

ATTACHMENT 4: FINDINGS

MONTECITO LAND USE AND DEVELOPMENT CODE CASE NO. 12ORD-00000-00012

AGRICULTURAL BUFFER ORDINANCE

1.0. CEQA FINDINGS

1.1 Consideration of the Negative Declaration and Full Disclosure

The Board of Supervisors has considered the Negative Declaration, 11NGD-00000-00004, together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment and analysis of the Board of Supervisors and has been completed in compliance with CEQA, and is adequate for this proposal.

1.2 Finding of No Significant Effect

On the basis of the whole record, including the Negative Declaration and any comments received, the Board of Supervisors finds there is no substantial evidence that the project will have a significant effect on the environment.

1.3. Location of Documents

The Negative Declaration and all supporting documents may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara. The Negative Declaration is also available for review online at the Agricultural Buffer Ordinance webpage:

http://longrange.sbcountyplanning.org/programs/ag_buffer/AgBufferordinance.php

1.4. Environmental Reporting and Monitoring Program

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15074(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description is hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS.

In compliance with Section 35.494.060 (Findings Required for Approval of Amendment) of the Santa Barbara County Montecito Land Use and Development Code, the Board of Supervisors shall adopt the following findings in order to approve a text amendment to the Montecito Land Use and Development Code:

2.1 The request is in the interests of the general community welfare.

The proposed ordinance amendment is in the interest of the general community welfare since the amendment will serve to implement existing Comprehensive Plan policies pertaining to agricultural buffers without compromising community values, environmental quality, or the public health and safety. The proposed ordinance amendment would provide direction on how to implement existing policies by creating a new Agricultural Buffer Ordinance. Agricultural buffers would benefit both agriculturalists that have operations adjacent to a proposed non-agricultural development project and to the residents and/or employees of such non-agricultural development by reducing potential land use conflicts.

2.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and the Montecito Land Use and Development Code. If the Amendment involves an Amendment to the Local Coastal Program, then the request shall also be found to be consistent with the Coastal Land Use Plan.

Adoption of the proposed ordinance will provide more effective implementation of the State planning and zoning laws by providing a clearer and more efficient permit process that will benefit the public. The proposed ordinance implements existing Comprehensive Plan policies pertaining to agricultural buffers and land use conflicts between agricultural uses and new non-agricultural development and uses. Currently these issues are addressed on a case by case basis. The proposed ordinance establishes development standards for agricultural buffers that address applicability of agricultural buffers, widths of agricultural buffers, and allowable uses within agricultural buffers. The proposed ordinance will not result in any inconsistencies with the adopted policies and development standards of the Comprehensive Plan including the Montecito Community Plan. The proposed ordinance amendment is also consistent with the remaining portions of the Montecito Land Use and Development Code that would not be revised by this ordinance. Therefore, this ordinance may be found consistent with the Comprehensive Plan including the Montecito Community Plan, the requirements of State Planning and Zoning Laws, and the Montecito Land Use and Development Code.

The proposed ordinance does not involve an amendment to the Local Coastal Program.

2.3 The request is consistent with good zoning and planning practices.

The proposed ordinance is consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values. It will provide for clearer permit processes and add new development standards pertaining to agricultural buffers that will serve to minimize potential land use conflicts between agricultural development and uses and non-agricultural development and uses. As discussed in Finding 2.2, above, the amendment is consistent with the Comprehensive Plan including the Montecito Community Plan, and the Montecito Land Use and Development Code.