



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Submitted on:
(COB Stamp)

Department Name: Planning & Development
Department No.: 053
Agenda Date: June 10, 2025
Placement: Set-Hearing
Estimated Time: 45 min. on July 1, 2025
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s): Lisa Plowman, Director, Planning and Development
Contact: Travis Seawards, Deputy Director, Planning and Development
SUBJECT: Set Hearing to Consider the Appeal of the County Planning Commission Approval of the G&K Farm/K&G Flower – Cannabis Processing Structure Design Review Project, Case Nos. 25APL-00008 and 19BAR-00000-00225, First Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

On June 10, 2025, set a hearing for July 1, 2025, to consider Case No. 25APL-00008, an appeal of the County Planning Commission's approval of the G&K Farm/K&G Flower – Cannabis Processing Structure Design Review Project (hereinafter Project), Case No. 19BAR-00000-00225.

On July 1, 2025, staff recommends that the Board of Supervisors take the following actions to deny the appeal and approve the Project:

- a) Deny the appeal, Case No. 25APL-00008;
- b) Make the required findings for Preliminary Design Review approval of the Project, Case No. 19BAR-00000-00225, including California Environmental Quality Act (CEQA) findings included as Attachment 1 to this Board Letter;
- c) Find that the Project is exempt pursuant to State CEQA Guidelines Section 15268, because the land use entitlements, Case Nos. 19CUP-00000-00062, 20AMD-00000-00003, and 19CDP-00000-00157, have already been approved and under the County's Design Review ordinance, the Board of Supervisors lacks authority to address environmental impacts as part of the Preliminary Design Review appeal; and
- d) Grant *de novo* Preliminary Design Review approval of the project.

Summary Text:

This Board Agenda Letter sets a hearing for July 1, 2025, to consider the appeal of the County Planning Commission's approval of the G&K Farm/K&G Flower – Cannabis Processing Structure Design Review Project. The Project is a request for Design Review of a new 25,000-square-foot cannabis processing building. The application involves Assessor's Parcel Number (APN) 005-280-040, zoned Agriculture I (AG-I-10), located at 3561 Foothill Road in the Toro Canyon Plan area, First Supervisorial District.

Discussion:

The analysis related to this agenda item will be docketed with a separate Board Agenda Letter for the hearing on July 1, 2025.

Background:

On December 23, 2019, G&K Farms (hereinafter Applicant) submitted an application to allow construction of a cannabis processing building. The application included a request for land use entitlements (Case Nos. 19CUP-00000-00062, 20AMD-00000-00003, and 19CDP-00000-00157) and the required Design Review (Case No. 19BAR-00000-00225) by the South Board of Architectural Review (SBAR). Design Review is required for the cannabis processing building pursuant to Article II Section 35-184, because the project site is located within the Design Control Overlay District. Conceptual review is required prior to decision-maker approval on the land use entitlements, and then Preliminary and Final approval are required prior to issuance of the land use entitlements. Preliminary approval by SBAR is an appealable action.

On August 9, 2023, the land use entitlements for the cannabis processing building were approved, thereby permitting the 25,000 net sq. ft. processing building (25,418 gross sq. ft.). All appeal pathways for the approved land use entitlements were exhausted, and no lawsuit was filed. The actions taken on the land use entitlements are final. The current appeal is solely for the design of the processing building.

In terms of Design Review, the Project was conceptually reviewed by the SBAR on January 24, 2020, and the SBAR instructed the Applicant to return for Preliminary and Final approval after the associated land use entitlements were approved, prior to permit issuance. The Project received Preliminary approval from the SBAR on September 20, 2024.

On September 30, 2024, a timely appeal of the SBAR's approval was filed, citing height, square footage, and density, public views, increased traffic, and neighborhood compatibility as the basis of the appeal. On February 5, 2025, P&D staff presented the appeal of the SBAR's approval of the Design Review application to the County Planning Commission. The County Planning Commission continued the Project to the hearing of March 5, 2025, in order to get more information regarding the site history and to have time to review the previously approved land use entitlements for the processing building. On March 5, 2025, the County Planning Commission considered all evidence set forth in the record¹, denied the appeal, and granted *de novo* approval of the Project.

On March 17, 2025, Jill Stassinis filed a timely appeal of the County Planning Commission's approval of the Project, citing the following issues as the basis of the appeal:

1. The cannabis processing structure is too tall, too large, and too dense.
2. The cannabis processing structure is inconsistent with the Carpinteria Agricultural Overlay.
3. The cannabis processing structure is inconsistent with the Toro Canyon Plan.

¹ The staff report and hearing materials of the March 5, 2025, County Planning Commission hearing are available online at: <https://cosantabarbara.app.box.com/s/q97rv82305oyfnbdjhcyxrduh3dggkqy/folder/309066296627>

4. The cannabis processing structure is incompatible with the nearby Existing Developed Rural Neighborhood's (EDRN's) rural residential character and compounds an existing public nuisance.
5. There are inadequate public services and resources to serve the cannabis processing structure.
6. The cannabis processing structure will cause an increase in traffic with up to 50% of the product being brought to the site from other locations.
7. The cannabis processing structure will negatively impact employees' and neighbors' health and causes air pollution.
8. Approving the project permits a non-compliant grower with a poor track record.

Staff reviewed the appeal and continues to find the issues raised are without merit. The Project analysis, appeal issues, and staff's response to the appeal will be discussed in detail in the separate Board Agenda Letter for the hearing on July 1, 2025.

Fiscal and Facilities Impacts:

Budgeted: Yes

Total costs for processing the appeal are approximately \$10,220.00 (35 hours of staff time). The costs for processing project appeals are partially offset by a fixed fee of \$648.00. Funding for the project is budgeted in the Planning and Development Department's Permitting Budget Program as shown on Page 317 of the County of Santa Barbara Fiscal Year (FY) 2024-25 Adopted Budget.

Special Instructions:

The Clerk of the Board shall publish a legal notice in the Coastal View at least 10 days prior to the hearing on July 1, 2025. The Clerk of the Board shall also fulfill mailed noticing requirements. The Clerk of the Board shall forward the minute order of the hearing and proof of publication to the attention of David Villalobos, Planning and Development Department Hearing Support.

Contact Information:

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