



**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: County Board of Supervisors

FROM: Lisa Plowman, Director, Planning & Development Department,
(805) 568-2086

DATE: May 4, 2020

RE: County Board of Supervisors May 5, 2020, Hearing, Departmental Agenda Item No. 7 – Santa Rita Valley Ag., Inc. Cannabis Cultivation Appeal, Case Nos. 18LUP-00000-00351 and 19APL-00000-00032, Third Supervisorial District

[Handwritten signature in blue ink: Jeff [unclear] for Lisa Plowman]

The purpose of this memo is to inform the Board of Supervisors of a request by Planning and Development Department staff to withdraw Departmental Agenda Item No. 7 (Santa Rita Valley Ag., Inc. Cannabis Cultivation Appeal) associated with the application for a Land Use Permit (Case No. 18LUP-00000-00351) from the Board of Supervisors' hearing agenda for May 5, 2020. On May 1, 2020, the Property Owner submitted a letter explaining that Santa Rita Valley Ag., Inc.'s lease is expired and no longer effective, and that any and all authorizations for indemnification for the use, entitlement, or development of the property—including specifically indemnification of the County—as a part of the proposed cannabis cultivation project, are hereby terminated, withdrawn, and revoked. Please see the attached letter from the Property Owner for more information.

The Applicant for the Land Use Permit has informed Planning and Development Department staff that Santa Rita Valley Ag., Inc. is in the process of renegotiating the lease with the Property Owner. Due to the current uncertainty of the status of the lease agreement between the Applicant and the Property Owner, and lack of authorization from the property owner to the Applicant to proceed with the proposed project on the subject property, Planning and Development Department staff is requesting to withdraw this item from the Board of Supervisors' hearing agenda for May 5, 2020. Staff will re-notice and place the item on a future Board of Supervisors' hearing agenda when appropriate. If the Board agrees and would like to withdraw the item, staff recommends the Board take the following actions:

- a) Withdraw Departmental Agenda Item No. 7 from the Board of Supervisors' May 5, 2020 hearing agenda;
- b) Determine that the above action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5); and
- c) Waive the Notice of Exemption 6-day posting requirement for good cause pursuant to CEQA Guidelines Section V.D.2.

Attachments:

1. Letter from the Property Owner of 7680 West Highway 246, dated May 1, 2020
2. CEQA Notice of Exemption

May 1, 2020

Chairman Hart
Santa Barbara County
105 E. Anapamu Street
Santa Barbara, California 93101

Re: 7860 West Highway 246, APN 099-230-012

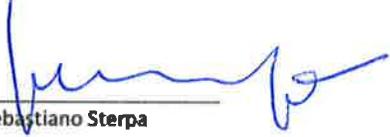
I am the owner of the Property at 7680 West Highway 246 (the "Property").

At one time I entered into a term lease to a group of individuals purportedly organized as Santa Rita Valley Ag., Inc. for a proposed cannabis cultivation project on the Property.

That lease expired and is no longer effective. There is no lease for Santa Rita Valley Ag., Inc. or anyone else to use the Property in any way.

Any and all Agent Authorizations pursuant to that lease and the proposed cannabis cultivation project are hereby terminated, withdrawn and revoked.

Any and all authorizations for indemnification for the use, entitlement or development of the Property, including specifically indemnification of the County as a part of the proposed cannabis cultivation project, are hereby terminated, withdrawn and revoked.


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CC: Jennifer Richardson, Esq., Santa Barbara County Counsel
Douglas Fell, Esq.

ATTACHMENT 2: ENVIRONMENTAL DOCUMENT

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Nereyda (Rey) Harmon, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: 099-230-012

Case Nos.: 19APL-00000-00032 and 18LUP-00000-00351

Location: 7680 West Highway 246, Buellton, CA

Project Title: Santa Rita Valley Ag., Inc. Cannabis Cultivation Appeal

Project Applicant:

Santa Rita Valley Ag., Inc.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Santa Rita Valley Ag., Inc.

Exempt Status: (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Not A Project

Cite specific CEQA and/or CEQA Guideline Section: 15378(b)(5)

Reasons to support exemption findings: CEQA Guidelines Section 15378(b)(5) states that a project does not include “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.” Planning and Development Department staff is requesting to withdraw this item from the Board of Supervisors’ hearing agenda for May 5, 2020. Staff will re-notice and place the item on a future Board of Supervisors’ hearing agenda when appropriate. The Board of Supervisors’ determination is an administrative activity that will not result in direct or indirect changes in the environment.

Lead Agency Contact Person: Nereyda (Rey) Harmon

Phone #: 805-450-7806 Department/Division Representative: _____

Date: _____

Acceptance Date: _____

distribution: Hearing Support Staff

Date Filed by County Clerk: _____.