



County of Santa Barbara BOARD OF SUPERVISORS

Minute Order

March 17, 2020

Present: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino
Absent 1 - Supervisor Adam

PLANNING AND DEVELOPMENT

File Reference No. 20-00200

RE: HEARING - Consider recommendations regarding two appeals filed by Busy Bee's Organics, Inc. (Case No. 19APL-00000-00030) and the SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031) of the Planning Commission's November 7, 2019 approval of the Busy Bee's Organics Cannabis Cultivation Project (Case No. 18LUP-00000-00496), Third District, as follows: (EST. TIME: 3 HR.)

- a) Deny the appeals, Case Nos. 19APL-00000-00030 and 19APL-00000-00031;
- b) Make the required findings for approval of the Proposed Project including California Environmental Quality Act (CEQA) findings;
- c) Determine that the previously certified Program Environmental Impact Report (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 Project, affirming the decision of the Planning Commission, Case No. 18LUP-00000-00496 subject to the conditions of approval; or

Alternatively, if your Board wishes to uphold the Busy Bee Organics, Inc. appeal (Case No. 19APL-00000-00030) and deny the SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031), staff recommends that your Board take the following actions to approve the project as proposed by the Applicant:

- a) Uphold the appeal by Busy Bee Organics, Inc. (Case No. 19APL-00000-00030);
- b) Deny the appeal by SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031);
- c) Make the required findings for approval of the Proposed Project including California Environmental Quality Act (CEQA) findings;
- d) Determine that the previously certified Program EIR (17EIR-00000-00003) constitutes



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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

e) Grant de novo approval of the Project, modifying the decision of the Planning Commission, Case No. 18LUP-00000-00496 subject to the conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:41 AM - 2:10 PM and 4:06 PM - 4:16 PM (3 HR. 39 MIN.)

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

Accepted into the record the following documents: Letter dated March 13, 2020 from the Agriculture Advisory Committee; Letter dated March 16, 2020 from Dave and Lil Clary; Letter dated March 16, 2020 from Rob Salomon; Letter dated March 16, 2020 from Anna Carrillo; Letter dated March 16, 2020 from Amy M. Steinfeld from Brownstein Hyatt Farber Schreck, LLP; PowerPoint Presentation from Laurel Perez representing the Applicant dated March 17, 2020; PowerPoint Presentation from Mark Chytilo representing the Appellant; and a Letter dated March 17, 2020 from Sam Rodriguez.

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam



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Present: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino
Absent 1 - Supervisor Adam

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File Reference No. 20-00200

RE: HEARING - Consider recommendations regarding two appeals filed by Busy Bee's Organics, Inc. (Case No. 19APL-00000-00030) and the SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031) of the Planning Commission's November 7, 2019 approval of the Busy Bee's Organics Cannabis Cultivation Project (Case No. 18LUP-00000-00496), Third District, as follows: (EST. TIME: 3 HR.)

- a) Deny the appeals, Case Nos. 19APL-00000-00030 and 19APL-00000-00031;
- b) Make the required findings for approval of the Proposed Project including California Environmental Quality Act (CEQA) findings;
- c) Determine that the previously certified Program Environmental Impact Report (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 Project, affirming the decision of the Planning Commission, Case No. 18LUP-00000-00496 subject to the conditions of approval; or

Alternatively, if your Board wishes to uphold the Busy Bee Organics, Inc. appeal (Case No. 19APL-00000-00030) and deny the SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031), staff recommends that your Board take the following actions to approve the project as proposed by the Applicant:

- a) Uphold the appeal by Busy Bee Organics, Inc. (Case No. 19APL-00000-00030);
- b) Deny the appeal by SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031);
- c) Make the required findings for approval of the Proposed Project including California Environmental Quality Act (CEQA) findings;
- d) Determine that the previously certified Program EIR (17EIR-00000-00003) constitutes



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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

e) Grant de novo approval of the Project, modifying the decision of the Planning Commission, Case No. 18LUP-00000-00496 subject to the conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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

a) Upheld the appeal by Busy Bee Organics, Inc (Case No. 19-APL-00000-00030);

b) Denied the appeal by SB Coalition for Responsible Cannabis (Case No. 19APL-00000-00031);

c) Adopted required findings including CEQA findings (Included as Attachment A to the Planning and Development memo dated March 17, 2020);

d) Approved (included as Attachment C to the Planning and Development memo dated March 17, 2020, and Attachment 11 to the Board Letter, dated March 17, 2020);

e) Granted de novo approval of the project, modifying the decision of the Planning Commission, Case No. 18-LUP-00000-00496 subject to the conditions of approval (Included as Attachment B to the Planning and Development memo dated March 17, 2020 with a revision to Condition 35 to strike Jeff Wilson's name and replace it with "the").

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam