

ATTACHMENT 1: FINDINGS

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 15164:

1.1 CONSIDERATION OF THE SUBSEQUENT ACTIVITIES IN THE PROGRAM

The County Board of Supervisors considered the previously certified PEIR for the Cannabis Land Use Ordinance and Licensing Program, 17EIR-00000-00003 (Attachment 4 to the Board Agenda Letter, dated December 1, 2022, and incorporated herein by reference), along with the Proposed Project, which is an activity within the scope of the PEIR. The PEIR's certification is not limited to particular purposes or particular areas of the County. The Coastal Commission considered the County's PEIR, and found that the PEIR is consistent with the Local Coastal Program. Staff prepared a written checklist in compliance with State CEQA Guidelines 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 December 1, 2022, and incorporated herein by reference). As shown in the written checklist, 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 Planning Commission 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 under State CEQA Guidelines Section 15162, 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 Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101. The Final PEIR is also located online here: <https://www.countyofsb.org/1358/Zoning-Permitting>.

2.0 COASTAL DEVELOPMENT PERMIT FINDINGS

2.1 *Findings required for all Coastal Development Permits.*

2.1.1 *In compliance with Section 35-60.5 of the Article II Coastal Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based*

on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.

The Board of Supervisors finds that public and private services are adequately available to serve the Proposed Project. As discussed in Section 6.3 of the Planning Commission staff report dated August 23, 2022, and incorporated herein by reference, adequate services are available to serve the Proposed Project. The site will be served by the Carpinteria Valley Water District in addition to a private well, the Carpinteria-Summerland Fire Protection District, and the Santa Barbara County Sheriff's Department. A new private septic system will provide wastewater treatment for the site.

2.2 *Findings required for Coastal Development Permit applications subject to Section 35-169.4.1 for development that may not be appealed to the Coastal Commission. In compliance with Section 35-169.5.1 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development subject to Section 35-169.4.1 for development that may not be appealed to the Coastal Commission the decision-maker shall first make all of the following findings:*

2.2.1 *The proposed development conforms:*

- a. To the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan;***
- b. The applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 161 (Nonconforming Use of Land, Buildings and Structures).***

The Board of Supervisors finds that the Proposed Project conforms to the Comprehensive Plan, including the Coastal Land Use Plan, as well as the applicable provisions of the Article II Coastal Zoning Ordinance. As discussed in Sections 6.3 and 6.4 of the Planning Commission staff report dated August 23, 2022, and the Board Agenda Letter dated December 1, 2022, and incorporated herein by reference, the Proposed Project conforms with all applicable regulations, policies, and development standards from the Comprehensive Plan, the Coastal Land Use Plan, and Article II.

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

The Board of Supervisors finds that the Proposed Project is located on a legally created lot. The subject parcel is a 16.77-acre parcel that is shown as Parcel C of Parcel Map 11,615 in Book 10, Page 69 of Parcel Maps in the office of the County Recorder of Santa Barbara County.

2.2.3 *The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, 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 Division 10 (Nonconforming Structures and Uses).

The Board of Supervisors finds the subject property and Proposed Project is in compliance with all requirements. As described in the Planning Commission staff report dated August 23, 2022, and incorporated herein by reference, upon implementation of the Proposed Project the subject parcel is in full compliance with all laws, rules, and regulations pertaining to zoning uses, subdivisions, setbacks, and all other applicable provisions of the Article II Zoning Ordinance, and for the AG-I Zone District. The subject parcel contains a mobile home, an 822-square-foot addition to the pump house, a 2,139-square-foot cooler structure, a 260-square-foot accessory structure, and a 50-square-foot accessory structure, which were constructed without the permits. These five structures will be removed pursuant to the project description and Condition No. 20 of Attachment 2 to the Board Agenda Letter, dated December 1, 2022, and incorporated herein by reference, and upon removal, the subject parcel will conform to all requirements. Additionally, all processing fees are paid to date.