



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

**Submitted on:**  
**(COB Stamp)**

**Department Name:** Planning & Development  
**Department No.:** 053  
**Agenda Date:** July 1, 2025  
**Placement:** Departmental Agenda  
**Estimated Time:** 45 min.  
**Continued Item:** Yes  
**If Yes, date from:** June 10, 2025  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Director(s): Lisa Plowman, Director, Planning and Development  
Contact: Travis Seawards, Deputy Director, Planning and Development  
**SUBJECT:** Appeal of the County Planning Commission Approval of the G&K Farm/K&G Flower  
– Cannabis Processing Structure Design Review Project, Case Nos. 25APL-00008 and  
19BAR-00000-00225, First Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

Staff recommends that the Board of Supervisors take the following actions:

- a) Deny the appeal, Case No. 25APL-00008;
- b) Make the required findings for Preliminary Design Review approval of the project, Case No. 19BAR-00000-00225, including California Environmental Quality Act (CEQA) findings included as Attachment 1 to this Board Letter;
- c) Find that the project is exempt pursuant to State CEQA Guidelines Section 15268 because the land use entitlements, Case Nos. 19CUP-00000-00062, 20AMD-00000-00003, and 19CDP-00000-00157, have already been approved and under the County's Design Review ordinance, the Board of Supervisors lacks authority to address environmental impacts as part of the Preliminary Design Review appeal; and
- d) Grant *de novo* Preliminary Design Review approval of the project.

**Summary Text:**

Jill Stassinis (hereinafter Appellant) requests a hearing to consider Case No. 25APL-00008, an appeal of the County Planning Commission's decision to approve the G&K Farm/K&G Flower Board of Architectural Review (BAR) – Cannabis Processing Structure Design Review Project. The appeal was filed on March 17, 2025, in compliance with Section 35-182 of Article II.

Staff reviewed the appeal and finds the issues raised are without merit. The project is limited to design review of an already approved cannabis processing building. As discussed in Section 6.2 of the

Planning Commission Staff Report dated January 28, 2025 (Attachment 5), the project is exempt from CEQA pursuant to CEQA Guidelines Section 15268 (Ministerial Projects). The information included in the administrative record, including this Board Agenda Letter, supports approval of the project.

### **Proposed Project:**

Case No. 19BAR-00000-00225 is a request for Design Review of a new 25,000-square-foot cannabis processing building. The building will have a maximum height of approximately 24'-4 ¾" from existing grade. The building will be steel with aluminum window frames, steel doors, and a corrugated steel roof. The building will be coated with NUCOR PVDF Cool Coatings Dark Bronze with NUCOR PVDF Cool Coatings Desert Sand trim and roof. The property is a 14.66-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 005-280-040, located at 3561 Foothill Road in the Toro Canyon Plan area, First Supervisorial District.

### **Discussion:**

On March 17, 2025, Jill Stassinis filed a timely appeal of the County Planning Commission's approval of the design review of the cannabis processing building project. Staff reviewed the appeal and finds that the appeal issues raised are without merit. The appeal issues and staff's responses are discussed below.

#### **Appeal Issue 1: The Appellant asserts that the cannabis processing structure is too tall, too large, and too dense.**

The proposed processing building is consistent with all zoning development standards for height, square footage, and density pertaining to structures in the AG-I Zone and the Carpinteria Agricultural Overlay, and is consistent with the allowed development density for the property that was approved by a Development Plan in 1983.

The proposed processing building has a maximum height of 24'-4 ¾", which is consistent and below the allowed height for structures in the AG-I Zone and the Carpinteria Agricultural Overlay. The maximum height allowed in the AG-I Zone is 35 feet, and the maximum height for a greenhouse allowed in the Carpinteria Agricultural Overlay is 30 feet. The processing building will be similar in height to the existing greenhouses on site, which have a height of approximately 24'-6".

The proposed processing building is also consistent with lot coverage requirements. The maximum net lot coverage allowed for hothouses, greenhouses, and other plant protection structures in the AG-I Zone on lots of 10 acres or more is 65%. With the proposed processing building, the net lot coverage will be 62.8%. The density of agricultural structures on the subject lot is similar to the similarly agriculturally-zoned parcels in the vicinity, which are characterized by greenhouses and other agricultural accessory structures at the same heights and densities.

Finally, the height and square footage of the processing building is consistent with the approved Development Plan for the site (82-DP-30). The original Development Plan approved 415,830 square feet of greenhouses. To date, 379,757 square feet of development has been constructed, leaving 36,073 square feet of permitted, unbuilt development. Under the existing Development Plan, a 36,073-square-foot, 24'-6"-high greenhouse can be constructed. The 25,000 sq. ft processing building that was approved is less than the remaining permitted greenhouse development (36,073 sq. ft), and therefore the approved processing building does not exceed previously approved Development Plan structural totals.

**Appeal Issue 2: The Appellant asserts that the cannabis processing structure is inconsistent with the Carpinteria Agricultural Overlay.**

The proposed project is consistent with the Carpinteria Agricultural Overlay. In addition, the Board's purview on this appeal is only related to the Design Review requirement of the project, as the land use entitlements that approved the cannabis processing building are final and are not eligible for appeal.

Consistency with the Carpinteria Agricultural Overlay was evaluated under the associated land use entitlements and is not a required Design Review finding. As discussed in detail in Section 6.4.6 of the April 27, 2021, Planning Commission staff report (Attachment 4), as well as outlined in Appeal Issue No. 1 above, the cannabis processing building is consistent with all zoning development standards for the AG-I Zone, and for all requirements for the Carpinteria Agricultural Overlay.

In terms of design review, the SBAR reviewed the design of the processing building and found it to be consistent with the Board of Architectural Review findings. The findings, included as Attachment 1, focus on the location of a structure and the compatibility of its design with other structures on site and in the vicinity, the scale of the proposed development, the integration of associated equipment, and landscaping.

**Appeal Issue 3: The Appellant asserts that the cannabis processing structure is inconsistent with the Toro Canyon Plan.**

The proposed processing building is consistent with all relevant policies of the County's Comprehensive Plan, including the Toro Canyon Plan. In addition, the Board's purview on this appeal is only related to the Design Review requirement of the project, as the land use entitlements that approved the cannabis processing building are final and are not eligible for appeal.

The cannabis processing building's consistency with all relevant policies of the County's Comprehensive Plan is outlined in detail in the April 27, 2021, Planning Commission staff report (Case Nos. 19CUP-00000-00062, 20AMD-00000-00003, and 19CDP-00000-00157), Section 6.2 (Comprehensive Plan Consistency, pages 17 through 26), included as Attachment 4.

In terms of design review, as stated in Appeal Issue No. 2 above, the SBAR reviewed the design of the processing building and found it to be consistent with the Board of Architectural Review findings. The findings, included as Attachment 1, focus on the location of a structure and the compatibility of its design with other structures on site and in the vicinity, the scale of the proposed development, the integration of associated equipment, and landscaping.

**Appeal Issue 4: The Appellant asserts that the cannabis processing structure is incompatible with the nearby EDRN's rural residential character and compounds an existing public nuisance.**

The proposed processing building is compatible with the surrounding area and does not compound an existing public nuisance. The property is zoned AG-I, is surrounded on all sides by agricultural zoning and existing agricultural development, and the area is not residential in nature, as it is developed with greenhouse and agricultural development, as shown in Figure 1 below.

The design of the cannabis processing building is compatible with the neighborhood. As discussed in Appeal Issue 1, the cannabis processing building is consistent with all development standards for the AG-I Zone and the Carpinteria Agricultural Overlay. The structure will be similar in height to the existing greenhouses on site and will result in the site having a similar density of agricultural structures to the similarly agriculturally-zoned parcels in the vicinity. The sides of the building will not be visible from the surrounding area, including Foothill Road or Via Real, due to distance from those roads, the interior location of the structure, as well as intervening landscaping and greenhouse structures that will screen the view. The roof color will be Desert Sand, consistent with the surrounding agricultural development. Additionally, the SBAR reviewed the design of the processing

building and found it to be consistent with the Board of Architectural Review findings, and gave the project Preliminary Design Review approval. As previously stated, the Board's purview on this appeal is only related to the Design Review requirement of the project, as the land use entitlements that approved the cannabis processing building are final and are not eligible for appeal, therefore, issues related to the project being a public nuisance such as odor and traffic cannot be considered as part of this appeal.

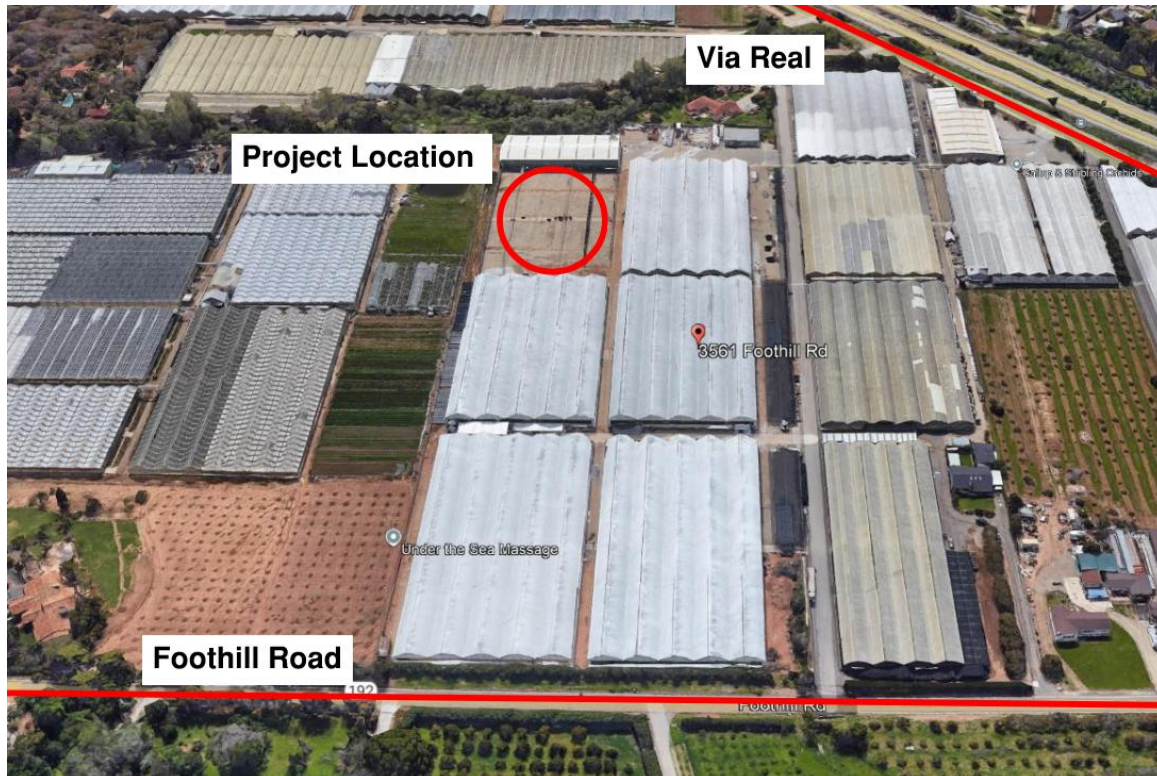


Figure 1. Aerial View of Project Site

**Appeal Issue 5: The Appellant asserts that there are inadequate public services and resources.**

The project is served by adequate public services and resources. In addition, the Board's purview on this appeal is only related to the Design Review requirement of the project, as the land use entitlements that approved the cannabis processing building are final and are not eligible for appeal.

There are no services required for the design of the proposed processing building. Nonetheless, as discussed in Section 6.3 of the April 27, 2021, Planning Commission staff report for the associated land use entitlements (Attachment 4), there are adequate services to serve the cannabis processing building. The structure will be served by a new private wastewater treatment system and domestic water will be provided by the Carpinteria Valley Water District. Environmental Health Services reviewed the proposed wastewater treatment system and found that as proposed, the system will be able to serve the proposed project. Cannabis processing activities do not require the use of water, and no water will be diverted to support processing activities. Fire protection will continue to be provided by the Carpinteria-Summerland Fire Protection District and public safety will continue to be provided by the Santa Barbara County Sheriff's Department.

**Appeal Issue 6: The Appellant asserts that the cannabis processing structure will cause an increase in traffic with up to 50% of the product being brought to the site from other locations.**

As discussed in previous issues above, the Board's purview on this appeal is only related to the Design Review requirement of the project, as the land use entitlements that approved the cannabis processing building are final and are not eligible for appeal. This appeal is only related to the Design

Review of the project, and therefore the issues before the Board of Supervisors are limited to the project's design.

There are no design-related issues related to traffic. Potential traffic impacts of the cannabis uses were analyzed under the land use entitlements approved for the proposed processing building (Case Nos. 19CUP-00000-00062, 20AMD-00000-00003, and 19CDP-00000-00157). As discussed in Section 6.3 of the April 27, 2021, Planning Commission staff report for the associated land use entitlements (Attachment 4), the cannabis processing structure will only generate a minor amount of traffic, and the approval of the land use entitlements included the implementation of a Site Transportation Demand Management Plan to reduce any traffic impacts.

**Appeal Issue 7: The Appellant asserts that the cannabis processing structure will negatively impact employees' and neighbors' health and causes air pollution.**

As discussed in previous issues above, the Board's purview on this appeal is only related to the Design Review requirement of the project, as the land use entitlements that approved the cannabis processing building are final and are not eligible for appeal. This appeal is only related to the Design Review of the project, and therefore the issues before the Board of Supervisors are limited to the project's design.

There will be no impacts to residents' health and quality of life as a result of the design of the proposed processing building. Impacts to air quality and health from the processing building were reviewed under the associated land use entitlements, and the project was determined to be consistent with all applicable findings and policies.

**Appeal Issue 8: The Appellant asserts that approving the project permits a non-compliant grower with a poor track record.**

The cannabis processing building was appropriately reviewed, processed, and the County took final action on the land use entitlements for the structure. The Board's purview on this appeal is only related to the Design Review requirement of the project, as the land use entitlements that approved the cannabis processing building are final and are not eligible for appeal.

There are no active violations on the subject property. The project is subject to Permit Compliance with the County. Permit Compliance requires inspections and monitoring by County staff. Any violations submitted on the subject property will be subject to enforcement actions by the County as required. P&D staff will investigate and determine the validity of any complaint received and pursue enforcement actions as necessary.

**Background:**

On December 23, 2019, G&K Farms (hereinafter Applicant) submitted an application for approval of the construction of a cannabis processing building. The application included a request for land use entitlements (Case Nos. 19CUP-00000-00062, 20AMD-00000-00003, and 19CDP-00000-00157), and included the required Design Review (Case No. 19BAR-00000-00225) by the South Board of Architectural Review (SBAR).

Design Review is required for the cannabis processing building pursuant to Article II Section 35-184, because the project site is located within the Design Control Overlay District. Conceptual design review is required prior to decision-maker approval on land use entitlements, and Preliminary and Final approval are required prior to issuance of land use entitlements. Preliminary approval by SBAR is an appealable action.

The timeline for permit reviews and decisions for the cannabis processing building is as follows:

- On November 16, 2020, the County Zoning Administrator reviewed and approved the land use entitlements for the cannabis processing building, finding that they complied with the applicable policies of the County Comprehensive Plan and development standards set forth in Section 35-144U (Cannabis Regulations) of Article II.
- On November 30, 2020, an appeal of the Zoning Administrator's approval of the cannabis processing building was filed.
- On June 9, 2021, the Planning Commission denied the appeal and granted *de novo* approval of the land use entitlements for the cannabis processing building.
- On June 18, 2021, an appeal of the Planning Commission's approval of the cannabis processing building was filed.
- On March 1, 2022, the Board of Supervisors denied the appeal and approved the land use entitlements for the cannabis processing building.
- On April 25, 2022, an appeal of the Board of Supervisors' decision was filed with the California Coastal Commission.
- On August 9, 2023, the California Coastal Commission found no substantial issue with the application, thereby permitting the 25,000 net sq. ft. cannabis processing building (25,418 gross sq. ft.).

All appeal pathways for the approved land use entitlements for the cannabis processing building have been exhausted, and no lawsuit was filed. Therefore, the actions taken on all land use entitlements for the cannabis processing building are final.

The current appeal is solely for the design of the processing building. In terms of Design Review, the project review timeline is as follows:

- On January 24, 2020, the design review of the cannabis processing building was conceptually heard by the South Board of Architecture Review (SBAR), and the SBAR instructed the Applicant to return for Preliminary and Final approval after the associated land use entitlements were approved, prior to permit issuance.
- On September 20, 2024, the design review of the cannabis processing building received Preliminary design approval from the SBAR.
- On September 30, 2024, a timely appeal of the SBAR's approval was filed, citing height, square footage, and density, public views, increased traffic, and neighborhood compatibility as the basis of the appeal.
- On February 5, 2025, P&D staff presented the appeal of the SBAR's approval of the Design Review application to the County Planning Commission. The County Planning Commission continued the project to the hearing of March 5, 2025, in order to get more information regarding the site history and to have time to review the previously approved land use entitlements for the processing building.
- On March 5, 2025, the County Planning Commission considered all evidence set forth in the record<sup>1</sup>, denied the appeal, and granted *de novo* approval for the design review of the cannabis processing building.

On March 17, 2025, Jill Stassinis filed a timely appeal of the County Planning Commission's approval of the design review of the cannabis processing building project. Staff reviewed the appeal and finds that the appeal issues raised are without merit. Additionally, the design review of the project was approved in accordance with the Board of Architectural Review processing procedures provided in

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<sup>1</sup> The staff report and hearing materials of the March 5, 2025, County Planning Commission hearing are available online at: <https://cosantabarbara.app.box.com/s/q97rv82305oyfnbdjhcyxrddhu3dgkqy/folder/309066296627>



Section 35-184 of Article II, and findings for approval of the design review application can be made (Attachment 1).

### **Summary**

The scope of review under this appeal is limited to the design of the processing building and its consistency with the Board of Architectural Review findings.

The approved cannabis land use entitlements for the cannabis cultivation and processing building included review of the project’s compliance with all cannabis ordinance standards including odor, noise, lighting, fencing, and security and traffic. All appeal pathways for the approved land use entitlements were exhausted, and no lawsuit was filed. The actions taken on the land use entitlements are final.

The Board of Architectural Review findings, included as Attachment 1, focus on the location of a structure and the compatibility of its design with other structures on site and in the vicinity, the scale of the proposed development, the integration of associated equipment, and landscaping. The SBAR reviewed the design of the processing building and found it to be consistent with these findings, and gave the project Preliminary Design Review approval. The information included in the administrative record, including this Board Agenda Letter and the Planning Commission Staff Report, dated January 28, 2025 (Attachment 5), supports approval of the project.

### **Fiscal and Facilities Impacts:**

Budgeted: Yes

Total costs for processing the appeal are approximately \$10,570.00 (35 hours of staff time). The costs for processing project appeals are partially offset by a fixed fee of \$648.00. Funding for the project is budgeted in the Planning and Development Department’s Permitting Budget Program as shown on Page 307 of the County of Santa Barbara Fiscal Year (FY) 2025-26 Recommended Budget, and cannabis appeal costs are reimbursed directly to the department from General County Program Funds administered by the CEO.

Fiscal Analysis:

<b>Funding Source</b>	<b>FY 2025-26</b>	<b>Total</b>
General Fund		
State		
Federal		
Fees		
General County Program Funds	10,570.00	<b>10,570.00</b>
<b>Total</b>		<b>10,570.00</b>

### **Special Instructions:**

The Clerk of the Board shall publish a legal notice in the Coastal View at least 10 days prior to the hearing on July 1, 2025. The Clerk of the Board shall also fulfill mailed noticing requirements. The

Clerk of the Board shall forward the minute order of the hearing and proof of publication to the attention of David Villalobos, Planning and Development Department Hearing Support.

**Attachments:**

**Attachment 1** – Findings of Approval

**Attachment 2** – CEQA Notice of Exemption

**Attachment 3** – Appeal Application Case No. 25APL-00008

**Attachment 4** – Planning Commission Staff Report, dated April 27, 2021

**Attachment 5** – Planning Commission Staff Report, dated January 28, 2025

**Attachment 6** – Planning Commission Action Letter, dated March 7, 2025

**Attachment 7** – Project Plans

**Authored by:**

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