

Trigueiro Appeal of the G&K Farms Cannabis Processing Building

Case Nos. 21APL-00000-00032, 19CUP-00000-00062,
20AMD-00000-00003, and 19CDP-00000-00157

Appeal by Sarah Trigueiro

Santa Barbara County Board of Supervisors,
March 1, 2022



County of Santa Barbara
Planning and Development
Ben Singer

Location



Vicinity Map



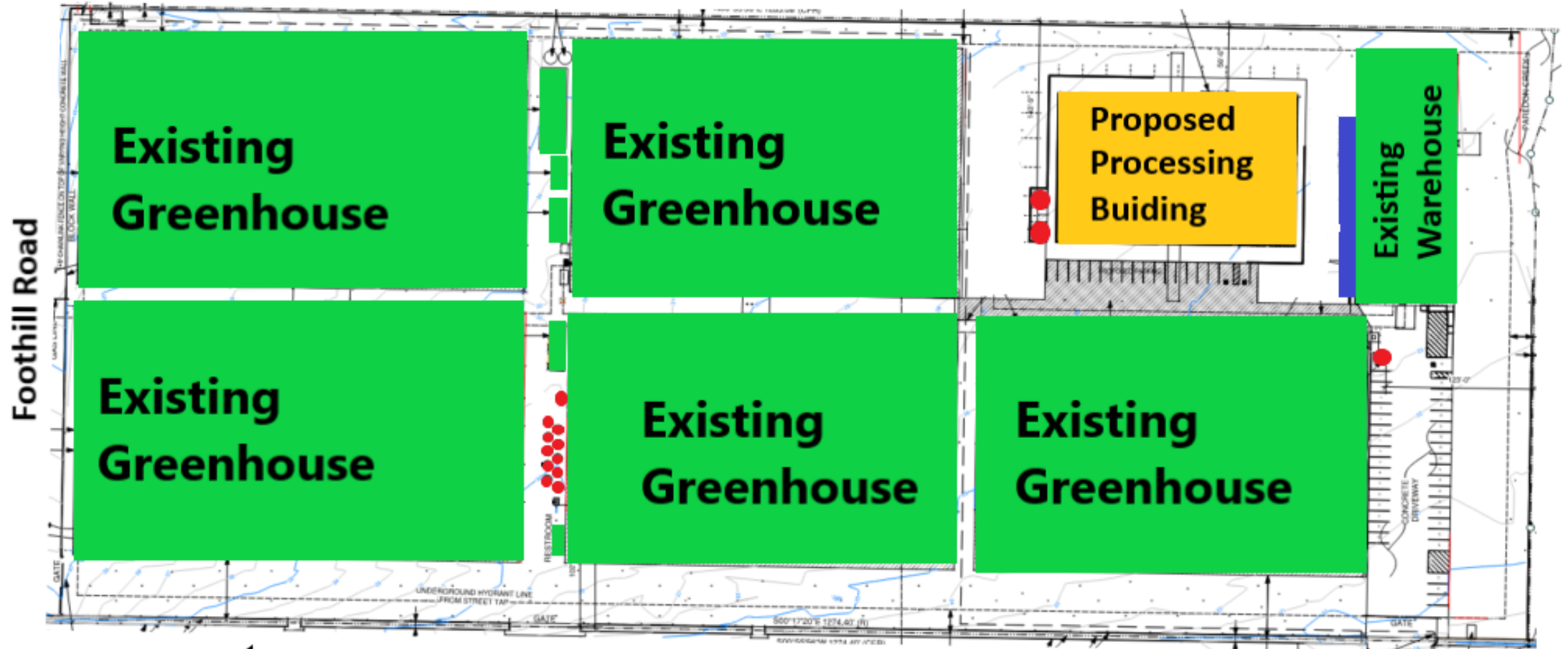
Project Timeline and Revisions

- **Zoning Administrator:** Approved at the November 16, 2020 hearing, appeal filed November 30, 2020
- **Planning Commission:** Approved at the June 9, 2021 hearing, appeal filed June 18, 2021
- Project revisions include:
 - Updated Odor Abatement Plan, removed Second Byers Vapor Phase Unit and included Model OAP language
 - Removed boilers
 - Added five more 3,450-gallon water tanks (total of ten tanks proposed)

Project Description

- New 25,418-square-foot, 25-foot-tall cannabis processing building
- New detention basin
- Ten 3,450-gallon water tanks
- Two emergency generators
- Grading: 1,400 cubic yards of cut and 1,000 cubic yards of fill, mostly for detention basin
- 50 new full-time employees

Site Plan



Appeal Issues Raised

1. Issue:

The Appellant contends that the Planning Commission's discretion was incorrectly narrowed.

Response

- The Planning Commission's review was appropriate.
- The Planning Commission did not review the previous cultivation CDP, but the Proposed Amendment allowed the Planning Commission to review the site in general.

Appeal Issues Raised

2. Issue:

The Appellant asserts the Proposed Project is inconsistent with the requirements of the Comprehensive Plan, including the Coastal Land Use Plan and Toro Canyon Plan.

Response

- Proposed Project is consistent with all applicable sections of the Comprehensive Plan, including the Coastal Land Use Plan and Toro Canyon Plan.
- All findings for a mCUP, Development Plan Amendment, and CDP can be made.

Appeal Issues Raised

3. Issue:

The Appellant states that the Proposed Project will impact air quality and health and safety due to emissions and odor.

Response

- Odors will be adequately abated.
- Cannabis is not a significant producer of biogenic VOCs when compared to native and ornamental plants.

Appeal Issues Raised

4A. Issue:

The Appellant contends that the existing cannabis operation is not compliant regarding odor, and no new permits should be granted until it is.

Response

- The subject parcel is compliant with all laws, rules, and regulations for odor abatement.
- There are no existing violations on-site, and the existing operation is monitored by Permit Compliance.

Appeal Issues Raised

4B. Issue:

The Appellant asserts that the proposed OAP is inadequate.

Response

- The OAP is certified by a Certified Industrial Hygienist and will adequately mitigate odors from the Proposed Project.
- The OAP includes protocols for odor response and does not preclude the County from taking action independently.

Appeal Issues Raised

4C. Issue:

The Appellant states that the County has not been able to adequately enforce conditions and requirements for cannabis projects.

Response

- The Proposed Project meets the requirements and regulations for cannabis projects.
- Permit Compliance is conditioned. This includes inspections and monitoring, as well as coverage of costs by the Operator.

Appeal Issues Raised

5. Issue:

The Appellant contends that Article II erroneously allows cannabis cultivation activities in the AG-I Zone District and as a principally permitted use.

Response

- Section 35-144U, the cannabis ordinance, was reviewed and approved by the Board of Supervisors, and subsequently reviewed and certified by the California Coastal Commission.

Appeal Issues Raised

6. Issue:

The Appellant asserts that the Proposed Project conflicts with established agriculture, specifically due to pesticide drift and loss of prime soils.

Response

- Cannabis cultivation is an agricultural use allowed within agricultural zones.
- The California Department of Pesticide Regulation does not allow pesticide drift onto non-target crops.
- Prime soils are avoided to the degree feasible.

Appeal Issues Raised

7. Issue:

The Appellant contends that the Proposed Project is inconsistent with Article II, including the intent of the zone, Carpinteria Ag Overlay, greenhouse standards, and Cannabis Ordinance.

Response

- The Proposed Project is consistent with all applicable requirements and development standards of Article II.

Recommended Actions

- a) Deny the appeal, Case No. 21APL-00000-00032
- b) Make the required findings for approval of the Proposed Project as specified in Attachment 1, including California Environmental Quality Act (CEQA) findings
- c) 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) (Attachment 3)
- d) Grant *de novo* approval of the Proposed Project, Case Nos. 19CUP-62, 20AMD-3, and 19CDP-157, subject to the conditions included as Attachment 2