

Attachment 14: Comprehensive Plan Consistency Analysis

REQUIREMENT	DISCUSSION
<i>Land Use Element – Land Use Development Policies</i>	
<p><i>Land Use Development Policy 4:</i> Prior to issuance of a use permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e. water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.</p>	<p>Consistent: Adequate public and private services are in place to serve the proposed project. An existing, private agricultural water well located on the property will provide water for the proposed cannabis activities. An existing septic system will continue to serve the existing residence on the subject property. The regular employees (4-5) will use a bathroom in the existing single-family dwelling which will be used for the cannabis activities and the Applicant will provide portable toilets for seasonal employees (40-50) during harvest periods, as reviewed and approved by the Public Health Department Environmental Health Services Division. The Santa Barbara County Fire Department will continue to provide fire and other emergency response services to the subject parcel. The County Sheriff will continue to provide police services to the subject parcel, and the Sheriff would be involved with reviewing and approving the proposed Security Plan as part of the review of the Business License application that is required for the proposed project (Business Licensing Ordinance Section 50-11). Ingress and egress to the parcel would continue to be provided off of West Highway 246. Therefore, the proposed project is consistent with this policy.</p>
<i>Land Use Element – Hillside and Watershed Protection Policies</i>	
<p><i>Hillside and Watershed Protection Policy 1:</i> Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</p>	<p>Consistent: The proposed project does not include any grading. The project site does not contain any known soil, geologic, flooding, erosion, or other hazards. No tree or vegetation removal is being proposed. The proposed project is located approximately 434 feet to the closest point of the Santa Ynez riparian corridor and is not located within the 100-year floodplain associated with the</p>

<p><i>Hillside and Watershed Protection Policy 2:</i> All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p>	<p>Santa Ynez river. Therefore, the proposed project is consistent with these policies.</p>
<p><i>Hillside and Watershed Protection Policy 5:</i> Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized as rapidly as possible with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices.</p>	<p>Consistent: The subject site has no known soils that are subject to substantial or unusual erosion, and has a slope of less than 0.2%. Therefore, the proposed project is consistent with this policy.</p>
<p><i>Hillside and Watershed Protection Policy 6:</i> Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</p> <p><i>Hillside and Watershed Protection Policy 7:</i> Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</p>	<p>Consistent: The proposed project does not include new development that would substantially alter the existing stormwater runoff drainage of the site. The existing topography of the site will not be altered and drainage will continue to flow towards Highway 246. In addition, the nearest river is located over 100 feet southeast of the subject property and is unlikely to be impacted by the proposed project’s operations. Additionally, the Applicant submitted a letter from the State Regional Water Quality Board, dated January 15, 2019, indicating compliance with the State Water Resources Control Board’s Cannabis Cultivation Policy and the proposed project was assigned WDID number 3_42CC403905. Therefore, the proposed project is consistent with these policies.</p>

Land Use Element – Historical and Archaeological Sites Policies	
<p>Historical and Archaeological Policy 2: <i>When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</i></p> <p>Historical and Archaeological Policy 5: <i>Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.</i></p>	<p>Consistent: Leftwich Archaeology completed a Phase I Archaeological Assessment of the project site area, including both surface and subsurface survey tasks. The study included a records search at the Central Coast Information Center (CCIC), a review for known archaeological sites, previously undertaken cultural resource surveys, sites listed on the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), California Historical Monuments (CHL), or local monuments occurring within the project area, historic map and aerial photograph review, a sacred land search from the Native American Heritage Commission (NAHC), and coordination with local Native Americans. Background research did not identify any known prehistoric or historic resources within or adjacent to the project area. There was no evidence of historic structures or landform alteration within the project area, and no cultural resources are recorded within or near the project area. The proposed project will be subject to a condition of approval (Condition No. 3 of Attachment 2 to the Board Agenda Letter dated March 10, 2020) to require that any previously unidentified cultural resources discovered during site development are treated in accordance with the County’s Cultural Resources Guidelines [Chapter 8 of the County’s Environmental Thresholds and Guidelines Manual (rev.2/2018)].</p> <p>On February 7, 2019, Dr. Leftwich met with Patrick Tumamait of the Barbareño/ Ventureño Band of Chumash. It was determined that the proposed project area contained low potential for significant buried prehistoric deposits and expressed little concern with the project moving forward.</p>

	<p>Therefore, the proposed project is consistent with these policies.</p>
<p>Land Use Element – Visual Resources Policies</p>	
<p>Visual Resources Policy 2: <i>In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.</i></p> <p>Visual Resources Policy 5: <i>Utilities, including television, shall be placed underground in new developments in accordance with the rules and regulations of the California Public Utilities Commission, except where cost of undergrounding would be so high as to deny service.</i></p>	<p>Consistent: No buildings are proposed to be constructed as part of this project. One as-built 483-square foot agricultural tool shed is proposed to be validated as part of this project and would be screened to the maximum extent feasible. The Applicant is proposing to remove an existing barbed wire fence and to install a four-foot, redwood colored post rail fence to extend the length of the north side of the property along Highway 246 and on both sides of the driveway. The redwood colored post rail fence would be compatible with existing fences that surround neighboring properties.</p> <p>The Applicant submitted a Landscape and Screening Plan as required by the Land Use and Development Code (LUDC) Section 35.42.075.C.3, which illustrates the proposed landscaping along the entirety of the northern property line along West Highway 246, and along the entire western property line (Attachment 10 to the Board Agenda Letter dated March 10, 2020). Six coast live oaks, 19 olive trees, and lavender are proposed to be planted within the front property line, along Highway 246, and eight olive trees and lavender along the western property line. In addition, grapevines are proposed to be planted in front of the proposed security fence along Highway 246 and the property entrance along the western property line to screen the security fence. The Landscape and Screening Plan that was submitted by the Applicant demonstrates that, within five years, the proposed landscaping would adequately screen the cannabis activities from public views.</p>

	<p>The subject parcel is not located within the Design Control Overlay zone and, therefore, the proposed project is not subject to design review by the Central Board of Architectural Review.</p> <p>The proposed project will be subject to a condition of approval (Condition No. 12 of Attachment 2 to the Board Agenda Letter dated March 10, 2020) that requires that all utilities be placed underground. Therefore, the proposed project is consistent with these policies.</p>
<p><i>Agricultural Element Goals & Policies</i></p>	
<p><i>Agricultural Element, Goal I:</i> Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be encouraged. Where conditions allow, (taking into account environmental impacts) expansion and intensification shall be supported.</p> <p><i>Agricultural Element, Policy II.D:</i> Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.</p>	<p>Consistent: The proposed project site has historically been used for grazing. The proposed project consists of the cultivation of cannabis. Therefore, although the type of agricultural activities will change, the proposed project site will continue to be utilized for agriculture. Therefore, the project is consistent with this goal and policy.</p>