

ATTACHMENT 1

FINDINGS FOR APPROVAL OF CANNABIS AMENDMENTS TO UNIFORM RULES FOR AGRICULTURAL PRESERVES AND FARMLAND SECURITY ZONES

March 20, 2018

Case No. 17ORD-00000-00019

1.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

1.1 CASE NO. 17ORD-00000-00019, FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21166 AND THE CEQA GUIDELINES SECTIONS 15162-15164:

1.1.1 RELIANCE ON PREVIOUSLY CERTIFIED PROGRAM ENVIRONMENTAL IMPACT REPORT (EIR)

On February 6, 2018, the Board of Supervisors (Board) certified the Final Programmatic EIR (Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016) for the Cannabis Land Use Ordinances. Also, on February 6, 2018, the Board adopted a statement of overriding considerations. Both of these actions remain in full force and effect and are not proposed to be changed by the amendments to the Uniform Rules for Agricultural Preserves and Farmland Security Zones. The CEQA Guidelines Sections 15162 through 15164 and 15168(c) set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. In accordance with CEQA Guidelines Section 15164(e) and 15168(c) the previously certified EIR is adequate without modification for the following reasons.

The present action is the amendment of the *Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Uniform Rules) to address cannabis uses and development allowed pursuant to the Cannabis Land Use Ordinance and Licensing Program on lands subject to agricultural preserve contracts.

This action was anticipated during the preparation of the EIR, as described in Chapter 1, *Introduction*, Page 1-3; Chapter 2, *Project Description*, Pages 2-1, 2-43, 2-44; and in Chapter 3.9, *Land Use and Planning*, Pages 3.9-30 and 3.9-31. Moreover, the EIR included a reduced alternative (Alternative 2) that analyzed one specific approach to the Uniform Rules amendments.

Adoption of amendments to the Uniform Rules is consistent with the project description, analysis, and mitigation measures provided in the Final Programmatic EIR. In fact, the proposed action will ensure that the mitigation can be implemented through the future permit approvals without creating unanticipated impacts on Williamson Act Lands or conflicts with the Uniform Rules. Thus, the proposed action would not result in new or more severe impacts than was previously analyzed.

Finding: The Board finds that there are no substantial changes in the project, no substantial changes in the circumstances under which the project is undertaken, and

no new information which results in a new significant environmental effect or a substantial increase in the severity of a previously identified significant environmental effect since the certification of the Final Programmatic EIR (17EIR-00000-00003) dated December 2017, and the EIR Revision Letter (RV 01) dated January 31, 2018, for the project. In addition, the Board finds that no new effects would occur and no new mitigation measures would be required and adoption of the Uniform Rules is within the scope of the project covered by the EIR and no new environmental document is required.

1.1.2 FULL DISCLOSURE

The Board finds that the previously certified EIR, appendices, and RV 01, along with these findings and the findings and statement of overriding consideration made by the Board on February 6, 2018, constitute a complete, accurate, adequate, and good faith effort at full disclosure pursuant to CEQA.

1.1.3 LOCATION OF RECORD OF PROCEEDINGS

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 FOR AMENDMENTS TO THE UNIFORM RULES FINDINGS (Case No. 17ORD-00000-00019)

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

The proposed amendments to the Uniform Rules would limit the amount and types of cannabis activities that would be permitted on Williamson Act lands. This is in the interests of the general community welfare because the preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources, and also for the assurance of adequate, healthful, and nutritious food for residents of the state and the nation. The amendment would also specify that cannabis activities are not compatible with Williamson Act contracts for open space or Williamson Act contracts for recreation, thereby ensuring the continued protection of scenic, biological and recreational resources in those preserves.

4.2 The request is consistent with the County Comprehensive Plan, the requirements of state planning and zoning laws, and the LUDC and CZO.

The amendment of the Uniform Rules, as analyzed in the Board letter, dated March 20, 2018, which is hereby incorporated by reference, would be consistent with the adopted policies and development standards of the Comprehensive Plan, including the Land Use and Agricultural Elements. The Agricultural Element contains goals and policies which require the protection of agriculture lands, the reservation of prime soils for agricultural uses, and the preservation of a rural economy. The amendment would limit the types and amounts of cannabis activities that would be permitted on Williamson Act lands. It would also specify that some cannabis

activities, including cultivation, are compatible with the agricultural uses on Williamson Act lands, thereby ensuring consistency with the Cannabis Land Use Ordinances (Case Nos. 17ORD-00000-00004, -00010).

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

The amendment of the Uniform Rules, as analyzed in the Board letter, dated March 20, 2018, which is hereby incorporated by reference, are consistent with the principles and objectives of the Williamson Act program and comply with the provisions in the Government Code (e.g., Government Code § 51238.1). It would allow cannabis activities to occur on contracted lands with application of all the mitigation measures identified in the EIR. It would also be consistent with the goals and objectives for Agricultural Zones. The Uniform Rules amendment was made with particular consideration given to applying good zoning/planning practices while preserving agricultural and open space land in the County. As also stated under 4.2 above, the proposed Uniform Rules amendment is consistent with all applicable policies of the Comprehensive Plan and Land Use and Development Code.