

## **ATTACHMENT 1: FINDINGS**

### **1.0 CEQA FINDINGS**

Findings pursuant to Public Resources Code Section 21081 and the California Environmental Quality Act Guidelines Sections 15162 and 15164 that a previously-certified environmental impact report applies to proposed changes to the approved project.

### **1.1 ADDENDA TO THE ENVIRONMENTAL IMPACT REPORT**

The Board of Supervisors has considered the Addendum dated September 17, 2024, together with the previously certified EIR (Case No. 21EIR-00000-00001) for the Arctic Cold Agricultural Processor and Freezer Facility. The Addendum reflects the independent judgement of the Board of Supervisors and has been completed in compliance with CEQA. The Addendum, together with the EIR 21EIR-00000-00001, is adequate for this proposal. On the basis of the whole record, including the Addendum, the previously certified CEQA document, and any public comments received, the Board of Supervisors finds that the proposed project changes described in the Addendum will not create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment nor present new information of substantial importance pursuant to CEQA Guidelines Sections 15162 and 15164.

Please see Attachment C, 21EIR-00000-00001 Addendum, incorporated herein by reference.

### **1.2 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 Clerk of the Board of Supervisors, located at 105 East Anapamu Street, Santa Barbara, CA 93101. The document is also available at:

<https://santabarbara.legistar.com/Calendar.aspx#current>

### **1.3 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM**

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(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 and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

#### **1.4 FINDINGS ADDRESSING ADDENDUM ISSUE AREAS**

The Addendum prepared for the project addressed the following issues: air quality, biological resources, greenhouse gas emissions, hazards and hazardous materials, land use compatibility, noise, transportation/circulation and utilities and service systems. All other issue areas were determined to be unaffected by the proposed project. The Addendum dated September 17, 2024, incorporated herein by reference, finds that the previously certified EIR (21EIR-00000-00001), may be used to fulfill the environmental review requirements of the current project. Since none of the following have occurred, as discussed in Section 6.1 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, no subsequent environmental review shall be prepared according to CEQA Guidelines section 15168(c) and 15162: there are no substantial changes proposed in the project which will require major revisions to the EIR; no substantial changes have occurred with respect to the circumstances under which the project is undertaken; and there is no new information of substantial importance showing any new or substantially more severe environmental impacts.

#### **2.0 COMPREHENSIVE PLAN AMENDMENT FINDINGS**

##### **2.1 FINDINGS REQUIRED FOR APPROVAL OF AMENDMENTS (§35.104.060).**

An application for an Amendment to the Comprehensive Plan, Development Code or Zoning Map may be approved only if the review authority first makes all of the following findings, as applicable to the type of Amendment.

##### **A. Findings for Comprehensive Plan, Development Code and Zoning Map Amendments.**

##### **1. The request is in the interests of the general community welfare.**

The Board of Supervisors find that the request is in the interests of the general community welfare. The Arctic Cold Extensive Agricultural Processing General Plan Amendment will apply the Agricultural Industry Overlay to the Proposed Lot 1 (APN 128-097-012). The Agricultural Element of the Comprehensive Plan encourages the development of agricultural support services within close proximity of existing agricultural operations to provide particular and specific benefits which will advance the purposes and policies of the Agricultural Element. The Santa Maria Rural Region is appropriate for this type of development because it contains some of the most productive agricultural operations in the County. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by

reference, the application of the Agricultural Industry Overlay for the purpose of allowing extensive processing for agricultural products balances the County's goals, policies, and regulations. As such, the request is in the interests of the general community welfare as it will provide a source of agricultural support services, ultimately helping to meet County goals for agricultural production.

**2. The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code.**

The Board of Supervisors find that the request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code (LUDC). As discussed in Section 6.2 of the staff report, dated June 4, 2024 and incorporated herein by reference, the proposed development will allow for agricultural support services in an area that contains productive agricultural operations, which aligns with the County's Comprehensive Plan goals and complies with LUDC requirements.

**3. The request is consistent with good zoning and planning practices.**

The Board of Supervisors find that the request is consistent with good zoning and planning practices. The project is consistent with local and state planning regulations, as discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference. Furthermore, the addition of the Agricultural Industry Overlay to include the 40.6-acre parcel is consistent with the intent of the overlay, which is to provide for agriculturally-related commercial and industrial uses in Rural Areas where appropriate. The approval of this Comprehensive Plan Amendment will result in further development of agricultural support services in a location that contains some of the largest agricultural operations in the County, and therefore is consistent with good zoning and planning practices.

**B. Additional finding for Comprehensive Plan Amendments.**

**1. If the request is for an amendment to the Comprehensive Plan, then the review authority shall also find that the request is deemed to be in the public interest.**

The Board of Supervisors find the request is deemed to be in the public interest. The Comprehensive Plan Amendment is in the interest of actively promoting and protecting the viability of agricultural operations in the immediate area and within the region. The project contributes to achieving these goals by reducing the costs and impacts of transporting agricultural products to areas outside the immediate area and region.

The Comprehensive Plan Amendment will allow for the use of extensive processing for agricultural products on 40.65 acres of land designated A-II and zoned AG-II-40 in the Rural Area of the Santa Maria Rural Region. As discussed in 21EIR-00000-00001, development of extensive processing for agricultural products would realize beneficial impacts to existing agricultural operations in the area and region. Development standards established in the County Land Use and Development Code, along with a discretionary permit process, are intended to reduce adverse impacts to environmental resources and services for projects such as this in the Santa Maria Rural Region.

### **3.0 ADMINISTRATIVE FINDINGS**

#### **3.1 CONDITIONAL USE PERMIT FINDINGS**

**3.1.1 Findings required for all Conditional Use Permits.** In compliance with Section 35.82.060.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Major or Minor Conditional Use Permit the review authority shall first make all of the following findings:

- 1. That the site for the project is adequate in size, shape, location and physical characteristics to accommodate the type of use and level of development proposed.**

The Board of Supervisors finds that the project site is adequate in size, shape, location and physical characteristics to accommodate the proposed program and operational use changes. A Conditional Use Permit is required for the proposed extensive agricultural processing use (milling and bottling of products with additives), as specified in Table 2-1 under LUDC Section 35.21.030.E. The subject site is 40 acres in size and located on an agricultural property at 1750 East Betteravia Road. East Betteravia Road, agricultural fields, and the Central City Cooling (agricultural processing) facility border the site to the north; agricultural fields border the site to the east and west; and agricultural fields and the Mid Coast Cooling (agricultural processing) facility border the site to the south. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, no new structural development is included with the proposed CUP. The proposed extensive agricultural processing is consistent with the Land Use Development Code and Comprehensive Plan, which states that agricultural support services are compatible with existing agricultural operations. The proposed project will provide support services to existing onsite and offsite agricultural operations. The structure incorporates styles,

colors, and scale compatible with the character of the surrounding development and no external changes are proposed for the facility.

**2. Within the inland area, significant environmental impacts will be mitigated to the maximum extent feasible.**

The Board of Supervisors finds that adverse impacts will be mitigated to the maximum extent feasible. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, revision of the previously approved 20DVP-00000-00006 will not cause any new adverse impacts that have not already been mitigated to the maximum extent feasible. Mitigation measures from the prior EIR, 21EIR-00000-00001, that remain applicable have been carried over to the current proposal to ensure that any project-related impacts will be reduced to the maximum extent feasible. In addition, as discussed in the Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the project will apply the Agricultural Industry Overlay on a limited area within the Rural Area as designated on the Land Use Element Maps, allow an extensive agricultural processing use, split the lot into two lots, and construct a flag pole.

**3. That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.**

The Board of Supervisors finds that streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed Conditional Use Permit. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference; and as discussed in the Traffic, Parking and VMT Analysis (Attachment D of the County Planning Commission staff report), the proposed project will not exceed any County volume/capacity, VMT or LOS thresholds. Additionally, there is no change to the circulation pattern as part of the project and the area roadways will continue to function within acceptable capacities.

**4. That there will be adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.**

The Board of Supervisors finds that there will be adequate public services available to serve the project. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the project is a request to apply the Agricultural Industry

Overlay on a limited area within the Rural Area as designated on the Land Use Element Maps, allow an extensive agricultural processing use, split the lot into two lots, and construct a flag pole. The previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure. Additionally, Proposed Lots 1 and 2 of the Tentative Parcel Map will be served adequately by existing infrastructure. The project domestic and fire suppression water for Proposed Lot 1 will be served by a well via an approved non-community non-transient public water system. Existing domestic and agricultural wells will continue to serve Proposed Lot 2. The domestic wastewater for Proposed Lot 1 will be served by an onsite wastewater treatment system. An existing onsite wastewater treatment system will continue to serve Proposed Lot 2. The applicant will continue to implement a Solid Waste Management Plan for Arctic Cold Agricultural Processor and Freezer Facility construction and operations on Proposed Lot 2. The process wastewater on Proposed Lot 2 will be served by a process wastewater basin. Both proposed lots on the project site will continue to be served by the Santa Barbara County Fire Department and the Santa Barbara County Sheriff. Access to the site will be provided via driveways off East Betteravia Road.

- 5. That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.**

The Board of Supervisors finds that the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project is compatible with the community's agricultural character because the addition of the extensive agricultural processing use (and associated application of the Agricultural Industry Overlay) will provide a support service to the existing agricultural industry in the immediate area. There will be no new environmental impacts and the proposed project is consistent with Comprehensive Plan policy and LUDC regulations.

- 6. The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.**

The Board of Supervisors finds that the proposed project complies with all applicable requirements of this Development Code and the Comprehensive Plan upon approval of the proposed Conditional Use Permit. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated

June 4, 2024 and incorporated herein by reference, the proposed Conditional Use Permit, as conditioned, is consistent with all applicable requirements of the LUDC and the Comprehensive Plan. Policies and development standards include those related to land use, provision of services, hillside and watershed protection, parks/recreation, visual resources, agricultural land use, circulation, energy, hazardous waste, noise, seismic/geology, and safety. The project conforms to all requirements of the Land Use Development Code, including the AG-II-40 Zone District standards.

**7. Within Rural areas as designated on the Comprehensive Plan maps, the proposed use will be compatible with and subordinate to the rural and scenic character of the area.**

The Board of Supervisors finds that the proposed project is compatible and subordinate to the character of the project area. As described in Sections 6.2 and 6.3 of this staff report dated June 4, 2024, and incorporated herein by reference, the project site is located in a rural area that supports extensive areas of outdoor and supportive agricultural operations. The proposed extensive agricultural processing is located in an area that currently contains other agricultural processing and freezer operations. Mid Coast Cooling is located on Proposed Lot 2 and Central City Cooling is located on a property located immediately North across East Betteravia Road. The project will therefore not result in new development that will be incompatible with the character of the surrounding environment.

### **3.2 DEVELOPMENT PLAN FINDINGS**

**3.2.1 Findings required for a Revision to an Approved Development Plan.** An application for an Amendment shall be approved or conditionally approved only if the Review Authority first makes all of the following findings:

- 1. That the findings required for approval of the Final Development Plan, including any environmental review findings made in compliance with the California Environmental Quality Act, that were previously made when the Final Development Plan was initially approved are still applicable to the project with the addition of the development proposed by the application for the Amendment.**

The Board of Supervisors finds that the findings made for approval of 20DVP-00000-00006, including environmental review findings are still applicable to the project with the addition of development proposed. Approval of a Development Plan is required for a facility to be used for extensive agricultural processing, as specified in LUDC Section 35.42.040.B.2. As

described in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, revision of the approved Development Plan will allow for construction of a flag pole adjacent to an approved structure. The flag pole structure will be a minor revision to the approved site plan and no new findings are required.

- 2. That the environmental impacts related to the development proposed by the application for the Amendment are determined to be substantially the same or less than those identified during the processing of the previously approved Final Development Plan.**

The Board of Supervisors finds that the environmental impacts related to the development proposed by the application for the Amendment are substantially the same or less than those identified during processing of the previously approved 20DVP-00000-00006. As described in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, revision of the approved Development Plan will allow for construction of a flag pole adjacent to an approved structure. No new environmental impacts have been identified as a result of the addition of a flag pole structure on Proposed Lot 2.

**3.2.2 Findings required for all Development Plans.** In compliance with Subsection 35.82.080.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Preliminary Development Plan or Final Development Plan the review authority shall first make all of the following findings, as applicable:

- 1. The site of the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.**

The Board of Supervisors finds that the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, revision of the previously approved 20DVP-00000-00006 will allow for construction of a flag pole adjacent to an approved structure. The proposed minor development will be within the approved development area on Proposed Lot 2 and will not result in an increase in density or intensity of development.

- 2. Adverse impacts will be mitigated to the maximum extent feasible.**



The Board of Supervisors finds that adverse impacts will be mitigated to the maximum extent feasible. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, revision of the previously approved 20DVP-00000-00006 will not cause any new adverse impacts that have not already been mitigated to the maximum extent feasible.

**3. Streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.**

The Board of Supervisors finds that streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, and as discussed in the Traffic, Parking and VMT Analysis (Attachment D of the staff report), the proposed project will not exceed any County volume/capacity, VMT or LOS thresholds. Additionally, there is no change to the circulation pattern as part of the project and the area roadways will continue to function within acceptable capacities.

**4. There will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project.**

The Board of Supervisors finds that there will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure. Additionally, Proposed Lots 1 and 2 of the Tentative Parcel Map will be served adequately by existing infrastructure. The project domestic and fire suppression water for Proposed Lot 1 will be served by a well via an approved non-community non-transient public water system. Existing domestic and agricultural wells will continue to serve Proposed Lot 2. The domestic wastewater for Proposed Lot 1 will be served by an onsite wastewater treatment system. An existing onsite wastewater treatment system will continue to serve Proposed Lot 2. The applicant will continue to implement a Solid Waste Management Plan for Arctic Cold Agricultural Processor and Freezer Facility construction and operations on Proposed Lot 2. The process wastewater on Proposed Lot 2 will be served by a process wastewater basin. Both proposed lots on the project site will continue to be served by the Santa Barbara County Fire Department and the Santa Barbara

County Sheriff. Access to the site will be provided via driveways off East Betteravia Road.

- 5. The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding area.**

The Board of Supervisors finds that the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project will be compatible with the community's agricultural character because the construction of a new flagpole and addition of the extensive agricultural processing use (and associated application of the Agricultural Industry Overlay) will provide a support service to the existing agricultural industry in the immediate area. There will be no new environmental impacts and the proposed project is consistent with Comprehensive Plan policy and LUDC regulations.

- 6. The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.**

The Board of Supervisors finds that the proposed project complies with all applicable requirements of this Development Code and the Comprehensive Plan upon approval of the proposed revision to 20DVP-00000-00006. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed revision to 20DVP-00000-00006, as conditioned, is consistent with all applicable requirements of the LUDC and the Comprehensive Plan. Policies and development standards include those related to land use, provision of services, hillside and watershed protection, parks/recreation, visual resources, agricultural land use, circulation, energy, hazardous waste, noise, seismic/geology, and safety. The project conforms to all requirements of the Land Use Development Code, including the AG-II-40 Zone District standards.

- 7. Within Rural areas as designated on the Comprehensive Plan maps, the use will be compatible with and subordinate to the agricultural, rural, and scenic character of the rural areas.**

The Board of Supervisors finds that the proposed project is compatible and subordinate to the character of the project area. As described in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024

and incorporated herein by reference, the project site is located in a rural area that supports extensive areas of outdoor and supportive agricultural operations. The proposed extensive agricultural processing is located in an area that currently contains other agricultural processing and freezer operations. Mid Coast Cooling is located on Proposed Lot 2 and Central City Cooling is located on a property located immediately North across East Betteravia Road. The project will not result in new development that will be incompatible with the character of the surrounding environment.

**8. The project will not conflict with any easements required for public access through, or public use of a portion of the subject property.**

The Board of Supervisors finds that the proposed project will not conflict with public access easements. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure. Additionally, Proposed Lots 1 and 2 of the Tentative Parcel Map will be served adequately by existing infrastructure. The Arctic Cold Agricultural Processor and Freezer project was conditioned to maintain public access to existing right-of-ways along East Betteravia Road. The project applicant provided a Preliminary Title Report containing all existing easements, including those granted to the County of Santa Barbara (for road and incidental purposes) and the City of Santa Maria (for water lines and incidental purposes). In addition, the Arctic Cold Agricultural Processor and Freezer project was conditioned to dedicate additional roadway easement along the south side of East Betteravia Road for the purpose of formalizing a half-width right-of-way.

**3.3 TENTATIVE MAP FINDINGS**

**3.3.1 The following, among others, shall be cause for disapproval of a tentative map, including tentative parcel maps, but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant:**

- 1. Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening, realignment, or change of grade by an instrument in writing recorded, or capable of being recorded, in the office of the county recorder; provided, however, that the director of public works may approve such easements or rights-of-way without such subordinations. Easements or rights-of-way shall not be granted along or across proposed county streets before filing for record of the final subdivision map by the county recorder, unless the director of public works shall approve**

**such grants. If the director of public works does not grant such approvals within fourteen days from the date they were requested, they shall be deemed to have been refused. Appeal from refusal of the director of public works to grant such approvals may be made in writing to the board of supervisors, which may overrule the director of public works and grant such requested approvals in whole or in part.**

The Board of Supervisors finds that the proposed project does not involve easements or rights-of-way which are not expressly subordinated to street widening, realignment, or change of grade (by an instrument in writing recorded, or capable of being recorded, in the office of the county recorder) along or across proposed County streets. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure, including a right-of-way dedication along the south side of East Betteravia Road. Both parcels created by the proposed project will take access directly off of East Betteravia Road. No easements for access are required. Additionally, the Proposed Project was reviewed by the Public Works – Transportation Division, who confirmed it meets all of their requirements.

**2. Lack of adequate width or improvement of access roads to the property; creation of a landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street;**

The Board of Supervisors finds that the proposed project does not create a lack of adequate width, improvement of access roads to the property, or landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure.

**3. Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view;**

The Board of Supervisors finds that the proposed project will not involve grading of steep slopes. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure and no grading is proposed as part of the project.

- 4. Grading or construction work on any proposed street or lot. Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors;**

The Board of Supervisors finds that the proposed project will not require grading or construction prior to recordation. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure and no grading is proposed as part of the project.

- 5. Potential creation of hazard to life or property from floods, fire, or other catastrophe;**

The Board of Supervisors finds that the proposed project will not result in the potential creation of hazard to life or property from floods, fire, or other catastrophe. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, potential hazards were already analyzed as part of the approved Arctic Cold Agricultural Processor and Freezer Facility and the approval of the tentative map to create two legal parcels for conveyance purposes will not create any hazard to life or property.

- 6. Nonconformance with the County's Comprehensive Plan or with any alignment of a state highway officially approved or adopted by the state department of transportation;**

The Board of Supervisors finds that the proposed project is in conformance with the County Comprehensive Plan and with the alignment of existing state highways. As described in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project is consistent with all applicable polices of the County Comprehensive Plan. The Project does not abut or take access off of any state highway and is not located within one mile of a state highway.

- 7. Creation of a lot or lots which have a ratio of depth to width in excess of 3 to 1;**

The Board of Supervisors finds that the proposed project will not create a lot with a ratio of depth to width in excess of 3 to 1. The proposed parcels will have ratios of approximately 1.2 to 1 and 1.4 to 1.

**8. Subdivision designs with lots backing up to watercourses.**

The Board of Supervisors finds that the proposed project will not create parcels that back up to water courses because no water courses are present within the area or vicinity of the proposed project. The existing drainage ditch along the northern boundary of both proposed lots and along the eastern boundary of proposed lot 1 is man-made for the purpose of handling agricultural runoff; and does not constitute a natural water course.

**3.3.2 A tentative map including tentative parcel map shall not be approved if the decisionmaker finds that the map design or improvement of the proposed subdivision is not consistent with this Chapter, the requirements of the State Subdivision Map Act, California Government Code Section 66410 et seq., the County's Comprehensive Plan, the applicable zoning ordinance, or other applicable County regulations.**

The Board of Supervisors finds that the proposed project is consistent with the requirements of the State Subdivision Map Act, the County Comprehensive Plan, County Land Use and Development Code, and Chapter 21 of the County Code. As described in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project is consistent with County policies and code requirements.

**3.3.3 Prior to recordation of the final or parcel map, the subdivider shall furnish the following information to the Public Works Director, Flood Control Engineer, and Building Official:**

- 1. Complete plans and specifications, including elevations and grades, for any roads, culverts, drainage ways, bridges, or structures necessary for drainage, erosion control, traffic circulation, or public safety;**
- 2. Any other information required by the conditional approval of the decisionmaker.**

The Board of Supervisors finds that the Applicant for the proposed project has provided all relevant and required information needed for the Board of Supervisors to make an informed decision to approve this map and proceed to recordation, subject to the Conditions of Approval, included as Attachment B to the County Planning Commission staff report dated, June 4, 2024 incorporated herein by

reference. The Applicant furnished all requested information to the Public Works Director, Flood Control Engineer, and Building Official. Condition letters, included as Attachment B3 Condition No. 10 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, were provided by the County departments, acknowledge the project's completeness, and provide all requirements prior to recordation of the map.

**3.3.4 When submitting a tentative map for the subdivision of only a portion of a separate legal lot, the subdivider, unless otherwise directed by the Subdivision/Development Review Committee, shall submit a possible future development plan of remaining portions of the lot on a topographic map. This plan shall indicate a general layout of streets in dotted or dashed lines and shall be clearly labeled: "NOT A PART." Approval of the tentative map shall not constitute approval of the possible future development plan.**

The Board of Supervisors finds that the proposed Project is not a subdivision of only a portion of a separate legal lot, and therefore this finding does not apply.

**3.4 SUBDIVISION MAP ACT FINDINGS**

**3.4.1 Findings for all Tentative Maps.** In compliance with the Subdivision Map Act, the review authority shall make the following findings for the Arctic Cold Tentative Parcel Map TPM 14,880, Case No. 23TPM-00002:

- 1. State Government Code §66473.1. The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

The Board of Supervisors finds that the design of the Tentative Parcel Map (TPM) 14,880 provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The setbacks for the AG-II-40 (Agricultural, 40-acre minimum parcel size) Zone District allow for sufficient area for future development to be sited and designed to take advantage of solar exposure for natural heat and light and prevailing winds for natural cooling effects. There is also sufficient northern, southern, eastern, and western exposure to allow for passive heating and cooling systems to be provided on the site.

- 2. State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1 or any specific plan**

**adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.**

The Board of Supervisors finds that the proposed project is consistent with the policies of the Santa Barbara County Comprehensive Plan as discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference. The proposed project is consistent with all policies, including those related to land use, services, agriculture, and visual resources.

**3. State Government Code §66474. The following findings shall be cause for disapproval of a Tentative Parcel Map/Tract Map:**

**a. The proposed map is not consistent with applicable general and specific plans as specified in §66451.**

The Board of Supervisors finds that the proposed project is consistent with the County Comprehensive Plan. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project is consistent with the policies of the County Comprehensive Plan, including but not limited to, the Land Use Element, and Agricultural Element.

**b. The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.**

The Board of Supervisors finds that the design and improvements of the proposed subdivision are consistent with the County Comprehensive Plan. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project is consistent with all applicable policies of the Comprehensive Plan.

**c. The site is not physically suitable for the type of development proposed.**

The Board of Supervisors finds that the project site is physically suitable for the type of development proposed. The proposed project does not include any structural development, but the project site is suitable for the types of development allowed by the A-II-40 Land Use Designation and AG-II-40 Zone District. The project site is generally level and does not contain any sensitive biological resources, known cultural resources, or other constraints to the development of the two proposed lots. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated



herein by reference, the project site also has access to all required services. The project site is suitable for the proposed subdivision and future development.

**d. The site is not physically suited for the proposed density of development.**

The Board of Supervisors finds that the project site is physically suited for the proposed density of development. The proposed project does not include any physical development, and as discussed in Finding 3.4.1.3.c. above, the project site is physically suitable for development. Each lot is consistent with the LUDC requirements regarding lot size and will have adequate area for construction of future development.

**e. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The Board of Supervisors finds that the design of the subdivision will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. As discussed in Attachment C of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, an Addendum to the Arctic Cold Agricultural Processor and Freezer Facility Environmental Impact Report ensures that all environmental impacts will be reduced to the maximum extent feasible. Additionally, the project site is not located in the vicinity of significant biological resources or water bodies.

**f. The design of the subdivision or type of improvements is likely to cause serious public health problems.**

The Board of Supervisors finds that the design of the subdivision will not cause serious public health problems. The proposed project consists of subdividing one 111.75- acre parcel into one 40.65-acre parcel and one 71.10-acre parcel; and does not include any structural development. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project meets all requirements of the County Comprehensive Plan. Additionally, the proposed project was reviewed by the County Fire Department, Environmental Health Services, Public Works Department, and Air Pollution Control District, which all confirmed the proposed project meets their requirements. Some of these departments provided condition letters for the proposed project which are included as Condition No. 10 of Attachment B3 to the staff report dated June 4, 2024.

- g. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

The Board of Supervisors finds that the design of the subdivision will not conflict with any easements for access through or use of the proposed subdivision. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure, including a right-of-way dedication along the south side of East Betteravia Road.

- 4. State Government Code §66474.4. The legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it finds that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land, and if the legislative body finds that the land is subject to any of the following:**
  - a. A contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5), including an easement entered into pursuant to Section 51256.**
  - b. An open-space easement entered into pursuant to the Open-Space Easement Act of 1974 (Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5).**
  - c. An agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code.**
  - d. A conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code.**

The Board of Supervisors finds that the proposed project will not result in detrimental impacts to agricultural uses and that the land is not subject to any of the above-listed conservation or open space easements. The project site is currently used for row crops and an existing agricultural processor (Mid State Cooling), and these uses will continue. The resulting properties will be large enough to sustain the agricultural use, and the subdivision will not result in residential development not incidental to the commercial agricultural use of the land. The project site is not subject to a Williamson Act contract, an open space easement, an agricultural conservation easement, or a conservation easement.

- 5. State Government Code §66474.6. The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.**

The Board of Supervisors finds that the proposed project will not contribute to or result in a violation of existing requirements prescribed by the California Regional Water Quality Control Board. The proposed project consists of a subdivision of one 111.75-acre parcel into one 40.65-acre parcel and one 71.10-acre parcel; and does not include any structural development. Additionally, any future development on the properties will require the use of private septic systems for wastewater rather than a community sewer system.