

# JCCrandall, LLC, Appeal of the Santa Rita Holdings, Inc., Cannabis Project

Case Nos. 21APL-00000-00031, 19CUP-00000-00018

Appeal by JCCrandall, LLC

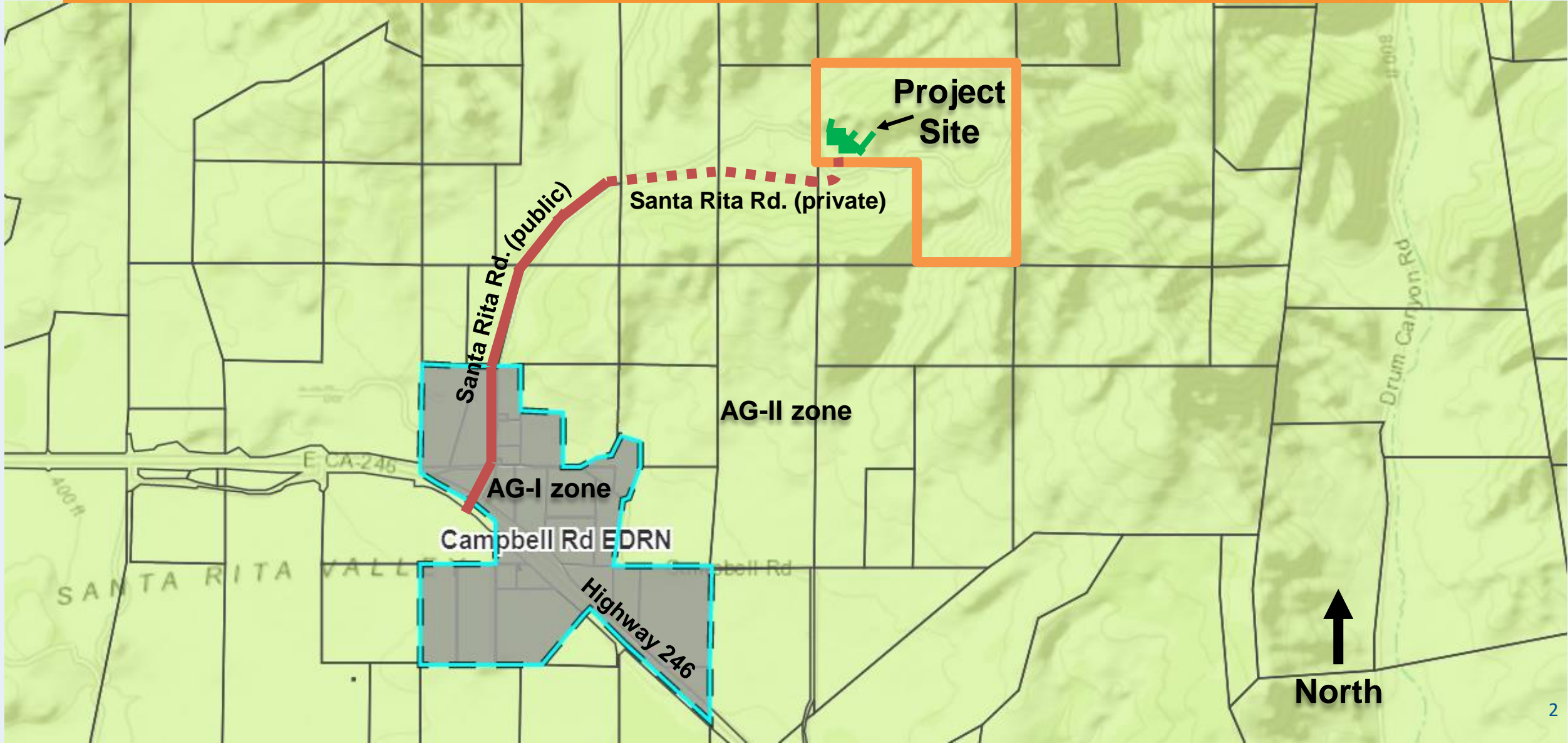
Santa Barbara County Board of Supervisors

September 21, 2021



County of Santa Barbara  
Planning and Development  
Gwendolyn Beyeler

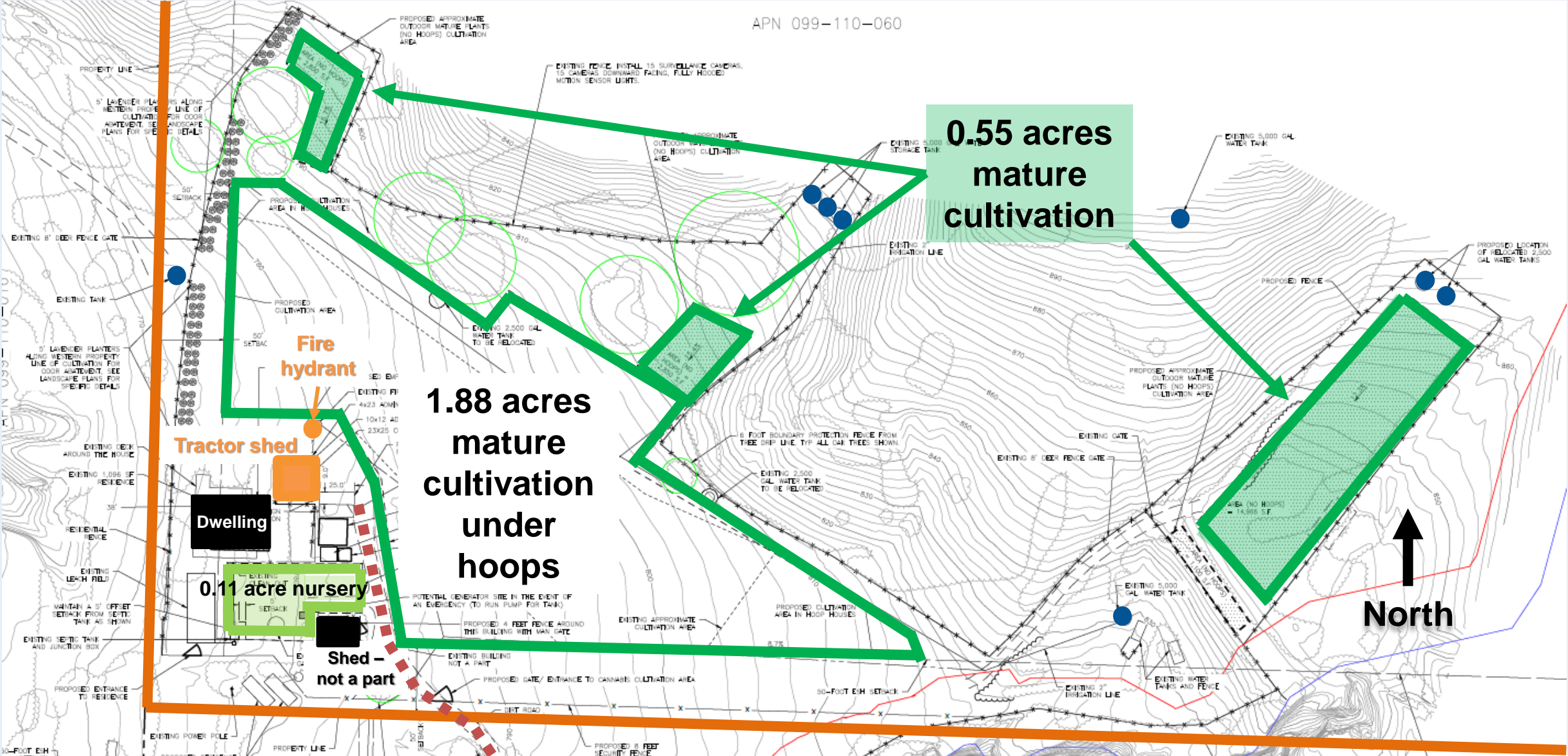
# Location



# Project Description

- 2.54 acres of cultivation:
  - Mature: 1.88 acres under existing 14-ft.-tall hoops & 0.55 acres without hoops
  - Nursery: 0.11 acres
- Up to 3 regular full-time employees who will live on site
  - Up to 12 additional employees during harvests
- Three harvests per year lasting up to three days each time
- Weighing and tagging under a 575 sq. ft. tractor shade structure
- Pesticides, equipment, and materials stored in a 120 sq. ft. shed
- New fencing and lighting
- Five as-built 5,000-gallon water tanks, two as-built 2,500-gallon water tanks, and one as-built 1,500-gallon water tank
- Water usage: 1 AFY

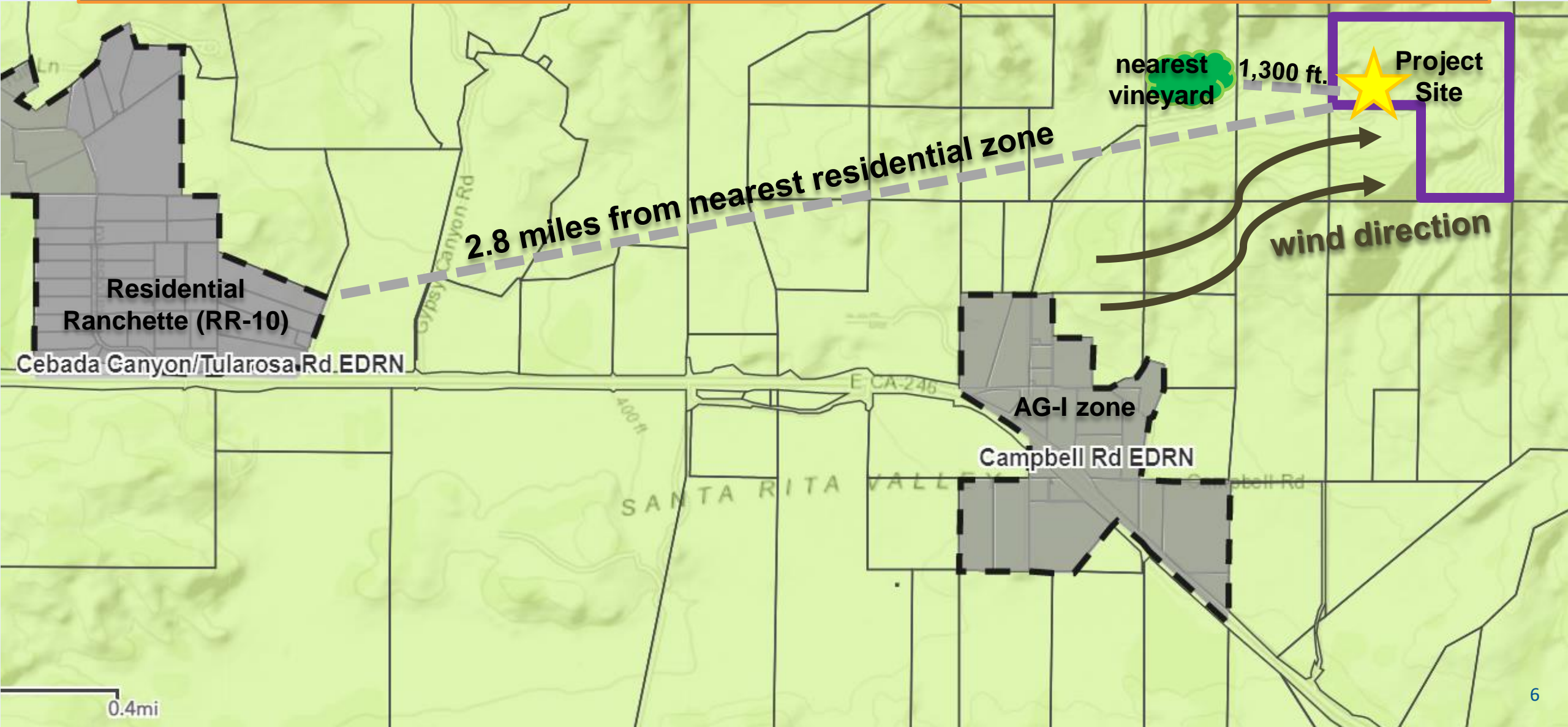
# Project Area



# Odor Abatement

- 2,780 sq. ft. aromatic landscaping
- Ends of hoops would be closed in the event that wind blows west toward the nearest vineyard (over 1,300 feet from project site)
- No processing (drying, curing, trimming) will occur on site
- Cannabis will be loaded into trucks for freezing and will be trucked off site
- Corrective actions would be implemented in the event of an odor complaint:
  - An assessment would include an evaluation of current wind conditions, meteorological data, and upwind odor observations. The applicant will document this data at the time of the complaint and assessment.

# Odor Abatement



# Appeal Issue 1

## 1. Issue:

Project is not consistent with the Land Use and Development Code (LUDC).

## Response

- Project is consistent with the LUDC including:
  - Purpose of the Agricultural Zones
  - Agricultural Zones Development Standards
  - Cannabis Regulations
  - Hoop Structures Development Standards

# Appeal Issue 2

## 2. Issue:

Project is not consistent with State law, specifically Cal. Bus. & Prof. Code Section 26051.5(a)2. The access easement granting access rights over the private portion of Santa Rita Road crossing over the Appellant's property does not authorize the transportation of cannabis.

## Response

- Project shall comply with State law, which requires property owner consent for commercial cannabis activities.
- Property owner consents to the Project.
- Access easement demonstrates adequate access.
- Disagreement over scope of easement is a civil matter.



# Appeal Issue 3

## 3. Issue:

County Planning Commission's approval is not supported by evidence in the record, findings required for approval cannot be made, and the Project has no legal access.

## Response

- Approval of the Project is supported by evidence in the record.
- All required findings can be made.
- Project demonstrates access on Santa Rita Road with the existing access easement.

# Appeal Issue 4

## 4. Issue:

CEQA findings cannot be made. County Planning Commission overlooked environmental impacts not addressed in the PEIR. Staff failed to address deficiencies in the CEQA checklist. The Applicant did not submit required documentation from the State Water Resources Control Board or conduct a Phase I cultural resources study.

## Response

- CEQA findings can be made.
- PEIR addressed environmental impacts, and Project includes applicable mitigation measures.
- Applicant submitted required documentation from the State Water Resources Control Board.
- A Phase I cultural resources study was conducted.

# Appeal Issue 5

## 5. Issue:

County Planning Commission approved the Project under a truncated and rushed hearing, depriving the Appellant of a fair and impartial hearing.

## Response

- Planning Commission approved Project with 5-0 vote on June 9, 2021.
- Required notice was given.
- June 9<sup>th</sup> hearing followed the Santa Barbara County Planning Commission Procedures Manual.
- The Appellant provided written and oral testimony at the hearing.

# Recommended Actions

1. Deny the appeal, Case No. 21APL-00000-00031.
2. Make the required findings for approval of the Project as specified in Attachment 1 of this Board Agenda Letter, including CEQA findings.
3. Determine that the previously certified Programmatic Environmental Impact Report (PEIR) (17EIR-00000-00003) is adequate and no subsequent environmental review is required pursuant to CEQA Guidelines §15162 and §15168(c) (Attachment 3 and Attachment 4).
4. Grant *de novo* approval of the Project, Case No. 19CUP-00000-00018, subject to the conditions included as Attachment 2 of this Board Agenda Letter.