

ATTACHMENT 1: FINDINGS

**CANNA RIOS, LLC CANNABIS CULTIVATION
LAND USE PERMIT
CASE NO. 19LUP-00000-00116
APNS: 129-040-010, 129-040-018, AND 129-030-022**

1.0 CEQA FINDINGS

SUBSEQUENT ACTIVITIES WITHIN THE SCOPE OF THE PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)

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

1.1 CONSIDERATION OF THE SUBSEQUENT ACTIVITIES IN THE PROGRAM

The Board of Supervisors considered the previously certified PEIR for the Cannabis Land Use Ordinance and Licensing Program, 17EIR-00000-00003 (Attachment 3 to the Board Agenda Letter, dated December 2, 2021, and incorporated herein by reference), along with the Project, which is an activity within the scope of the PEIR. Staff prepared a written checklist in compliance with State CEQA Guidelines § 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 4 Board Agenda Letter, dated December 2, 2021, and incorporated herein by reference). As shown in the written checklist, the Project is within the scope of the PEIR and the effects of the 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 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 under State CEQA Guidelines Section 15162 warranting the preparation of a new environmental document for the 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 Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

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 the Project is adequately served by public or private services and resources. As discussed in the Planning Commission Staff Report, dated April 27, 2021, and in the Board Agenda Letter, dated December 2, 2021, and incorporated herein by reference, adequate public and private services are in place to serve the Project. The subject property is served by an existing onsite agricultural well that has historically been used for crop irrigation. The Applicant proposes to use the existing well to serve agricultural water. Bottled water will be provided to project employees. Sanitary facilities for employees will be provided by portable chemical toilets. 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 Maria Mesa Road.

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 development conforms to the applicable provisions of the Comprehensive Plan and the Land Use and Development Code (LUDC) as discussed in the Planning Commission Staff Report, dated April 27, 2021, and incorporated herein by reference. Additionally, the revisions to the proposed development, outlined in the Board Agenda Letter, dated December 2, 2021, and incorporated herein by reference, remain consistent with the applicable provisions of the Comprehensive Plan and LUDC and do not change the conclusions of the consistency discussion provided in Sections 6.3 and 6.4 of the Planning Commission Staff Report.

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 legal lot created by Lot Line Adjustment 16LLA-00000-00005.

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 Project will be, in full 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 the Planning Commission Staff Report dated April 27, 2021, and in the Board Agenda Letter, dated December 2, 2021, and incorporated herein by reference. Additionally, all processing fees have been paid to date.