

## **ATTACHMENT 1: FINDINGS**

### **1.0 CEQA FINDINGS**

#### **SUBSEQUENT ACTIVITIES WITHIN THE SCOPE OF THE PROGRAM ENVIRONMENTAL IMPACT REPORT**

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15162 AND 15168:

### **1.1 CONSIDERATION OF SUBSEQUENT ACTIVITIES IN THE PROGRAM**

The County Board of Supervisors (Board of Supervisors) considered the previously certified PEIR for the Cannabis Land Use Ordinance and Licensing Program, 17EIR-00000-00003 (Link to the PEIR provided in Attachment 1 to the Board Agenda Letter, dated February 15, 2022, and incorporated herein by reference) along with the Proposed Project, which is an activity within the scope of the PEIR. Staff prepared a written checklist in compliance with CEQA Section 15168(c)(4) to document the evaluation of the site and the activity to determine that the environmental effects of the operation are covered in the PEIR (Attachment 3 to the Board Agenda Letter, dated February 15, 2022, and incorporated herein by reference).

As shown in the written checklist and other information provided in the administrative record (e.g., Proposed Project plans and Land Use Permit application), the Proposed Project is within the scope of the PEIR and the effects of the Proposed Project were examined in the PEIR. Therefore, on the basis of the whole record, including the written checklist, the previously certified PEIR, and any public comments received, the Board of Supervisors finds that the Proposed Project will not create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment, and there is no new information of substantial importance pursuant to State CEQA Guidelines Section 15162, thereby warranting the preparation of a new environmental document for the Proposed Project.

### **1.2 LOCATION OF DOCUMENTS**

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board located at 123 East Anapamu Street, Santa Barbara, CA 93101. The Final PEIR is located online at <https://cosantabarbara.app.box.com/s/o9fp2865sykaqn98s0702plaa96xj7t5/folder/72887579662>

## **2.0 ADMINISTRATIVE FINDINGS**

### **2.1 LAND USE PERMIT FINDINGS**

#### **2.1.1 *Finding required for all Land Use Permits. In compliance with Section 35.30.100.A of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first find, based on information provided by environmental documents, staff analysis, and the Applicant, that adequate public or private services and resources (e.g., water, sewer, roads) are available to serve the proposed development.***

The Board of Supervisors finds that adequate public and private services are available to serve the Proposed Project. As discussed in the Board Agenda Letter, dated February 15, 2022, and incorporated herein by reference, domestic water uses will be served by an existing domestic well located in the northeastern portion of the parcel that has been reviewed by County Environment Health Services (EHS). Irrigation for the cannabis operation is proposed to be served by an existing agricultural well located in the northeastern portion of the parcel. Both the domestic well and agricultural well located in the northeastern portion of the parcel are sourced from the Santa Ynez River Alluvial Corridor/Sub-Basin. Projected water usage for the Proposed Project will be 15 acre-feet per year (AFY) compared to 36 AFY used for the previous non-cannabis agricultural operation onsite according to the water memorandum dated January 14, 2022 (Attachment 9 of the Board Agenda Letter, dated February 15, 2022, and incorporated herein by reference). The Santa Barbara County Environmental Thresholds and Guidelines Manual does not include a threshold of significance for the Santa Ynez River Alluvial Corridor/Sub-Basin. Accordingly, there is substantial evidence that the Proposed Project's use of groundwater from the SYRAB provides an adequate water supply for the Proposed Project.

An existing back-up groundwater agricultural well located in the southwestern portion of the parcel, which is sourced from the Santa Ynez River Valley Groundwater Basin, will be available for cannabis irrigation as well. As detailed in the Board Agenda Letter, dated February 15, 2022, and incorporated herein by reference, the State Water Resources Control Board reviewed the Proposed Project and found it consistent with all applicable water use regulations for cannabis cultivation.

Wastewater treatment will be provided by two proposed septic systems and one existing septic system. EHS reviewed the Proposed Project and found it consistent with all applicable environmental health requirements.

The subject parcel will continue to be served by the Santa Barbara County Fire Department for fire protection services and by the Santa Barbara County Sheriff for public safety. Ingress and egress to the parcel will continue to be provided off of Santa Rosa Road, and the existing access is adequate to serve the Proposed Project.

#### **2.1.2 *Findings required for all Land Use Permits. In compliance with Subsection 35.82.110.E.1 of the County Land Use and Development Code, prior to the approval***

***or conditional approval of an application for a Land Use Permit the review authority shall first make all of the following findings:***

- 1. The proposed development conforms:***
  - a. To the applicable provisions of the Comprehensive Plan, including any applicable community or area plan.***
  - b. With the applicable provisions of this Development Code or falls within the limited exception allowed in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).***

The Board of Supervisors finds that the Proposed Project conforms to the applicable provisions of the Comprehensive Plan and Land Use and Development Code as discussed in the Planning Commission Staff Report, dated May 4, 2021, and Board Agenda Letter, dated February 15, 2022, and incorporated herein by reference. In addition, the Proposed Project is consistent with the LUDC requirements for the AG-II-100 Zone District, as they relate to permitted uses, building heights, and setbacks.

- 2. The proposed development is located on a legally created lot.***

The Board of Supervisors finds that the proposed development is located on a legally created lot. The subject property is a 100.92-acre parcel that is shown as Parcel 2 of Parcel Map 13,774, recorded in Book 45, Page 76, 77, and 78 of Parcel Maps, in the County of Santa Barbara Office of the Recorder.

- 3. The subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks and any other applicable provisions of this Development Code, and any applicable zoning violation enforcement fees and processing fees have been paid. This Subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).***

The Board of Supervisors finds that, as conditioned, the subject property and the Proposed Project will be in compliance with all laws, rules, and regulations pertaining to zoning uses, subdivisions, setbacks, and all other applicable provisions of the Land Use and Development Code as discussed in Section 6.4 of the Planning Commission staff report, dated May 4, 2021, herein incorporated by reference. Additionally, all processing fees have been paid to date.