



Legislation Details (With Text)

File #:	20-00200	Version:	1
Type:	Departmental Agenda	Status:	Agenda Ready
File created:	3/6/2020	In control:	BOARD OF SUPERVISORS
On agenda:	3/17/2020	Final action:	3/17/2020
Title:	<p>HEARING - Consider recommendations regarding two appeals filed by Busy Bee's Organics, Inc. (Case No. 19APL-00000-00030) and the SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031) of the Planning Commission's November 7, 2019 approval of the Busy Bee's Organics Cannabis Cultivation Project (Case No. 18LUP-00000-00496), Third District, as follows: (EST. TIME: 3 HR.)</p> <p>a) Deny the appeals, Case Nos. 19APL-00000-00030 and 19APL-00000-00031;</p> <p>b) Make the required findings for approval of the Proposed Project including California Environmental Quality Act (CEQA) findings;</p> <p>c) Determine that the previously certified Program Environmental Impact Report (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168 (c)(2); and</p> <p>d) Grant de novo approval of the Project, affirming the decision of the Planning Commission, Case No. 18LUP-00000-00496 subject to the conditions of approval; or</p> <p>Alternatively, if your Board wishes to uphold the Busy Bee Organics, Inc. appeal (Case No. 19APL-00000-00030) and deny the SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031), staff recommends that your Board take the following actions to approve the project as proposed by the Applicant:</p> <p>a) Uphold the appeal by Busy Bee Organics, Inc. (Case No. 19APL-00000-00030);</p> <p>b) Deny the appeal by SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031);</p> <p>c) Make the required findings for approval of the Proposed Project including California Environmental Quality Act (CEQA) findings;</p> <p>d) Determine that the previously certified Program EIR (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168 (c)(2); and</p> <p>e) Grant de novo approval of the Project, modifying the decision of the Planning Commission, Case No. 18LUP-00000-00496 subject to the conditions of approval.</p> <p>COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY</p>		
Sponsors:	PLANNING AND DEVELOPMENT DEPARTMENT		
Indexes:			
Code sections:			
Attachments:	1. Board Letter, 2. Attachment 1 - Findings, 3. Attachment 2A - Conditions of Approval (PC), 4. Attachment 2B - Conditions of Approval (Applicant), 5. Attachment 3 - CEQA 15168 CHECKLIST, 6.		

Attachment 4 - PC Staff Report dated September 18, 2019, 7. Attachment 5 - PC Memo dated October 29, 2019, 8. Attachment 6 - PC Memo dated November 5, 2020, 9. Attachment 7 - Action Letter Nov 7.2019, 10. Attachment 8 - Applicant Appeal Form and Letter, 11. Attachment 9 - Appellant Appeal Form and Letter, 12. Attachment 10 - PEIR_Executive_Summary, 13. Attachment 11 - Link to PEIR in PDF, 14. Attachment 12 - Ag Commr Working Group - Pesticide Drift Mitigation Considerations, 15. Attachment 13 -Busy Bee's Organics_Final Plan Set (Oct 2019) - Copy without Security Plan, 16. Attachment 14 - APAC minutes 1-11-19, 17. Attachment 15 -Merritt Withdrawal 2-17-20, 18. Attachment 16 - Comp Plan & LUDC Consistency - PC, 19. Attachment 17 - Comp Plan & LUDC Consistency - Applicant, 20. Public Comment - Group 1, 21. Public Comment - Brownstein Hyatt and Farber Schreck, 22. Public Comment - Scott Wolfe City of Buellton, 23. Public Comment - Group 2, 24. Public Comment - California Farm Bureau Federation, 25. Public Comment - Agriculture Advisory Committee, 26. Chytilo Final Submittal, 27. Chytilo Appeal Response Dated 3-13-20, 28. Appellant Final w Exhibits Dated 3-13-20, 29. Applicant Response to Appeal Dated 03-13-2020, 30. Applicant Response to Appeal Dated 03-13-2020 Exhibits 1 through 9, 31. Applicants documents of Evidence, 32. Public Comment - Group 3, 33. Public Comment Group 4, 34. Public Comment - Rodriguez, 35. Appellant Presentation - Chytilo dated 3-17-2020, 36. Appellant Presentation Dated 3-13-20, 37. Presentation - Applicant received 3-17-2020, 38. Public Comment - Group 5, 39. Public Comment - O'Neill Additional Comments, 40. Presentation, 41. 2020.03.17 - BOS Memo, 42. A - Revised Findings (002), 43. B- Conditions of Approval REVISED AT BOS HEARING, 44. C- CEQA 15168 CHECKLIST - REVISED, 45. Minute Order

Date	Ver.	Action By	Action	Result
3/17/2020	1	BOARD OF SUPERVISORS	Acted on as follows:	Pass
3/17/2020	1	BOARD OF SUPERVISORS	Acted on as follows:	Pass

HEARING - Consider recommendations regarding two appeals filed by Busy Bee's Organics, Inc. (Case No. 19APL-00000-00030) and the SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031) of the Planning Commission's November 7, 2019 approval of the Busy Bee's Organics Cannabis Cultivation Project (Case No. 18LUP-00000-00496), Third District, as follows: (EST. TIME: 3 HR.)

- a) Deny the appeals, Case Nos. 19APL-00000-00030 and 19APL-00000-00031;
- b) Make the required findings for approval of the Proposed Project including California Environmental Quality Act (CEQA) findings;
- c) Determine that the previously certified Program Environmental Impact Report (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168 (c)(2); and
- d) Grant de novo approval of the Project, affirming the decision of the Planning Commission, Case No. 18LUP-00000-00496 subject to the conditions of approval; or

Alternatively, if your Board wishes to uphold the Busy Bee Organics, Inc. appeal (Case No. 19APL-00000-00030) and deny the SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031), staff recommends that your Board take the following actions to approve the project as proposed by the Applicant:

- a) Uphold the appeal by Busy Bee Organics, Inc. (Case No. 19APL-00000-00030);
- b) Deny the appeal by SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031);
- c) Make the required findings for approval of the Proposed Project including California Environmental Quality Act (CEQA) findings;

d) Determine that the previously certified Program EIR (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168 (c)(2); and

e) Grant de novo approval of the Project, modifying the decision of the Planning Commission, Case No. 18LUP-00000-00496 subject to the conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY