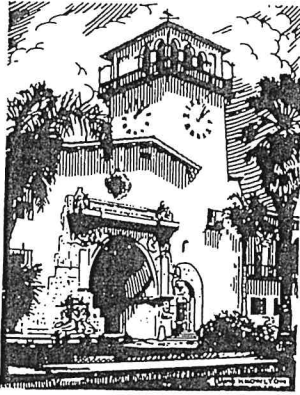


**ATTACHMENT 16: PLANNING COMMISSION ACTION LETTER, DATED MAY 4, 2021**



# COUNTY OF SANTA BARBARA CALIFORNIA

## PLANNING COMMISSION

COUNTY ENGINEERING BUILDING  
123 E. ANAPAMU ST.  
SANTA BARBARA, CALIF. 93101-2058  
PHONE: (805) 568-2000  
FAX: (805) 568-2030

May 4, 2021

Carolyn Groves  
Dudek  
621 Chapala Street  
Santa Barbara, CA 93101

PLANNING COMMISSION  
HEARING OF APRIL 28, 2021

**RE: *Autumn Brands and Ocean Hills Farm Cannabis Operation; 20DVP-00000-00011, 20CDP-00000-00079***

Hearing on the request of Autumn Brands LLC, applicant, to consider the following:

- a) **20DVP-00000-00011**, a Revised Development Plan (Original Development Plan approved November 17, 1969), to allow a cannabis operation pursuant to Section 35-144.U of Article II, the Coastal Zoning Ordinance, consisting of: 8.92 acres of mixed light and nursery cultivation within seven existing greenhouses and 27,942 square feet of processing within two existing processing buildings. Additionally, an unpermitted detention basin and bioswale (collectively, the stormwater facility) will be validated, consisting of approximately 3,885 cubic yards of cut and 1,296 cubic yards of fill.
- b) **20CDP-00000-00079**, a Coastal Development Permit to effectuate the Development Plan in compliance with Section 35-169.2 of Article II, the Coastal Zoning Ordinance.

The application involves Assessor Parcel No. 005-280-041, located at 3615 Foothill Road, in the Toro Canyon Plan area, First Supervisorial District.

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Dear Ms. Groves:

At the Planning Commission hearing of April 28, 2021, Commissioner Cooney moved, seconded by Commissioner Blough and carried by a vote of 3 to 2 (Bridley and Parke no) to:

1. Make the required findings for approval of the project specified in Attachment A to the staff report, dated March 30, including California Environmental Quality Act (CEQA) findings.
2. 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).
3. Approve the project, Case Nos. 20DVP-00000-00011 and 20CDP-00000-00079, subject to the updated conditions of approval included as Attachment B to the memorandum dated April 20, 2021, and as revised at the hearing of April 28, 2021.

## ***REVISIONS TO THE CONDITIONS OF APPROVAL***

*Condition No. 1 of Attachment B-1 is revised as follows:*

- 1. Proj Des-01 Project Description.** This Revised Development Plan is based upon and limited to compliance with the project description, the hearing exhibits marked A-J, dated April 28, 2021, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project is a request for a Coastal Development Permit, Case No. 20CDP-00000-00079, and a Revised Development Plan, Case No. 20DVP-00000-00011, of the original Development Plan (approved November 17, 1969) to allow approximately 8.92 acres (388,472 square feet) of mixed light and nursery cannabis cultivation. Cultivation activities will occur within seven existing greenhouses. Processing will occur within Processing Building #1 (23,072 square feet) and Processing Building #2 (4,870 square feet). Onsite cultivation (as defined by the Article II Coastal Zoning Ordinance) will total approximately 9.56 acres.

An approximately 23 ft. wide section of Processing Building #1 will be demolished to provide separation from Greenhouse #3. An approximately 2,000 square foot as built, boiler room and approximately 950 square foot irrigation room attached to Greenhouse #6 will be validated. The equipment associated with the Byers Odor Abatement System and an emergency generator will be validated under this permit. These interior structures/rooms will be validated under appropriate building permits. Additionally, grading associated with the unpermitted installation of a detention basin (approximately 3,300 cubic yards cut and 1,000 cubic yards fill) and bioswale (585 cubic yards cut and 296 cubic yards fill) will be validated. An approximately 22,500 square feet area, including the area of the bioswale, will be restored to the natural riparian habitat. Portions of the existing agricultural access road will be removed so that it is outside of the Environmentally Sensitive Habitat (ESH) buffer area. The project also includes the demolition/removal of two unpermitted water tanks, a shipping container, two storage structures, and an overhang on Processing Structure #2. The perimeter of the parcel is enclosed with an 8 ft. tall chain-link fence. Privacy slats will be added to the chain-link fence for security and screening. Existing landscaping provides screening from the abutting roadway. An existing single-family dwelling will remain onsite. The current residents are co-owners and operators of Autumn Brands and will continue to reside in the dwelling. In the event that site specific testing indicates that the property would substantially benefit from a re-evaluation of best available control technology for achieving either superior odor control and/or equivalent odor control with greater cost and energy efficiency, the permittee shall make the appropriate upgrades, including but not limited to scrubbers to mitigate odor from cultivation activities in the greenhouses. As new best available control technology is proven to achieve superior odor control, as determined by peer reviewed data and County-approved qualified odor experts, the applicant will make the appropriate BACT upgrades, including but not limited to scrubbers to mitigate odor from cultivation activities in the greenhouses. After the commencement of use, the County shall retain a professional engineer or certified industrial hygienist, at the applicant's expense, to inspect and verify the installation of new best available control technology.

A total of 71 parking spaces exist and will remain. Four will be reserved for preferential carpool/van parking. The cannabis operation includes up to 150 full time employees, including six to eight managerial staff on site. Autumn Brands will employ up to 100 employees, and Ocean Hill Farms will employ 50 employees. The hours of operation will be between 6:00 a.m. and 4:00 p.m. Monday through Friday, and 7:00 a.m. to noon on Saturdays. The cannabis operation will be served by an existing agricultural water well and the Carpinteria Valley Water District. A new septic system will provide wastewater treatment for the operation. Access will continue to be taken from

the existing driveway off Foothill Road (Highway 192). The property is a 24.03-acre parcel zoned AG-I-20 located within the Coastal Zone and Area A of the Carpinteria Agricultural Overlay. The parcel is shown as APN 005-280-041 and addressed as 3615 Foothill Road, Toro Canyon Plan Area, First Supervisorial District.

*Condition No. 1 of Attachment B-2 is revised as follows:*

- 1. Proj Des-01 Project Description.** This Coastal Development Permit is based upon and limited to compliance with the project description, the hearing exhibits marked A-J, dated April 28, 2021, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project is a request for a Coastal Development Permit, Case No. 20CDP-00000-00079, and a Revised Development Plan, Case No. 20DVP-00000-00011, of the original Development Plan (approved November 17, 1969) to allow approximately 8.92 acres (388,472 square feet) of mixed light and nursery cannabis cultivation. Cultivation activities will occur within seven existing greenhouses. Processing will occur within Processing Building #1 (23,072 square feet) and Processing Building #2 (4,870 square feet). Onsite cultivation (as defined by the Article II Coastal Zoning Ordinance) will total approximately 9.56 acres.

An approximately 23 ft. wide section of Processing Building #1 will be demolished to provide separation from Greenhouse #3. An approximately 2,000 square foot as built, boiler room and approximately 950 square foot irrigation room attached to Greenhouse #6 will be validated. The equipment associated with the Byers Odor Abatement System and an emergency generator will be validated under this permit. These interior structures/rooms will be validated under appropriate building permits. Additionally, grading associated with the unpermitted installation of a detention basin (approximately 3,300 cubic yards cut and 1,000 cubic yards fill) and bioswale (585 cubic yards cut and 296 cubic yards fill) will be validated. An approximately 22,500 square foot area, including the area of the bioswale, will be restored to the natural riparian habitat. Portions of the existing agricultural access road will be removed so that it is outside of the Environmentally Sensitive Habitat (ESH) buffer area. The project also includes the demolition/removal of two unpermitted water tanks, a shipping container, two storage structures, and an overhang on Processing Structure #2. The perimeter of the parcel is enclosed with an 8 ft. tall chain-link fence. Privacy slats will be added to the chain-link fence for security and screening. Existing landscaping provides screening from the abutting roadway. An existing single-family dwelling will remain onsite. The current residents are co-owners and operators of Autumn Brands and will continue to reside in the dwelling. In the event that site specific testing indicates that the property would substantially benefit from a re-evaluation of best available control technology for achieving either superior odor control and/or equivalent odor control with greater cost and energy efficiency, the permittee shall make the appropriate upgrades, including but not limited to scrubbers to mitigate odor from cultivation activities in the greenhouses. As new best available control technology is proven to achieve superior odor control, as determined by peer reviewed data and County-approved qualified odor experts, the applicant will make the appropriate BACT upgrades, including but not limited to scrubbers to mitigate odor from cultivation activities in the greenhouses. After the commencement of use, the County shall retain a professional engineer or certified industrial hygienist, at the applicant's expense, to inspect and verify the installation of new best available control technology.

A total of 71 parking spaces exist and will remain. Four will be reserved for preferential carpool/van parking. The cannabis operation includes up to 150 full time employees, including six to eight managerial staff on site. Autumn Brands will employ up to 100 employees, and Ocean Hill Farms will employ 50 employees. The hours of operation will be between 6:00 a.m. and 4:00 p.m.

Monday through Friday, and 7:00 a.m. to noon on Saturdays. The cannabis operation will be served by an existing agricultural water well and the Carpinteria Valley Water District. A new septic system will provide wastewater treatment for the operation. Access will continue to be taken from the existing driveway off Foothill Road (Highway 192). The property is a 24.03-acre parcel zoned AG-I-20 located within the Coastal Zone and Area A of the Carpinteria Agricultural Overlay. The parcel is shown as APN 005-280-041 and addressed as 3615 Foothill Road, Toro Canyon Plan Area, First Supervisorial District.

***The attached findings and conditions reflect the Planning Commission's actions of April 28, 2021.***

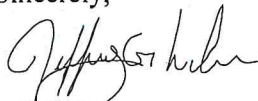
The action of the Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, May 10, 2021 at 5:00 p.m.**

**Final action by the County on this project may be appealed to the Coastal Commission by the applicant, an aggrieved person, as defined above, or any two members of the Coastal Commission within the 10 working days following the date the County's Notice of Final Action is received by the Coastal Commission.**

**A protest of mitigation fees imposed pursuant to Conditions 34 and 35 of Attachments B-1 and B-2 in the Action Letter dated May 4, 2021 may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.**

Sincerely,



Jeff Wilson  
Secretary to the Planning Commission

cc: Case File: 20DVP-00000-00011, 20CDP-00000-00079  
Planning Commission File  
Owner: Brand Partnership, 3615 Foothill Road, Carpinteria, CA 93013  
Applicant: Autumn Brands, LLC, 3615 Foothill Road, Carpinteria, CA 93013  
Applicant: Ocean Hill Farms, LLC, 3615 Foothill Road, Carpinteria, CA 93013  
Fire Department

Planning Commission Hearing of April 28, 2021  
Autumn Brands and Ocean Hills Farm Cannabis Operation;  
Case Nos.20DVP-00000-00011, 20CDP-00000-00079  
Page 5

Flood Control  
Environmental Health Services  
APCD  
Das Williams, First District Supervisor  
Michael Cooney, First District Planning Commissioner  
Brian Pettit Deputy County Counsel  
Ben Singer, Planner

**Attachments:      Attachment A – Findings**  
**Attachment B – Conditions of Approval**

JW/dmv

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