Enterprise Ordinance (AEO).

WE Watch has been involved with agricultural tourism issues since we sponsored two discussion meetings on Agricultural Tourism in June 2019 and January 2020 with John Parke, 3rd District Planning Commissioner, moderating. After these meetings, Commissioner Parke formed an Advisory Committee with two WE Watch members, Jessica Schley and Kathy Rosenthal, on it. This group was instrumental in bringing ideas generated earlier to the stage where they could be incorporated into an ordinance. County staff had been working on an Agricultural Tiered Permitting Ordinance and a Farmstay Ordinance for some time.

In 2021 staff began working on an Agricultural Enterprise Ordinance (AEO) and its scoping for a Program EIR with the Farmstay ordinance incorporated into it. WE Watch followed development of the Ordinance closely, commenting in 2021, 2022, 2023 and 2024 as work progressed on the ordinance itself and the EIR draft was released. On August 28, 2024, the County Planning Commission voted on its final changes to the AEO and sent its recommendations to the Board of Supervisors for its required review and potential final adoption.

WE Watch has continually advocated for protection of neighboring residences as well as neighboring agricultural lands and for smaller AEO projects during this exploratory period of implementing the Ordinance. We have supported many of the increasingly specific recommendations of the County's Agricultural Advisory Committee.

It states clearly in the ordinance that agriculture must be the primary use with ordinance uses being subordinate. These terms still need to be specifically defined, as requested by WE Watch and others.

Row crop growers have been concerned about setbacks. John Parke, to deal with this issue, proposed overlays for the Lompoc and Santa Maria Valleys, the areas with the most extensive row crop production. The AG-11 row crop sites in our Valley did not ask for the protection.

But many of the Ordinance uses will be extensively tried in the Santa Ynez Valley. The following lists outline the parameters of the Ordinance.

A. Rural Recreational Uses – AG II except for #7.

1. Small-scale campground
2. Farmstays
3. Educational Experience – Tours, Ag technical training, Workshops & Experiences
4. Fishing
5. Hunting (already allowed on AG-II under state regulations)
6. Horseback riding

----- Forwarded message -----

From: Harris, Julie <jharris@countyofsb.org>

Date: Mon, Dec 2, 2024 at 9:38 AM

Subject: RE: follow-up re AEO Advisory group

To: Kathryn Lohmeyer Rohrer <lohrohrer@gmail.com>

Good Morning,

You can find more information about the PC on its website, including a link to the PC procedures manual.

[County Planning Commission | Santa Barbara County, CA - Official Website](#)

And I believe it is Chapter 2 of the County Code that establishes the PC.

[Code of Ordinances | Santa Barbara County, CA | Municode Library](#)



Julie L. Harris

Senior Planner

Long Range Planning Division

Planning & Development Department

123 E. Anapamu St.

Santa Barbara, CA 93101

805-568-3543

jharris@countyofsb.org

<https://www.countyofsb.org/160/Planning-Development>

*The County's Planning & Development Department offices will be closed on Nov. 28th and 29th in observance of Thanksgiving. Building and Planning Counters will be closed at noon on Wednesday, Nov. 27 and all day Tuesday, Dec. 24th. Offices will be closed from Wednesday, Dec. 25, 2024 through Wednesday, Jan. 1, 2025 in observance of the County's holiday closure. **Note: Accela permit applications will not be accepted during the holiday closure.** Please submit applications through Accela no later than 5 p.m. on Monday, Dec. 23, 2024. Accela will resume accepting applications on Jan. 2, 2025 at 8 a.m.*

From: Kathryn Lohmeyer Rohrer <lohrohrer@gmail.com>
Sent: Thursday, November 28, 2024 9:28 PM
To: Harris, Julie <jharris@countyofsb.org>
Cc: Villalobos, David <dvillalo@countyofsb.org>; Lackie, David <DLackie@countyofsb.org>
Subject: Re: follow-up re AEO Advisory group

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Ms. Harris --

Got it.

Are you able to provide (or direct me to someone who can provide) information on where I can find any Ethics Rules adopted by or otherwise applicable to the Planning Commission?

Thank you for your time and assistance. Sincerely, Kathryn

On Tue, Nov 26, 2024 at 4:07 PM Harris, Julie <jharris@countyofsb.org> wrote:

Hello Ms. Rohrer:

There's not much more I can add to what I've said before. You might want to look at the EIR, which sums up the public outreach efforts during development of the draft project description prior to environmental review. Please see Chapter 1. Introduction. Perhaps what you're looking for can be found there.

<https://cosantabarbara.box.com/s/k86vlnnhh934a6fk7461yczb892e7ll> (Link to Final EIR)

I hope you have a nice Thanksgiving.

Best,



Julie L. Harris

Senior Planner

Long Range Planning Division

Planning & Development Department

123 E. Anapamu St.

Santa Barbara, CA 93101

805-568-3543

jharris@countyofsb.org

<https://www.countyofsb.org/160/Planning-Development>

*The County's Planning & Development Department offices will be closed on Nov. 28th and 29th in observance of Thanksgiving. Building and Planning Counters will be closed at noon on Wednesday, Nov. 27 and all day Tuesday, Dec. 24th. Offices will be closed from Wednesday, Dec. 25, 2024 through Wednesday, Jan. 1, 2025 in observance of the County's holiday closure. **Note: Accela permit applications will not be accepted during the holiday closure.** Please submit applications through Accela no later than 5 p.m. on Monday, Dec. 23, 2024. Accela will resume accepting applications on Jan. 2, 2025 at 8 a.m.*

From: Kathryn Lohmeyer Rohrer <lohrohrer@gmail.com>

Sent: Friday, November 22, 2024 11:00 AM

To: Harris, Julie <jharris@countyofsb.org>

Cc: Villalobos, David <dvillalo@countyofsb.org>; Lackie, David <DLackie@countyofsb.org>

Subject: follow-up re AEO Advisory group

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

My apologies for the typos in my last email to you (yesterday morning). I think it is due, at least in part, to typing with my thumbs and on the go.

It is not at all my intention to pester you about this matter, but I would like to know if you think you will be able to respond. If not, I would appreciate your guidance on the correct person/department to contact for information about this advisory group/panel/subcommittee if it existed.

CORRECTED TEXT:

I am so sorry. I am afraid I do not understand.

Is it that the the advisory group not exist (i.e. WE Watch info is incorrect), or was it formed/functioning in an advisory capacity on the AEO outside of Commissioner Parke's official capacity as a Planning Commissioner — or is there another explanation that I'm just not grasping?

Thank you, again, for your time and help, Kathryn

On Thu, Nov 21, 2024 at 11:02 AM Kathryn Lohmeyer Rohrer <lohrohrer@gmail.com> wrote:

I am so sorry. I am afraid I do not understand.

Is it that the he advisory group not exist (i.e. WE Watch info is incorrect), or was it formed/functioning in an advisory capacity on a the AEO outside of Commissioner Parke's official capacity as a Planning Commissioner — or is there another explanation that I'm just not grasping?

Thank you, again, for your time and help, Kathryn

Kathryn Lohmeyer Rohrer

Sent from my iPhone

On Nov 21, 2024, at 10:55 AM, Harris, Julie <jharris@countyofsb.org> wrote:

Hi Ms.Rorher,

The group or committee you are referring to below in the We-Watch website(?) was not a Planning & Development Department committee or group that P&D staff created or staffed, and it was not part of the AAC.

Best,

Julie

<image001.png>

Julie L. Harris

Senior Planner

Long Range Planning Division

Planning & Development Department

123 E. Anapamu St.

Santa Barbara, CA 93101

805-568-3543

jharris@countyofsb.org

<https://www.countyofsb.org/160/Planning-Development>

The County's Planning & Development Department offices will be closed on Nov. 28th and 29th in observance of Thanksgiving. Building and Planning Counters will be closed at noon on Wednesday, Nov. 27 and all day Tuesday, Dec. 24th. Offices will be closed from Wednesday, Dec. 25, 2024 through Wednesday, Jan. 1, 2025 in observance of the County's holiday closure.

From: Kathryn Lohmeyer Rohrer <lohrohrer@gmail.com>

Sent: Wednesday, November 20, 2024 8:49 PM

To: Harris, Julie <jharris@countyofsb.org>

Cc: jhparke@icloud.com; Villalobos, David <dvillalo@countyofsb.org>; Lackie, David <DLackie@countyofsb.org>

Subject: Re: AEO Advisory Committee?

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

This might be helpful:

<image002.png>

From: <https://www.we-watch.org/focus/protect-our-valley/>

Kathryn Lohmeyer Rohrer

Sent from my iPhone

On Nov 20, 2024, at 7:50 PM, Kathryn Lohmeyer Rohrer <lohrohrer@gmail.com> wrote:

Ms. Harris,

Thank you for taking the time to respond to my inquiry.

I know what the AAC is, and I don't think that's what I'm looking for.

I have looked through the record and public comments from when the AEO was before the Planning Commission, and I have not been able to locate records of the formation or membership of the group to which I am referring.

I'm looking for information about an AEO advisory group or panel that likely was formed relatively early on in the process, for which Commissioner Parke initially selected Jessica Schley and at some point added other members that included Mary Hayden and Kathy Rosenthal, among others.

It doesn't seem like it was a group formed as an AAC subcommittee, but I haven't been able to find any information about this advisory group (or even the right name for it) in my review of the Planning Commission record. Of course,

my review consists of opening and skimming every document in the record in hopes of spotting a reference to this group, its role, or its members.

I could, of course, have this wrong, and I am happy to go to the AAC if Commissioner Parke did not have, or facilitate formation of, a group that fits this description.

If it was/is not an AAC subcommittee, is there, perhaps, an option that makes the PC record searchable so that I can search for relevant records within the record of AEO proceedings, or would it make more sense for me to submit a Public Records Act request?

I greatly appreciate your time and assistance.

Sincerely, Kathryn

Kathryn Lohmeyer Rohrer

Sent from my iPhone

On Nov 20, 2024, at 9:48 AM, Harris, Julie <jharris@countyofsb.org> wrote:

Good Morning Ms. Rohrer:

There is/was no AEO Advisory Committee formed during the Planning Commission hearings. What you may be thinking of is an ad-hoc subcommittee of the Agricultural Advisory Committee (AAC), which the AAC selected to review and discuss the proposed AEO and provide feedback to the full AAC and the Planning Commission. The AAC meets only once a month.

The AAC is an advisory committee that provides advice to the Board of Supervisors, Planning Commission and County departments on matters related to agriculture. The AAC is administered by the Agricultural Commissioner's office, not the Planning and Development Department. You can find more information about the AAC on it's website: [Agricultural Advisory Committee | Santa Barbara County, CA - Official Website](#). The website also provides the AAC's agendas and minutes.

During its hearings, the Planning Commission directed staff to meet with the subcommittee to discuss the details of the AEO. The subcommittee's recommendations were shared with the full AAC and the Planning Commission at public hearings. Information regarding the subcommittee's work and the AAC's recommendations to the Commission are included in the public record of the Planning Commission's hearings (letters from the AAC to the Planning Commission are included in the public comments folders for several hearings, and initial subcommittee work was presented at the hearing of January 10, 2024, with additional information attached to a staff memo to the Planning Commission's February 14, 2024 hearing). You can find the full record of the Commission's hearings at its Box.com folder for August 28, 2024, which includes links to previous hearing materials: [County Planning Commission | Powered by Box](#).

Best Regards,

<image001.png>

Julie L. Harris

Senior Planner

Long Range Planning Division

Planning & Development Department

123 E. Anapamu St.

Santa Barbara, CA 93101

805-568-3543

jharris@countyofsb.org

<https://www.countyofsb.org/160/Planning-Development>

The County's Planning & Development Department offices will be closed on Nov. 28th and 29th in observance of Thanksgiving. Building and Planning Counters will be closed at noon on Wednesday, Nov. 27 and all day Tuesday, Dec. 24th. Offices will be closed from Wednesday, Dec. 25, 2024 through Wednesday, Jan. 1, 2025 in observance of the County's holiday closure.

From: Villalobos, David

Sent: Tuesday, November 19, 2024 10:49 AM

To: Lackie, David <Dlackie@countyofsb.org>; Harris, Julie <jharris@countyofsb.org>

Subject: FW: AEO Advisory Committee?

David, Julie,

Do you know what Kathryn is talking about? Maybe the work that John and Roy were doing on the side for it?

Thanks,

David

From: Kathryn Lohmeyer Rohrer <lohrohrer@gmail.com>

Sent: Tuesday, November 19, 2024 10:02 AM

To: Villalobos, David <dvillalo@countyofsb.org>

Cc: jhparke@icloud.com

Subject: AEO Advisory Committee?

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Good morning, Mr. Villalobos --

I have learned that there is (or was) an AEO Advisory Committee formed while the ordinance was at the Planning Commission, but I have not been able to locate any information about it online. Can you send me (or direct me to) information about the AEO Advisory Committee, its formation, and its membership.

Many thanks, Kathryn

--

Kathryn Lohmeyer Rohrer

--

Kathryn Lohmeyer Rohrer

--

Kathryn Lohmeyer Rohrer

--

Kathryn Lohmeyer Rohrer

13. CONCEPTUAL REVIEW

STANDARD AGENDA:

B. Procedure for Conduct of Public Hearings

1. The Recording Secretary announces the agenda item to be heard and reads the request from the agenda.
2. The Chair asks Commissioners as to site visitation and *ex parte* receipt of any evidence from the applicant or other interested party. A member who has received evidence outside of a hearing or has viewed the subject property, or is familiar with the subject property, shall fully disclose at the hearing such evidence and observations and familiarity with the property so that the applicant, opponent, interested persons and other members of the decision-making body may be aware of the facts or evidence upon which the member is relying and have an opportunity to controvert them. All written evidence received outside of the hearing shall be filed with the Recording Secretary, distributed to the other members, and be included in the record if filed in a timely manner.