



PLANNING & DEVELOPMENT  
APPEAL FORM

SITE ADDRESS: 3508 Via Real, Carpinteria, CA, 93013

ASSESSOR PARCEL NUMBER: 005-280-025

Are there previous permits/applications? no yes numbers: \_\_\_\_\_  
(include permit# & lot # if tract)

Is this appeal (potentially) related to cannabis activities? no yes

Are there previous environmental (CEQA) documents? no yes numbers: \_\_\_\_\_

1. Appellant: Jill Stassinis / concerned Carpinterians, Save Arroyo Paredon Watershed Phone: (805) 895-2580 FAX: \_\_\_\_\_

Mailing Address: 1760 Ocean Oaks Rd, Carpinteria, CA 93013 E-mail: jstassinis@aol.com  
Street City State Zip

2. Owner: \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Street City State Zip

3. Agent: \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Street City State Zip

4. Attorney: \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Street City State Zip

COUNTY USE ONLY

Case Number: \_\_\_\_\_ Companion Case Number: \_\_\_\_\_  
Supervisorial District: \_\_\_\_\_ Submittal Date: \_\_\_\_\_  
Applicable Zoning Ordinance: \_\_\_\_\_ Receipt Number: \_\_\_\_\_  
Project Planner: \_\_\_\_\_ Accepted for Processing \_\_\_\_\_  
Zoning Designation: \_\_\_\_\_ Comp. Plan Designation \_\_\_\_\_

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COUNTY OF SANTA BARBARA  
PLANNING & DEVELOPMENT

**COUNTY OF SANTA BARBARA APPEAL TO THE:**

BOARD OF SUPERVISORS

\_\_\_\_\_ PLANNING COMMISSION: \_\_\_\_\_ COUNTY \_\_\_\_\_ MONTECITO

RE: Project Title 3508 Via Real Cannabis Cultivation Development Plan &  
Case No. 19 DVP - 00000 - 00020 ; 19 CDP-00000 - 00027 and Coastal  
Date of Action March 2nd, 2022 Development Permit

I hereby appeal the  approval \_\_\_\_\_ approval w/conditions \_\_\_\_\_ denial of the:

\_\_\_\_\_ Board of Architectural Review – Which Board? \_\_\_\_\_

\_\_\_\_\_ Coastal Development Permit decision

\_\_\_\_\_ Land Use Permit decision

Planning Commission decision – Which Commission? Santa Barbara County

\_\_\_\_\_ Planning & Development Director decision

\_\_\_\_\_ Zoning Administrator decision

**Is the appellant the applicant or an aggrieved party?**

\_\_\_\_\_ Applicant

Aggrieved party – if you are not the applicant, provide an explanation of how you are and “aggrieved party” as defined on page two of this appeal form:

See Attachments A & B

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County's Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

*see Attachments A & B*

Specific conditions imposed which I wish to appeal are (if applicable): *see attached*

- See Attachments A & B*
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-

Please include any other information you feel is relevant to this application.

**CERTIFICATION OF ACCURACY AND COMPLETENESS** Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

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.

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Print name and sign – Firm

Date

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Print name and sign – Preparer of this form

Date

*Jill Stassinios, Jill Stassinios*

*3-14-2022*

Print name and sign – Applicant

Date

*Concerned Carpentierians, Save Arroyo Paredon Creek/Watershed*

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Print name and sign – Agent

Date

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Print name and sign – Landowner

Date

## ATTACHMENT A

To the Board of Supervisors,

I am addressing this appeal to you, as a local resident and aggrieved party, requesting your support in protecting the Environmentally Sensitive Habitat of Arroyo Paredon Creek, safeguarding the quality of life in Carpinteria and the Carpinteria Valley, and enforcing existing regulations. I, along with Save the Arroyo Paredon Watershed and Concerned Carpinterians, am actively monitoring and attempting to remedy industrial commercial cannabis practices that adversely impact our community, environment, and our quality of life. Significant environmental issues, odor/air quality nuisance issues, health issues, enforcement/process issues and traffic impacts are our primary concerns.

We are appealing the Santa Barbara County Planning Commission's approval of the 3508 Via Real Cannabis Cultivation Development Plan and Coastal Development Permit (Case Numbers: 19DVP-00000-00020 and 19CDP-00000-00027) on Parcel #005-280-025 for the following reasons:

1) The wildlife and plant species that use Arroyo Paredon Creek as their habitat will be adversely affected by this project. The plants and wildlife species that have been identified as using habitats associated with Arroyo Paredon Creek are: Cooper's Hawk, Yellow Warbler, California Red-legged Frog, Coast Range Newt, Western Pond Turtle, and Southern Steelhead. These rare species have a higher probability of being adversely affected by modifying the current setbacks as proposed in the Creekside Blooms Nursery Cannabis Cultivation Project at 3508 Via Real in Carpinteria.

The DVP includes a request for a setback modification to reduce the 20-ft. setback from the southern property line and 100-ft. setback from the Arroyo Paredon top-of-bank required by the Carpinteria Agricultural Overlay in order to allow water tanks and a proposed height increase of the permitted greenhouses within the setbacks. If this request for setback modifications are allowed then 41,000 sq.ft. of greenhouses will be permitted in the 100' ESH setback. The Creekside Blooms Nursery Cannabis Cultivation Project has the largest footprint next to the Arroyo Paredon Watershed of the 5 nearby Cannabis operations. Setbacks were established to protect the riparian habitat.

Other species that occur downstream could also be indirectly impacted by degradations in habitat functions onsite and adjacent including listed endangered species such as Tidewater Goby, Crotch's Bumble Bee, Southern Steelhead, Least Bell's Vireo, and the Southwestern Willow Flycatcher.

“Indirect impacts to habitat (wetland) functions associated with Arroyo Paredon Creek may have adverse, and cumulatively significant, impacts on one or more of the species that use Arroyo Paredon Creek and downstream habitats. The listed species are endangered because of the cumulative effects almost entirely the result of anthropogenic activities and actions,” according to David Magney, California Certified Consulting Botanist (#0001), ISA Certified Arborist (#WE-4746), approved biological consultant for Santa Barbara, Ventura, Los Angeles, and San Luis Obispo Counties.

A potential remedy for this concern is to remove the 41,000 sq. ft. of greenhouses in the 100' ESH setback,

2) The cannabis odors produced by this project may have adverse affects on endangered steelhead trout and other fish and birds.

The Development Plan (DVP) (Case No.19DVP-00000-00020) for 3508 Via Real mentions reducing but not eliminating odors. Odors have been found to interfere with the salmon's olfactory sense thus creating an adverse effect on steelhead trout's ability to return to its spawning grounds. According to the following integrative studies with salmon (Dittman et al. 1997; Nevitt et al. 1994) and rabbits (Semke et al. 1995), provide compelling evidence that highly specific imprinted odor memories may also be retained in the periphery, i.e., at the level of the olfactory epithelium proper. These results suggest that populations of olfactory receptor neurons may be selectively tuned to respond to odor molecules present during a hormonally linked sensitive period. A potential key to the mechanism of how these peripheral odor memories become established draws on the unique ability of olfactory receptor neurons to turn over throughout an organism's life span (Farbman 1994). How hormonal and environmental factors work together to influence olfactory neurogenesis has not yet been rigorously addressed in the literature (Shepherd 1994), but ultimately may provide important new insights not only for basic science but for salmon conservation as well.

The USGS Dept. of Interior site reported the following: “Scientists believe that salmon navigate by using the earth's magnetic field like a compass. When they find the river they came from, they start using smell to find their way back to their home stream. They build their “smell memory bank” when they start migrating to the ocean as young fish.”

This reference demonstrates how olfactory neurons responding to hormonal and environmental factors working together throughout development is key to advancing basic science and conservation of salmonids (salmon and trout). It provides evidence upon which predictions can logically be made that if environmental odors change drastically

between generations of salmonids, any newly hatched and developing fish will lack the navigational cues needed for their survival; and thus this evidence can be extrapolated to arguments against drastic changes in riparian environments that result from heavy cannabis production and odor neutralizers.

A potential remedy for this concern is completely enclosing the greenhouses, installing cloud based air quality monitors that are accessible and can be viewed by the public in real time, collaborating with a local environmental non-profit organization to develop an air quality plan that protects the Arroyo Paredon Watershed and a more robust biological study of air quality impacts on the Arroyo Paredon Watershed.

3) Creating a Public Nuisance by generating strong odors that negatively impact the air quality for residents of Carpinteria and the Carpinteria Valley.

Post harvest cannabis operations have the potential to generate strong odors that could negatively affect the surrounding community and cause a public nuisance. District Rule 303 (Nuisance), which generally prohibits the discharge of air contaminants (including odors) that cause a public nuisance, applies to all cannabis operations unrelated to the growing and harvesting of cannabis, including cannabis processing (including but not limited to volatile extraction, non-volatile extraction, and post-extraction operations). The inability to identify the source of the odor for residential areas and their being outside the 1000' notification area causes increased concerns for projects located in Environmentally Sensitive Habitat. Cannabis and processing operations need to be managed to reduce odor impacts and avoid a violation of District Rule 303. Wisely, the Board of Supervisors did not give "Right to Farm" protections to cannabis operations.

According to Emily Waddington Air Quality Specialist Planning Division Santa Barbara County Air Pollution Control District. "As part of the District's permit issuance, if a project has the potential to emit toxic or hazardous air pollutants, or is located in close proximity to sensitive receptors, the project may be required to prepare a Health Risk Assessment to determine the potential level of risk associated with the project operations. Any chemical used for deodorizing systems should not cause adverse impacts to the community. Low VOC (volatile organic compound) or no-VOC compounds are recommended, as well as compounds that do not contain toxic air contaminants (TACs) as identified by the State of California. The comprehensive list of TACs can be found at [www.arb.ca.gov/toxics/healthval/contable.pdf](http://www.arb.ca.gov/toxics/healthval/contable.pdf). If odor control systems use chemicals that contain TACs, the County should assess the potential for health risk by performing a refined Health Risk Assessment."

A potential remedy for this concern is for the county to perform a Health Risk Assessment and expand public notification to affected neighboring residents, who live outside of the 1000' notification area ie. EDRN's of La Mirada and Ocean Oaks so they are informed of the odor complaint process.

4) The lack of enforcement of regulations ie. the lack of enforcement related to compliance with proper posting of public notification at project development sites (See Attachment B), setting a bad precedent by appearing to reward operators for not following the permitting process ie., permitting the as-built portions of a packing house, boiler/irrigation room including the validation of 5 water tanks of 36,984 gallons (3) 25,360 gallons (1), and one 105,669 gallon tank which is within the 100' ESH buffer from Arroyo Paredon Creek, (this precedent might encourage others to disregard the Environmentally Sensitive Habitat setbacks) and due to the inability to identify the source of the odors, the lack of odor complaint notification for residential areas, outside of the 1000' notification area are disturbing.

The County of Santa Barbara Planning and Development noted, on 3/20/2019, a violation of un-permitted construction on the parcel located at 3508 Via Real occurred. The County of Santa Barbara Planning and Development also reported, on 3/27/2019, building without permits occurred on the parcel located at 3508 Via Real.

A potential remedy for this concern is to monitor compliance with proper public notification signs, remove the 41,000 sq. ft. of greenhouses in the 100' ESH setback, and install cloud based air quality monitors that are accessible and can be viewed by the public in real time.

5) Increase in vehicular trips on Via Real will create additional traffic, road maintenance, and safety concerns.


According to the Santa Barbara County traffic study completed by Scott A. Schell, Principal Transportation Planner for Associated Transportation Engineers Traffic Study, the 3508 Via Real project would generate 90 average daily trips with four AM peak hour and four PM peak hour trips. Therefore, the Creekside Blooms Nursery Cannabis Cultivation Project will result in a net increase of 68 average daily vehicle trips with two trips occurring during the AM peak hour and two trips occurring during the PM peak hour compared to the number of trips for the original permitted flower growing use.

A potential remedy for this concern is to add another commuter van to reduce the number of employees coming from Ventura County to work at 3508 Via Real in Carpinteria.



I hope you will join me, along with the approximately 400 members of Save the Arroyo Paredon Watershed and Concerned Carpinterians, (a grassroots community organization dedicated to safeguarding the quality of life in Carpinteria and the Carpinteria Valley and whose mission is to: Focus on regulations, enforcement and compliance, work with elected officials for stronger regulations where necessary; and actively campaign to monitor and remedy commercial cannabis practices that adversely impact our residents and environment), in protecting the Arroyo Paredon Watershed, the quality of life for residents of Carpinteria and Carpinteria Valley, and enforcing the existing regulations by voting In Favor of our appeal of the Santa Barbara County Planning Commission's approval of the Cultivation and Development and Coastal Development Permits for Creekside Blooms Nursery Cannabis Cultivation project at 3508 Via Real in Carpinteria.

Appellants reserve the right to revise and supplement this appeal as additional project information becomes available.

Sincerely,   
Jill Stassinós, Resident of Carpinteria  
Member of Save Arroyo Paredon Watershed  
Member of Concerned Carpinterians

Attachment B



# Notice of Proposed Development



COUNTY OF SANTA BARBARA

## Planning and Development

Case Name: \_\_\_\_\_ Case #: \_\_\_\_\_

Applicant: \_\_\_\_\_ Date Filed: \_\_\_\_\_

Address: \_\_\_\_\_ APN: \_\_\_\_\_

Proposal: \_\_\_\_\_

Case Planner: Paul D. [unclear] Phone #: 805.438.5761

Please check frequently for project status updates on our website at [www.sbcountyplanning.org](http://www.sbcountyplanning.org)