



**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

Department Name: Planning and Development
Department No.: 053
For Agenda Of: September 10, 2024
Placement: Administrative; Set Hearing on September 10, 2024, for September 17, 2024
Estimated Time: 45 minutes on September 17, 2024
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Lisa Plowman, Director, Planning and Development
Director(s) (805) 568-2086
Contact Info: Travis Seawards, Deputy Director, Planning and Development
(805) 568-2518
SUBJECT: **Set Hearing to Consider the Arctic Cold Extensive Processing Use, General Plan Amendment, Revised Development Plan, Conditional Use Permit, and Tentative Parcel Map, Case Nos. 22GPA-00000-00006, 22CUP-00000-00021, 23RVP-00024, and 23TPM-00002, Fourth 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 September 10, 2024, set a hearing for September 17, 2024, to consider the recommendations of the County Planning Commission regarding the Arctic Cold Extensive Processing Use Project (Project).

On September 17, 2024, staff recommends that your Board take the following actions to approve the Arctic Cold Extensive Processing Use Project (Project), as recommended by the County Planning Commission:

- a) Make the required findings for approval of the Project, consisting of a General Plan Amendment (Case No. 22GPA-00000-00006), Conditional Use Permit (Case No. 22CUP-00000-00021), Revised Development Plan (Case No. 23RVP-00024), and Tentative Parcel Map (Case No. 23TPM-00002), including CEQA findings;
- b) Approve the Addendum and determine that the previously certified Final Environmental Impact Report (FEIR) (21EIR-00000-00001) and Addendum are adequate and no subsequent

Environmental Impact Report or Negative Declaration is required pursuant to State CEQA Guidelines Sections 15162, 15164, and 15168(c)(2); and

- c) Adopt a Resolution (Case No. 22GPA-00000-00006) amending the Santa Maria Area (Comp-6) Map of the Comprehensive Plan Land Use Element, to designate Proposed Lot 1 (Assessor's Parcel No. 128-097-012) with the Agricultural Industry Overlay;
- d) Approve a Major Conditional Use Permit (Case No. 22CUP-00000-00021), subject to the conditions of approval;
- e) Approve a Development Plan Revision (Case No. 23RVP-00024), subject to the conditions of approval;
- f) Approve a Tentative Parcel Map (Case No. 23TPM-00002), subject to the conditions of approval.

Summary Text:

The applicant, AFP, LLC, requests the following:

- General Plan Amendment (Case No. 22GPA-00000-00006) to amend the Santa Maria Area (Comp-6) Map of the Comprehensive Plan Land Use Element by adding the Agricultural Industry Overlay to Assessor Parcel No. (APN) 128-097-012 in compliance with Land Use and Development Code Section 35.104;
- Conditional Use Permit (Case No. 22CUP-00000-00021) to allow extensive processing of agricultural products on APN 128-097-012 in compliance with Land Use and Development Code Section 35.82.060;
- Revised Development Plan (Case No. 23RVP-00024) to revise the previously approved 20DVP-00000-00006 and allow extensive processing of agricultural products and construction of a 35-foot flagpole on APN 128-097-012 in compliance with Land Use Development Code Sections 35.42.040.B.2. and 35.84.040.E, and to modify the site plan to include a new 35-ft.-tall flag pole; and
- Tentative Parcel Map (Case No. 23TPM-00002) to subdivide a 111.75-acre (gross) property into one 71.10-acre parcel (APN 128-097-013) and one 40.65-acre parcel (APN 128-097-012) in compliance with County Code Chapter 21-18 to create a fee title separation of the existing independent agricultural operations on APN 128-097-013 from the Arctic Cold Agricultural Processor and Freezer Facility currently under construction on APN 128-097-012.

The analysis related to this agenda item will be docketed with a separate Board Agenda Letter for the hearing on September 17, 2024.

Background:

On March 9, 2022, the County Planning Commission approved the Arctic Cold Processor and Freezer Facility under Conditional Use Permit (Case No. 20CUP-00000-00005) and Development Plan (Case No. 20DVP-00000-00006). The original project application and CEQA analysis included a request for extensive agricultural processing uses (i.e. pureeing, pasteurizing, and product additives such as sugar), which requires a General Plan Amendment to add the Agricultural Industry Overlay application pursuant to the LUDC. However, the Applicant chose not to include the General Plan Amendment as part of the

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original permit due to timing issues related to capturing harvest season revenues. Construction of the Arctic Cold Agricultural Processor and Freezer Facility is currently in process.

On September 14, 2022, the Applicant submitted applications for a General Plan Amendment (Case No. 22GPA-00000-00006) to request the designation of Agricultural Industry Overlay upon APN 128-097-012, and a Conditional Use Permit (Case No. 22CUP-00000-00021) to allow extensive processing uses at the Arctic Cold Agricultural Processor and Freezer Facility. On September 20, 2022, the Applicant applied for a Revised Development Plan (Case No. 23RVP-00024) to revise the previously approved Arctic Cold Agricultural Processor and Freezer Facility Development Plan to allow extensive processing uses in compliance with the LUDC, and to construct a 35-ft.-tall flag pole. On April 14, 2023, the Applicant submitted a Tentative Parcel Map (Case No. 23TPM-00002) to subdivide the subject property to allow the applicant to convey one portion (APN 128-097-012) of the property to the Arctic Cold Agricultural Processor and Freezer Facility operator. The two existing assessor parcels consist of one 40.65-acre parcel (APN 128-097-012), which contains the Arctic Cold Agricultural Processor and Freezer Facility, and one 71.10-acre parcel (APN 128-097-013), which contains active cultivation of row crops and the Mid Coast Cooling facility. The proposed Tentative Parcel Map (Case No. 24TPM-00006) will create legal lot lines that align with the existing Assessor parcels.

On June 12, 2024, the County Planning Commission reviewed the proposed General Plan Amendment (with accompanying requests) and recommended that the Board of Supervisors approve the proposed project, pursuant to the procedures regarding review authority in LUDC Section 35.80.020.

Fiscal and Facilities Impacts:

Budgeted: Yes

The costs to process the project were borne by the Applicant through the payment of processing fees. The total costs for processing the project are approximately \$98,000 (permit fees and 250 hours of staff time). Funding for this project is budgeted in the Planning and Development's Permitting Budget Program on Page 317 of the County of Santa Barbara Fiscal Year 2024-2025 Adopted Budget.

Special Instructions:

The Planning and Development Department shall publish a legal notice in *The Santa Maria Times* at least 10 days prior to the hearing on September 17, 2024. The Planning and Development Department shall also fulfill mailed noticing requirements. The Clerk of the Board shall forward the minute order of the hearing, proof of publication, and return one printed copy of the FEIR and Addendum to the attention of the Planning and Development Hearing Support.

Authored by:

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Development Review Division, Planning and Development Department