



Appeal Application

RECEIVED

County Use Only	Appeal Case No.:
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2023 JAN 31 A 11:57

STEP 1: SUBJECT PROPERTY

101-070-069

ASSESSOR'S PARCEL NUMBER(S)

7015 Long Canyon Rd, Santa Maria, CA 93454

PROPERTY ADDRESS (IF APPLICABLE)

Cat Canyon Investments, LLC; Jason Moriarty

BUSINESS/ESTABLISHMENT NAME (IF APPLICABLE)

STEP 2: PROJECT DETAILS

Moriarty Holdings -- Outdoor Cannabis Cultivation

PROJECT TITLE

19LUP-00000-00273

CASE NO(S).

County Planning Comm 25 January 2023

DECISION MAKER

DATE OF ACTION

Is the appeal related to cannabis activities? Yes No

STEP 3: APPEAL CONTACTS

APPELLANT

James N. Sullivan, et. al.

NAME (if LLC or other legal entity, must provide documentation)

6825 Long Canyon Rd

STREET ADDRESS

Santa Maria CA 93454

CITY, STATE ZIP

(805) 266-7124 jns7853@gmail.com

PHONE EMAIL

AGENT

James N. Sullivan, et. al.

NAME (if LLC or other legal entity, must provide documentation)

6825 Long Canyon Rd

STREET ADDRESS

Santa Maria CA 93454

CITY, STATE ZIP

(805) 266-7124 jns7853@gmail.com

PHONE EMAIL

ATTORNEY

James N. Sullivan, et. al.

NAME (if LLC or other legal entity, must provide documentation)

6825 Long Canyon Rd

STREET ADDRESS

Santa Maria CA 93454

CITY, STATE ZIP

(805) 266-7124 jns7853@gmail.com

PHONE EMAIL

STEP 4: APPEAL DETAILS

Is the Appellant the project Applicant? Yes No

If not, please provide an explanation of how you are an "aggrieved party", as defined in Step 5 on page 2 of this application form:

The residents of Long Canyon Ranches could be adversely impacted by the applicant's water use to grow 17.4 acres of cannabis on the subject parcel. Water is scarce in the east Cat Canyon/Long Canyon area and the nearly 24.4 AFY (8 million gallons/yr) required for this project could jeopardize the residents' ability to continue living in this area. Since the subject parcel has never been used for irrigated cultivation, the 25 AFY is a "new" use of water in an area that has traditionally had a very limited water supply.

Please provide a clear, complete, and concise statement of the reasons or ground for appeal:

- Why the decision or determination is consistent/inconsistent with the provisions and purposes of the County's Zoning Ordinances or other applicable law;
- There was error or abuse of discretion;
- The decision is not supported by the evidence presented for consideration;
- There was a lack of a fair and impartial hearing; or
- There is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.
- Coastal Zone – Accessory Dwelling Unit appeals: Appellant must demonstrate that the project is inconsistent with the applicable provisions and policies of the certified Local Coastal Program or that the development does not conform to the public access policies set forth in the Coastal Act.

The hydrogeologist consulted by the appellants substantiated the appellants' belief that the proposed 25 AFY water use for cannabis cultivation would adversely impact residents' domestic water wells; however, the hydrogeologist was unable to support the hearing due to a medical procedure scheduled for that same day. As a result, the planning commissioners were advised by council that they needed to decide on the basis of "facts" provided by the applicant's hydrogeologist and not on second-hand conversations with appellants' hydrogeologist. Appellants will provide a hydrogeological assessment at a future date. Appellants continue to request that if the project is approved to proceed, measures to protect appellants' interests be implemented. These include:

- 1) Applicant to provide real-time well monitoring equipment to monitor water levels at all or a subset of residents' wells.
- 2) If well levels fall to a critical level (as determined by a licensed hydrogeologist agreeable to both parties), irrigated cultivation shall immediately cease until water levels recover.
- 3) If domestic wells fail due to water overuse, applicant shall provide domestic (potable) water to affected parties at applicant's expense.

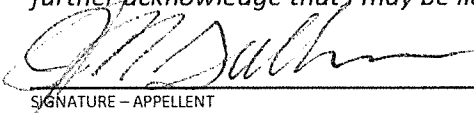
STEP 5: APPELLANT ACKNOWLEDGEMENTS

I hereby certify under penalty of perjury that I have read the information below and that:

1. I have carefully reviewed and prepared the appeal application in accordance with the instructions; and
2. I provided information in this appeal application, including all attachments, which are accurate and correct; and
3. I understand that the submittal of inaccurate or incomplete information or plans, or failure to comply with the instructions may result in processing delays and/or denial of my application; and
4. I understand that it is the responsibility of the applicant/appellant to substantiate the request through the requirements of the appeal application; and
5. I understand that upon further evaluation, additional information/documents/reports/entitlements may be required; and
6. I understand that all materials submitted in connection with this appeal application shall become public record subject to inspection by the public. I acknowledge and understand that the public may inspect these materials and that some or all of the materials may be posted on the Department's website; and
7. I understand that denials will result in no refunds; and
8. I understand that Department staff is not permitted to assist the applicant, appellant, or proponents and opponents of a project in preparing arguments for or against the project; and
9. I understand that there is no guarantee – expressed or implied – that an approval will be granted. I understand that such application must be carefully evaluated and after the evaluation has been conducted, that staff's recommendation or decision may change during the course of the review based on the information presented; and
10. I understand an aggrieved party is defined as any person who in person, or through a representative, appears at a public hearing in connection with the decision or action appealed, or who, by the other nature of his concerns or who for good cause was unable to do either; and
11. If the approval of a Land Use Permit required by a previously approved discretionary permit is appealed, the applicant shall identify:
 - How the Land Use Permit is inconsistent with the previously approved discretionary permit;
 - How the discretionary permit's conditions of approval that are required to be completed prior to the approval of a Land Use Permit have not been completed;
 - How the approval is inconsistent with Section 35.106 (Noticing).

REQUIRED SIGNATURES

I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.



James N. Sullivan

31 Jan 2023

SIGNATURE – APPELLANT

PRINT NAME

DATE

SIGNATURE – AGENT

PRINT NAME

DATE

SIGNATURE – ATTORNEY

PRINT NAME

DATE

Appeals to the Planning Commission. Appeals to the Planning Commission must be filed with Planning and Development no later than 10 days following the date of the decision, along with the appropriate fees. Please contact P&D staff below for submittal instructions and to determine the appropriate fee.

South County projects: front@countyofsb.org or (805) 568-2090

North County projects: nczoning@countyofsb.org or (805) 934-6251

Appeals to the Board of Supervisors. Appeals to the Board of Supervisors must be filed with the Clerk of the Board and must be filed no later than 10 days following the date of the decision, along with the appropriate fees. Appeal instructions are located online at the Clerk of the Board website: <https://www.countyofsb.org/2837/Filing-Land-Use-Appeals-Claims>



COUNTY OF SANTA BARBARA

X 2175212

CCB

Department

Date 1/31/23

Received from ~~767~~ James N. Sullivan

In Payment of 7015 Long Canyon Rd, Santa Maria - Appeal App
seven hundred and nine and .06 Dollars \$ 709.06

100

Received original of the above numbered receipt

CREDIT CARD	
CASH	
CHECK	*

[Signature]



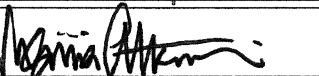

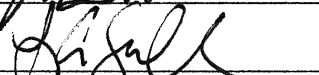
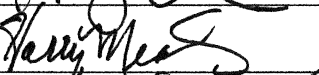
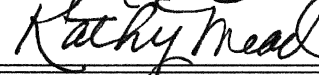

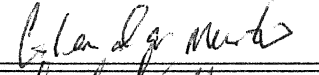




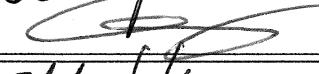

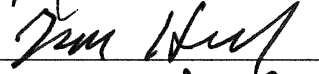
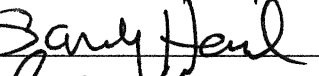
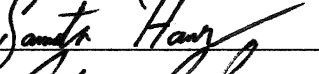
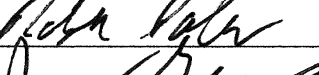
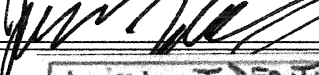
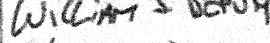


SIGNATURE OF PAYOR

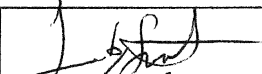
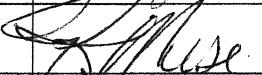
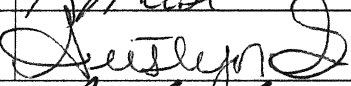
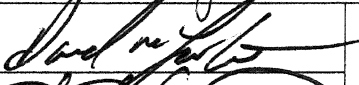
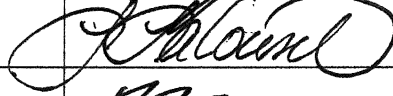


[Signature]


AUTHORIZED SIGNATURE

Attachment 1

The following individual(s) affirm participation in the appeal to 19LUP-00000-00273, Moriarty Holdings--
Outdoor Cannabis Cultivation, APN 101-070-069.

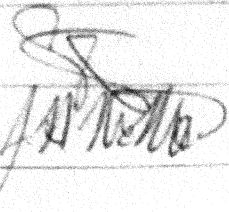
Name	Signature	Property Address & APN	Mailing Address (if different)
Dave Tolan		6764 Long Canyon Rd Santa Maria, CA 93454 APN 101-050-023	
Paula Tolan			
Virginia (Ginny) Atkinson		6767 Long Canyon Rd APN 101-050-024	PO BOX 951 BUELLTON CA 93427
Jim Sullivan		6825 Long Canyon Rd APN 101-070-046	
Leslie Sullivan			
Harry Mead		6840 Long Canyon Rd APN 101-070-042	
Kathy Mead			
Giovanni Muto		6850 Long Canyon Rd APN 101-070-043	623 N. Bonita Street Santa Maria, CA 93455
Glenda Muto			
Derek Smith		6851 Long Canyon Rd APN 101-070-048	
Cathy Smith			
Matt Smith			
Eric Garcia		6855 Long Canyon Rd APN 101-070-049	
Nancy Garcia			
Mark Enos		6860 Long Canyon Rd APN 101-070-044	3795 Los Padres Rd Orcutt, CA 93455
James Hand		6870 Long Canyon Rd APN 101-070-045	
Sandy Hand			
Samantha Hand			
Ralph Pacheco			
Jesse Gonzales			
William Deputy		7010 Long Canyon Rd. Santa Maria, Ca. 93454 101-070-029	
Kathryn Deputy			
Clayton Deputy			

Name	Signature	Property Address & APN	Mailing Address (if different)
Jacob Smith		6851 Long Canyon Rd APN 101-070-048	
Kenneth Muse			
Austyn Goebel			
David LaCount		7040 Long Canyon Rd APN 101-070-026	
Jacqui LaCount			
Mack McGeary			
Kristina McGeary			
Martin Nolasco	(see below)	6757 Long Canyon Rd APN 101-050-022	Hollister Ranch, Parcel 71 Gaviota, CA 93117


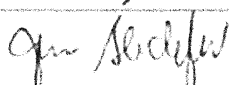
Print	Signature	Property Address & APN	(if different)
Martin Nolasco		6757 LONG CANYON ROAD SANTA MARIA CA 93454	APN # 101-050-22

3-19-022

Hal McMath & Sakae Takushima	(see below)	6758 Long Canyon Rd APN 101-050-034	39 Miller Hill Woods Court Kent, NY 10512
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Print	Signature	Property Address & APN	(if different)
SAKAE TAKUSHIMA JAMES MCMATH		6758 LONG CANYON RD SANTA MARIA CA 101-050-034	39 MILLER HILL WOODS CT KENT, NY 10512

Kirill & Jessica Shcheglov	(see below)	6837 Long Canyon Rd APN 101-070-047	887 Raddue Ave Santa Barbara, CA 93111
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Kirill V Shcheglov		APN 101-070-047	887 Raddue Ave. Santa Barbara CA 93111
Jessica Shcheglov			

Larry Muno	(see below)	7030 Long Canyon Rd APN 101-070-053	
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Print	Signature	Property Address & APN	Mailing Address (if different)
Larry Muno	