

ATTACHMENT A: FINDINGS

1.0. CEQA FINDINGS

1.1 CEQA Guidelines Exemption Findings

1.1.1 Case Nos. 14GPA-00000-00013 (Coastal Land Use Plan Amendment) and 14ORD-00000-00009 (Article II Coastal Zoning Ordinance Amendment):

The Board of Supervisors finds that the proposed amendments to the Coastal Land Use Plan and the Article II Coastal Zoning Ordinance are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3), 15265 and 15378(b)(5) of the California Guidelines for Implementation of the CEQA.

1.1.2 Case Nos. 14GPA-00000-00010 (Agricultural Element Amendment), -00011 (Conservation Element Amendment) and -00012 (Land Use Element Amendment).

The Board of Supervisors finds that the proposed amendments to the Agricultural, Conservation and Land Use Elements of the Comprehensive Plan are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15378(b)(5) of the California Guidelines for Implementation of the CEQA.

1.1.3 Case Nos. 14ORD-00000-00008 (County Land Use and Development Code Amendment).

The Board of Supervisors finds that the proposed amendments to the County Land Use and Development Code are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15378(b)(5) of the California Guidelines for Implementation of the CEQA.

1.1.4 Case Nos. 14ORD-00000-00010 (Montecito Land Use and Development Code Amendment).

The Board of Supervisors finds that the proposed amendments to the Montecito Land Use and Development Code are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15378(b)(5) of the California Guidelines for Implementation of the CEQA.

2.0 ADMINISTRATIVE FINDINGS.

2.1 Findings for Case Nos. 14GPA-00000-00013 (Coastal Land Use Plan Amendment) and 14ORD-00000-00009 (Article II Coastal Zoning Ordinance Amendment):

In compliance with the Section 35-180 (Amendments to a Certified Local Coastal Program) of the Article II Coastal Zoning Ordinance and the California Government Code, the following findings shall be made by the Board of Supervisors in order to approve amendments to the Coastal Land Use Plan or the Article II Coastal Zoning Ordinance:

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

The proposed amendments are in the interest of the general community welfare since the amendments codify a process by which exemptions to the prohibitions against High-Intensity Petroleum Operations that will be added to the Coastal Land Use Plan, the Comprehensive Plan and the Article II Coastal Zoning Ordinance if Measure P2014: Initiative to Ban “High-Intensity Petroleum Operations” is approved by the voters in November. The proposed amendments are procedural in nature and neither enlarge nor narrow the exemptions in Section 5 of the Initiative. Codification of this process will provide certainty for the community, including operators of existing oil and gas extraction operations, and will reduce litigation risks for the County.

2.1.2 The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of State planning and zoning laws, and Article II Coastal Zoning Ordinance.

Adoption of the proposed amendments will provide a codified method to approve exemptions to the prohibitions against High-Intensity Petroleum Operations as allowed by Measure P2014: Initiative to Ban “High-Intensity Petroleum Operations” which will benefit both the public and County staff. The proposed amendments are procedural in nature and neither enlarge nor narrow the exemptions in Section 5 of the Initiative. The proposed amendments will not result in any inconsistencies with the adopted policies and development standards of the Coastal Land Use Plan or the Article II Coastal Zoning Ordinance. The proposed amendments are also consistent with the remaining portions of the Comprehensive Plan, Coastal Land Use Plan and the Article II Coastal Zoning Ordinance that would not be revised by these amendments. Therefore, these amendments may be found consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of State planning and zoning laws, and Article II Coastal Zoning Ordinance.

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

The proposed amendments are consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values since they will provide a clear process to evaluate applications for exemptions from the prohibitions against High-Intensity Petroleum Operations as allowed by Measure P2014: Initiative to Ban “High-Intensity Petroleum Operations.” The proposed amendments are procedural in nature and neither enlarge nor narrow the exemptions in Section 5 of the Initiative. As discussed in Finding 2.1.2, above, the amendment is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of State planning and zoning laws, and Article II Coastal Zoning Ordinance.

2.1.4 The request is deemed to be in the public interest.

Similar to Finding 2.1.1, above, the proposed amendment to the Coastal Land Use Plan is deemed to be in the public interest since the amendments codify a process by which

exemptions to the prohibitions against High-Intensity Petroleum Operations that will be added to the Coastal Land Use Plan, the Comprehensive Plan and the Article II Coastal Zoning Ordinance if Measure P2014: Initiative to Ban “High-Intensity Petroleum Operations” is approved by the voters in November. The proposed amendments are procedural in nature and neither enlarge nor narrow the exemptions in Section 5 of the Initiative. Codification of this process will provide certainty for the community, including operators of existing oil and gas extraction operations, and will reduce litigation risks for the County.

2.2 Findings for Case Nos. 14GPA-00000-00010 (Agricultural Element Amendment), -00011 (Conservation Element Amendment) and -00012 (Land Use Element Amendment), 14ORD-00000-00008 (County Land Use and Development Code Ordinance Amendment) and 14ORD-00000-00010 (Montecito Land Use and Development Code Ordinance Amendment):

In compliance with the Section 35.104.060 (Findings Required for Approval of Amendments) of the County Land Use and Development Code, Section 35.494.060 (Findings Required for Approval of Amendments) of the Montecito Land Use and Development Code, and the California Government Code, the following findings shall be made by the Board of Supervisors in order to approve amendments to the Comprehensive Plan, the County Land Use and Development Code, and the Montecito Land Use and Development Code:

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

The proposed amendments are in the interest of the general community welfare since the amendments codify a process by which exemptions to the prohibitions against High-Intensity Petroleum Operations that will be added to the Comprehensive Plan and the County Land Use and Development Code if Measure P2014: Initiative to Ban “High-Intensity Petroleum Operations” is approved by the voters in November. The proposed amendments are procedural in nature and neither enlarge nor narrow the exemptions in Section 5 of the Initiative. Codification of this process will provide certainty for the community, including operators of existing oil and gas extraction operations, and will reduce litigation risks for the County.

2.2.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, the County Land Use and Development Code, and the Montecito Land Use and Development Code.

Adoption of the proposed amendments will provide a codified method to approve exemptions to the prohibitions against High-Intensity Petroleum Operations as allowed by Measure P2014: Initiative to Ban “High-Intensity Petroleum Operations” which will benefit both the public and County staff. The proposed amendments are procedural in nature and neither enlarge nor narrow the exemptions in Section 5 of the Initiative. The proposed amendments will not result in any inconsistencies with the adopted policies and development standards of the Comprehensive Plan, the County Land Use and Development Code or the Montecito Land Use and Development Code. The proposed amendments are also consistent with the remaining portions of the Comprehensive Plan, the County Land Use and Development Code, and the Montecito Land Use and

Development Code that would not be revised by these amendments. Therefore, these amendments may be found consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, the County Land Use and Development Code, and the Montecito Land Use and Development Code.

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

The proposed amendments are consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values since it will provide a clear process to evaluate applications for exemptions from the prohibitions against High-Intensity Petroleum Operations as allowed by Measure P2014: Initiative to Ban “High-Intensity Petroleum Operations.” The proposed amendments are procedural in nature and neither enlarge nor narrow the exemptions in Section 5 of the Initiative. As discussed in Finding 2.2.2, above, the amendment is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, the County Land Use and Development Code, and the Montecito Land Use and Development Code.

2.1.4 The request is deemed to be in the public interest.

Similar to Finding 2.2.1, above, the proposed amendments to the Comprehensive Plan are deemed to be in the public interest since the amendments codify a process by which exemptions to the prohibitions against High-Intensity Petroleum Operations that will be added to the Comprehensive Plan and the County Land Use and Development Code if Measure P2014: Initiative to Ban “High-Intensity Petroleum Operations” is approved by the voters in November. The proposed amendments are procedural in nature and neither enlarge nor narrow the exemptions in Section 5 of the Initiative. Codification of this process will provide certainty for the community, including operators of existing oil and gas extraction operations, and will reduce litigation risks for the County.