

Attachment 1: Findings

1.0 CEQA FINDINGS

1.1 ENVIRONMENTAL IMPACT REPORTS

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090 AND 15091:

1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Final Environmental Impact Report (19EIR-00000-00003, SCH #2017041065) (“FEIR”) was presented to the Board of Supervisors and all voting members of the Board of Supervisors have reviewed and considered the information contained in the FEIR, as modified by the Final EIR Revision Letter No. 2 dated December 1, 2020, and its appendices prior to approving the project. In addition, all voting members of the Board of Supervisors have reviewed and considered testimony and additional information presented at or prior to public hearing[s] on September 11, 2020 and December 15, 2020. Copies of all public comment letters from the September 11, 2020, Planning Commission public hearing are available at

<https://cosantabarbara.app.box.com/s/q97rv82305oyfnbdjhcyrddhu3dgkqy/folder/122136585084>

The Final EIR and Revision Letter reflect the independent judgment and analysis of the Board of Supervisors and is adequate for this proposal.

1.2 FULL DISCLOSURE

The Board of Supervisors finds and certifies that the FEIR, as modified by the Final EIR Revision Letter No. 2 dated December 1, 2020, constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Board of Supervisors further finds and certifies that the Final EIR has been completed in compliance with CEQA.

1.3 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 Clerk of the Board of Supervisors located at 105 East Anapamu Street, Santa Barbara, CA 93101. The EIR is also available for review online at

<https://cosantabarbara.app.box.com/s/o9fp2865sykaqn98s0702plaa96xj7t5/folder/121502227994>

1.4 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE (CLASS I IMPACTS)

The FEIR, as modified by the Final EIR Revision Letter No. 2 dated December 1, 2020, for the public hearing for the OASIS project dated December 15, 2020, incorporated herein by

reference, identifies eight (8) environmental impacts which cannot be fully mitigated and are therefore considered unavoidable (Class I). Those impact areas are: Aesthetics/Visual Resources (Open Space Views - Project Specific and Cumulative); Biological Resources (Increased Development/Human Activities on/Adjacent to Open Space/Wildlife Habitat - Project Specific and Cumulative), Land Use -Compatibility/Quality of Life; Recreational Opportunities/Loss of Open Space (Project Specific and Cumulative), Transportation (Increased Traffic/Safety/Turning Movements - OCP Buildout). To the extent the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations included herein. For each of these Class I impacts identified by the FEIR, feasible changes or alterations have been required for, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

**1.4.1 AESTHETICS/VISUAL RESOURCES (OPEN SPACE VIEWS)
– PROJECT SPECIFIC AND CUMULATIVE CLASS I IMPACTS**

Impact VIS-1 (Scenic Views, Project Specific): The proposed project will increase development and result in loss of unobstructed scenic views of the Key Site 18 (KS18) contiguous natural open space setting along Orcutt Creek and loss to the open space visual character of the eastern gateway to Old Town Orcutt. (MMs VIS-1 – VIS-9)

Cumulative Aesthetics/Visual Resources: The project will exacerbate loss of open space views by allowing development on property currently designated as open space and parkland in the OCP to partially mitigate significant loss of open space views from OCP buildout.

The above project's specific and cumulative visual impacts will be partially mitigated by OASIS EIR Mitigation Measures VIS-1 through VIS-9, incorporated as project conditions of approval, which include specific criteria and requirements for lighting, prompt removal after use of temporary structures (e.g., used for party rentals), landscaping for the access road, steep slopes and retaining walls along the proposed access and pedestrian path, screening for rooftop mechanical equipment, development, landscaping, and sign plan details for consistency with approved project mitigation/conditions. Residual impacts after mitigation will remain significant and unavoidable, given permanent conversion to development and related infrastructure of a parcel. This area was created as an open space parcel in the Southpoint Estates subdivision (TM 12,679) and further designated for open space and parkland in the Orcutt Community Plan. No other feasible measures are known, which will further reduce the project specific and cumulative significant and unavoidable impacts from loss of scenic open space views. Aesthetic/Visual Resources impacts will be substantially reduced by the above mitigation measures, but residual impacts will remain Class I.

1.4.2 BIOLOGICAL RESOURCES (INCREASED DEVELOPMENT/HUMAN ACTIVITIES ON/ADJACENT TO OPEN SPACE/WILDLIFE HABITAT) – PROJECT SPECIFIC AND CUMULATIVE

Impact BIO-5: Increased Development/ Activity in an Open Space/ Wildlife Corridor The project will introduce development and human activities into a large urban open spaces/wildlife corridors in the central urban core of Orcutt.

Cumulative Biological Resources Impact: The project will develop an area set aside, in part, to reduce identified impacts to biological resources by preserving and protecting a contiguous band of open space along Orcutt Creek. The project will increase habitat fragmentation of the KS18 open space, compared to the open space and potential public park envisioned for the property in the OCP, without provision of offsetting open space land with biological resources elsewhere in the planning area. Therefore, the project will increase the previously identified significant impacts to biological resources from OCP buildout.

The above project specific and cumulative visual impacts will be partially mitigated by OASIS EIR Mitigation Measures BIO-1 and BIO-3 through BIO-19, incorporated as project conditions of approval. These mitigation measures require the following:

- Protection of biological resources during the construction period;
- Performance of special status wildlife and nesting bird surveys prior to commencement of construction;
- Monitoring of grading and construction activities in proximity to Orcutt Creek;
- Tree protection and replacement of native trees if trees are removed or damaged;
- Habitat setback requirements and implementation of a habitat restoration plan;
- Implementation of stormwater best management practices;
- Use of compatible native plant species in most areas with other drought tolerant, non-invasive species allowed for the lawn area and around the project structures;
- Criteria for trail and lighting design to minimize impacts to the nearby riparian habitat; and
- Requirement to obtain necessary authorizations from other agencies, including Fish and Wildlife and Regional Water Quality Control Board.

No other feasible mitigation measures are known, which will further reduce the project specific and cumulative significant and unavoidable impacts to biological resources. Biological impacts will be substantially reduced by the above mitigation measures, but residual impacts will remain Class I.

1.4.3 LAND USE -COMPATIBILITY/QUALITY OF LIFE

Impact LU-1 Compatibility The project will result in a change in character of the site and the scale of development on the site, which will present potential quality of life compatibility issues.

Compatibility impacts relate to the change from open space to development of the OASIS property. These compatibility impacts are associated with changes to the visual character, increased noise levels, loss of open space/scenic views, and changes in traffic that would result from the project development and use compared to the existing undeveloped open space setting change from open space to the project. Therefore, compatibility impacts related to visual character, noise, loss of open space/scenic views, and traffic will be partially mitigated by OASIS EIR mitigation measures, incorporated as project conditions of approval, that are discussed in the following sections of these findings, which are incorporated herein by reference: Aesthetics/Visual Resources (see CEQA Findings Section 1.4.1), Noise (see CEQA Findings Section 1.5.10), Recreation and Open Space (see CEQA Findings Section 1.4.4) and Transportation/Circulation (see CEQA Findings Section 1.4.5). No other feasible mitigation measures are known, which will further reduce the project specific and cumulative significant and unavoidable land use compatibility and quality of life impacts. These impacts will be substantially reduced by the above referenced mitigation measures, but residual impacts will remain Class I.

1.4.4 RECREATIONAL OPPORTUNITIES AND LOSS OF OPEN SPACE – PROJECT SPECIFIC AND CUMULATIVE

Impact REC-1: The project includes a proposed amendment to the OCP to allow the OASIS development/use on property that is currently restricted to open space and potential public park uses. The land use restrictions were adopted as partial mitigation for significant unavoidable impacts to recreation and loss of open space/open space views. The proposed conversion of open space/parkland to development will increase the previously identified significant unavoidable loss of open space and recreational impacts identified in the OCP EIR and Southpoint Estates' Orcutt 13 EIR, 79-EIR-1.

Cumulative Recreation/Loss of Open Space: The project will result in significant loss of open space and recreational opportunities identified in the OCP by removing high priority open space/parkland.

The above project specific and cumulative recreation and open space impacts will be partially mitigated by Mitigation Measures Rec-1 through Rec-4, incorporated as project conditions of approval. These mitigation measures identify required resolution of conflicting recorded access easements and include specific criteria for trail and bikeway/bike lane location, design, coordination, and construction. No other feasible mitigation measures are known, which will further reduce the project specific and cumulative significant and unavoidable impacts to open space and recreation. These impacts will be substantially reduced by the above referenced mitigation measures, but residual impacts will remain Class I.

**1.4.5 TRANSPORTATION – INCREASED TRAFFIC/SAFETY/TURNING MOVEMENTS
-AT OCP BUILDOUT**

Impact TC-7: Foxenwood/ Clark Intersection at OCP buildout: The project will contribute additional vehicle trips to OCP buildout traffic assumptions that will result in increased congestion, turning movement and safety impacts at the Foxenwood Lane/Clark Avenue Intersection. This cumulative impact will be significant and unavoidable.

The above impact to the Foxenwood Lane/Clark Avenue intersection at OCP buildout will be partially mitigated by Mitigation Measures TC-1 and TC-2, incorporated as project conditions of approval, which require submittal of final driveway and roadway improvement plans for Public Works review and approval prior to issuance of a zone clearance, including incorporation of pedestrian safety measures, as determined applicable by Public Works to improve pedestrian and bicycle safety for school children. These measures also require completion of all roadway improvements before Final Building Inspection Clearance. No other feasible mitigation measures are known, which will further reduce this traffic impact. This impact will be substantially reduced by the required roadway improvements, but residual impacts will remain Class I.

1.5 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL (CLASS II IMPACTS)

The FEIR, including the Revision Letter No. 2 dated December 1, 2020, identified several subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified by the FEIR, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

1.5.1 AESTHETIC/VISUAL IMPACTS (COMPATIBLE DEVELOPMENT/ IMPROVEMENTS)

Impact VIS-2 (Off-Site Sign): The proposed directional sign on Foxenwood Lane will result in potentially significant visual/aesthetic impacts.

The above impact will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measure VIS-2), incorporated as a project condition of approval, which requires submittal of sign design details (e.g., dimensions, colors, materials, lighting, location) adequate to ensure P&D and NBAR can determine the sign will not obstruct views and will be compatible with the setting and Old Town Orcutt sign criteria.

Impact VIS-3 (Retention Basin): The project includes a retention basin in the west end of the OASIS property, which, if not maintained, will result in significant visual impacts.

The above impact will be reduced to less than significant levels by feasible mitigation, (EIR

Mitigation Measure VIS-6), incorporated as a project condition of approval, which requires adequate landscaping and long-term maintenance of retention basin plantings, with P&D and NBAR review and approval of the landscape plan, Flood Control review and approval of the long-term maintenance agreement, Permit Compliance monitoring of landscape installation and maintenance before release of financial securities.

Impact VIS-5 (Temporary Structures): Temporary structures inconsistent with visual character of the area: If outdoor gatherings/special events/rentals involve structures or features are not promptly removed after events (e.g., party tents, etc.), this could result in incompatible semi-permanent structures onsite, which are inconsistent with the visual character of the surrounding area.

The above impact will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measure VIS-4), incorporated as a project condition of approval, which requires prompt removal of any temporary structures used onsite (e.g., bounce houses) after events, with this requirement included in all rental agreements.

Mitigation measures VIS-2, VIS-6 and VIS-4 have been adopted as conditions of approval and with their implementation, impacts to visual resources will be less than significant.

AIR QUALITY (2016 OZONE PLAN, CUMULATIVE)

Impact AQ-3: The project will potentially conflict with implementation of the 2016 Ozone Plan in reducing ozone precursor emissions and attainment of state and federal air quality standards for ozone.

Impact AQ-4: The project will result in potentially significant impacts associated with project generated smoke, odors, and dust (PM10) generated by onsite activities, resulting in nuisance complaints and increasing the challenge of meeting SBCAPCD attainment of PM10 standards.

Cumulative Air Quality Impact: Long-term operation of wood fired barbeques and fireplaces and lack of proximate bus stops or other transit options that reduce vehicle trips/vehicle miles travelled will be inconsistent with OCP policies/development standards, the County's Energy and Climate Action Plan, and achieving the 2016 Ozone Plan goals, which address attainment of PM10 and ozone precursor standards and provision of expanded transit opportunities, and other alternative modes of transportation (alternative to single occupant vehicle trips).

The above impacts will be reduced to less than significant levels by feasible mitigation, EIR Mitigation Measure AQ-2, incorporated as a project condition of approval, which requires implementation of an approved Transportation Demand Management Program designed to reduce single occupant vehicle trips and related emissions.

1.5.3 BIOLOGICAL RESOURCES (HABITAT, WILDLIFE, ORCUTT CREEK TRAIL/BIKEWAY)

Impact BIO-2: Sensitive Habitat and Oak Trees: The project will result in potentially significant direct (e.g., vegetation removal) and indirect/secondary impacts (e.g., erosion, degraded water quality) to sensitive habitat on Key Site 18, including the Orcutt Creek riparian corridor as well as impacts to individual oak trees. This includes potentially significant impacts if OCP resource protective measures and restoration requirements are not adhered to, including during the construction period, post-construction restoration, and long-term use of the OASIS facility and multi-use Orcutt Creek Trail segment, including its parallel Class I Bikeway (and Class II bike lane section).

Impact BIO-2 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measure BIO-1 and BIO-3 through BIO-19), incorporated as project conditions of approval. These measures require protection of biological resources during the construction period (BIO-1), performance of special status wildlife and nesting bird surveys prior to commencement of construction (BIO-2, BIO-6), worker orientation of biological protection measures (BIO-3), biological monitoring of grading and construction activities in proximity to Orcutt Creek (BIO-4), tree protection and replacement if native trees are removed or damaged (BIO-5, BIO-7), habitat setback requirements (BIO-8), implementation of a habitat restoration plan (BIO-10, BIO-12) and stormwater best management practices (BIO-9), use of compatible native plant species except in the lawn area and around the project structures (BIO-13), equipment washout areas (BIO-14) during construction, criteria for trail and lighting design to minimize impacts to the nearby riparian habitat (BIO-15, BIO-17), and requirement to obtain necessary permits or confirm exemption from permits from other agencies, including Fish and Wildlife and Regional Water Quality Control Board for work affecting stream and special status species (BIO-18, BIO-19).

Impact BIO-3: Special Status Wildlife: Direct and indirect impacts to unique, rare, threatened or endangered wildlife have the potential to occur as a result of the Project. Impacts will potentially occur from grading/ground disturbance, increased human presence (noise, lighting) and activities.

Impact BIO-4: Nesting Birds: Potentially significant impacts to nesting birds could result if construction occurs during the breeding season (February 1 through August 31) and nests are present.

Impacts BIO-3 and BIO-4 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measure BIO-2, BIO-4, BIO-6, BIO-18, and BIO-19), incorporated as project conditions of approval. These measures require performance of special status wildlife and nesting bird surveys prior to commencement of construction (BIO-2, BIO-6), biological monitoring of grading and construction activities in proximity to Orcutt Creek (BIO-4), and requirement to obtain necessary authorizations from other agencies, including Fish and Wildlife and Regional Water Quality Control Board (BIO-18, 19).

Impact BIO-6 Orcutt Creek Trail/ Bikeway: Installation/long-term use of the Orcutt Creek Trail/Class I Bikeway will result in potentially significant biological impacts.

Impact BIO-6 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measures BIO 1 through BIO-19) incorporated as project conditions of approval. These measures require protection of biological resources during the construction period, performance of special status wildlife and nesting bird surveys prior to commencement of construction, worker orientation of biological protection measures, biological monitoring of grading and construction activities in proximity to Orcutt Creek, tree protection and replacement if native trees are removed or damaged, habitat setback requirements, implementation of a habitat restoration plan and best management practices, use of compatible native plant species except in the lawn area and around the project structures, criteria for trail and lighting design to minimize impacts to the nearby riparian habitat, and requirement to obtain necessary permits or confirm exemption from permits from other agencies, including Fish and Wildlife and Regional Water Quality Control Board. With implementation of the identified mitigation measures these potential impacts to biological resources will be less than significant.

1.5.4 CULTURAL RESOURCES (DISTURB UNKNOWN RESOURCES DURING CONSTRUCTION)

Impact CR-2: Undiscovered subsurface cultural resources could reasonably be encountered during earth disturbance activities associated with the project requests (e.g., grading, construction, landscaping, etc.).

Impact CR-2 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measure CR-1) incorporated as a project conditions of approval, which requires that work immediately stop or be redirected and specific actions be taken in the event that potential archaeological/cultural resource remains are encountered during grading, construction, landscaping or other construction related activity.

1.5.6 POLICE SERVICES (INCREASED DEMAND FOR SERVICES)

Impact FP-2: Proposed activity levels (up to 200 people at any given time onsite), and use of the facilities as a rental venue, could significantly increase demand on already stretched Santa Barbara County Sheriff's Office services.

Impact FP-2 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measure FP-1), incorporated as a project condition of approval, which requires specific criteria for security and traffic control for programs and/or events involving more than 100 people onsite.

1.5.7 GEOLOGIC PROCESSES (ORCUTT CREEK SEDIMENTATION, SLOPE HAZARDS, SOIL BLOWING)

Impact GEO-1: The project will result in potentially significant impacts from siltation/ sedimentation of Orcutt Creek (Short-Term Construction Period and Long-Term Operations).

Impact GEO-1 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measures GEO-1, W-3, W-5, and W-6 as well as compliance with Flood Control District and Project Clean Water condition letters), all of which are incorporated as project conditions of approval. These measures and condition letters require implementation of an erosion and sediment control plan and storm water pollution prevention plan, incorporation of low impact development engineered infiltration and storage techniques to retain stormwater runoff onsite, and implementation and maintenance of operational (long-term) erosion control measures into the project grading and drainage plan designs.

Impact GEO-2: The project will result in potentially significant impacts related to unstable slopes/soil collapse due to the steep slopes, the weight of future structures on Clark Avenue above the OASIS building pad, and potential for unstable slopes along the proposed access road.

Impact GEO-2 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measures GEO-2), incorporated as a project condition of approval, which requires submittal of geotechnical analysis and identification of measures to address slope stability and soils constraints prior to recordation of the recorded map modifications to the Southpoint Estates tract conditions to allow development on the OASIS property.

Impact GEO-3: The project will result in potentially significant impacts from soil blowing during the short-term construction period

Impact GEO-3 will be reduced to less than significance levels by feasible mitigation, (EIR Mitigation Measures GEO-1), incorporated as a project condition of approval, which requires implementation of an erosion and sediment control plan and compliance with SBCAPCD standard measures for control of fugitive dust. With implementation of the above mitigation measures, geologic process impacts would be reduced to less than significant levels.

1.5.8 GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE (CONFLICT WITH AND ENERGY AND CLIMATE ACTION PLAN)

Impact GHG-2: The project will potentially interfere with the goals and conflict with strategies for reducing County-wide greenhouse gas emissions (GHGs) in the County's Energy and Climate Action Plan (ECAP).

Impact GHG-2 will be reduced to less than significance levels by feasible mitigation, (EIR Mitigation Measures AQ-2), incorporated as a project condition of approval, which requires

implementation of Transportation Demand Management Program, designed to reduce single occupant vehicle trips and related greenhouse gas emissions.

1.5.9 LAND USE - CONSISTENCY WITH POLICIES MITIGATING IMPACTS

Impact LU-2 Policy Consistency: The project will be consistent with the applicable policies and development standards in the OCP, which were adopted for the purpose of avoiding or mitigating significant environmental effects.

Impact LU-2 will be reduced to less than significant levels by standard conditions and feasible mitigation measures that have been incorporated as project conditions of approval. This includes all required mitigation measures included in EIR Sections 4.1 through 4.7 (Aesthetics/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Fire/Police Services, Geologic Processes, and Greenhouse Gas Emission/Climate Change) and Section 4.9 through 4.13 (Noise, Public Services, Recreation and Open Space, Transportation/Circulation, and Water Resources) that are necessary to reduce impacts to less than significant levels. The requirements of these mitigation measures are summarized in Sections 1.4 and 1.5 of these CEQA findings and are incorporated herein by reference.

1.5.10 NOISE (EXPOSE SENSITIVE RECEPTORS TO CONSTRUCTION AND OPERATIONS NOISE)

Impact N-1: *Project grading and construction will temporarily expose sensitive receptors (residential neighbors) to potentially significant short-term noise impacts.*

Impact N-1 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measures N-1 and N-2), incorporated as project conditions of approval, which restrict the hours for loud construction period activities and require shielding of stationary construction equipment which exceeds 65 dBA at the closest residential property line.

Impact N-3: Sensitive receptors (surrounding residential neighbors) will be exposed to a potentially significant increase/change in noise levels during the life of the OASIS project, compared to existing noise generated from the undeveloped open space. This includes exposure to an increase in periodic peak noise levels compared to the existing setting without the project (Class II).

Impact N-3 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measures N-3 through N-8), incorporated as project conditions of approval, which require use of noise limiters to restrict the maximum sound level of amplified music or voice (NS-3), maximum frequency, hours and duration for use of onsite amplification (NS-4), construction design methods to reduce acoustical leaks (NS-5), required closure of north and west facing windows and doors when indoor areas of the facility are rented and when indoor OASIS activities involve music or amplification (NS-6), designation of an OASIS noise contact to promptly respond to noise complaints, hours of operation, and attendee numbers (NS-7), and avoidance of backing up of delivery vehicles before 8:00 AM and after

7:00 PM to reduce back-up beeping (NS-8). With implementation of the above mitigation measures, noise impacts would be reduced to less than significant levels.

1.5.11 RECREATION/OPEN SPACE (PROVISION OF FEASIBLE LOCATION FOR OCP TRAIL/BIKEWAY)

Impact REC-2: The proposed Orcutt Creek Trail including bikeway easement will be potentially infeasible and potentially inconsistent with the OCP due to conflicts with existing recorded easements, adequate width and location.

Impact REC-2 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measures Rec-1, Rec-2, Rec-3 and Rec-4, summarized above in CEQA Findings Section 1.4.4 above, incorporated herein by reference). These mitigation measures are incorporated as project conditions of approval. The mitigation measures require resolution of conflicting recorded access easements and include specific criteria for trail and bikeway/bike lane location, design, coordination, and construction.

1.5.12 TRANSPORTATION/CIRCULATION (ROADWAY, INTERSECTION, DRIVEWAY IMPACTS, CUMULATIVE)

Impact TC-1 (Roadways Project Specific): The project will add new trips to the study area roadways. All roadways will continue to operate at acceptable capacity, assuming implementation of project roadway improvements, subject to Department of Public Works requirements.

Impact TC-2 (Intersections Project Specific): The project will add new trips to the study area roadways and intersections assuming implementation of project roadway improvements. If project roadway improvements are not implemented as proposed, the project will result in potentially significant impacts to local intersections

Impacts TC-1 and TC-2 will be reduced to less than significant levels by feasible mitigation, (EIR Mitigation Measures TC-1 and TC-2), incorporated as project conditions of approval, which require submittal of final driveway and roadway improvement plans including incorporation of pedestrian safety measures, as determined applicable by Public Works to improve pedestrian and bicycle safety for school children, for Public Works review and approval prior to zoning clearance (TC-1) and approval of a design exception for the driveway prior to Planning Commission hearing (TC-2). These measures also require completion of all roadway improvements before Final Building Inspection Clearance.

Impact TC-3 (Roadways Cumulative): The project will contribute new vehicle trips to cumulative roadway conditions in the study area (based on cumulative project list in Section 3.0). The project will not result in potentially significant cumulative roadway impacts, assuming implementation of project roadway improvements. If project improvements are not implemented as proposed, the project will result in potentially significant cumulative roadway impacts.

Impact TC-3 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measure TC-1), incorporated as a project condition of approval, which requires submittal of final roadway improvement plans (Foxenwood Lane, Clark Avenue) for Public Works review and approval prior to zoning clearance, including addressing pedestrian and bicycle safety in the plans, and completion of all roadway improvements before Final Building Inspection Clearance.

Impact TC-4 (Intersections Cumulative Impact based on OASIS EIR Section 3.0 Cumulative Projects List): Cumulative Impacts to Foxenwood/ Clark Intersection (Based on Section 3.0 Cumulative Projects List): The Clark Avenue/ Foxenwood Lane intersection will operate at LOS F with or without Project generated traffic. The Project's traffic additions to this intersection will exceed the County's impact threshold (increase in V/C ratio); thus, the Project will result in a significant cumulative impact at this intersection.

Impact TC-4 will be reduced to a less than significant level by feasible mitigation, (EIR Mitigation Measures TC-1 and TC-2 and payment of development impact fees), incorporated as project conditions of approval. The mitigation requires submittal of final driveway and roadway improvement plans and design exception (Foxenwood Lane, Clark Avenue) for Public Works review and approval prior to zoning clearance, including incorporation of pedestrian safety measures, as determined applicable by Public Works to improve pedestrian and bicycle safety for school children. These measures also require completion of all roadway improvements before Final Building Inspection. Payment of the development impact fees will go toward transportation improvements identified in the Orcutt Transportation Improvement Plan to address cumulative traffic.

Impact TC-5 (Design Exception for Driveway): The proposed driveway does not meet design standards, including due to proximity to the Clark Avenue/Foxenwood Lane intersection, for which a design exception has not been approved. In addition, the driveway entrance will potentially be blocked by vehicles queuing to turn left onto Clark Avenue could impact operation of this intersection.

EIR Mitigation Measure TC-2 requires the applicant to receive approval of the driveway design exception prior to the Planning Commission hearing for the project. The design exception was approved by the Department of Public Works on May 27, 2020. Impact TC-5 will still be considered a potentially significant impact that can be reduced to a less than significant level by feasible mitigation, (EIR Mitigation Measure TC-2), incorporated as a project condition of approval. This is because this measure also requires the applicant to implement those improvements prior to Final Building Inspection Clearance that were determined necessary to receive approval of the design exception. With implementation of the above mitigation measures, traffic impacts would be reduced to less than significant levels

1.5.13 WATER RESOURCES – (SUPPLY, WATER QUALITY FROM GRADING AND IMPERVIOUS SURFACES)

Impact W-1 (Water Supply/Groundwater Basin): Impacts to water supply/Santa Maria Groundwater Basin will result in potentially significant impacts if supplemental water is not purchased to offset the project increased water demand which could result in overdraft of the adjudicated Santa Maria Groundwater Basin.

Impact W-1 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measure (WS-1 and WS-2) and standard submittal of final “can and will serve” (CAWS) letter from Golden State Water Company, incorporated as project conditions of approval. These measures and the CAWS letter require implementation of water conserving methods/features in outdoor landscape and irrigation plans and purchase of supplemental water to offset increased demand for groundwater from the Santa Maria Groundwater Basin.

Impact W-2 (Grading, Increased Erosion/Sedimentation): Grading and construction activities associated with the proposed project will result in potentially significant impacts from disturbance (grading) of more than one acre of land, grading in proximity to Orcutt Creek, and from degraded water quality through increased rates of erosion and sedimentation

Impact W-2 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measures W-3 through W-6, GEO-1, and BIO-1), incorporated as project conditions of approval. These measures require implementation of an erosion and sediment control plan (GEO-1) and storm water pollution prevention plan (W-3), designated equipment washout area(s) during the construction period (W-4), incorporation of low impact development engineered infiltration and storage techniques to retain stormwater runoff onsite (W-5), and implementation and maintenance of operational (long-term) erosion control measures into the project grading and drainage plan designs (W-6).

Impact W-3 (Water Quality): Project includes structural development and hardscape areas (e.g., parking lot, access road, etc.) resulting in new impervious surface on property that currently has none. Impervious surfaces will alter drainage patterns and increase stormwater runoff, which could result in significant increase in flooding /degraded water quality in Orcutt Creek, an impaired water body.

Impact W-3 will be reduced to less than significant levels by feasible mitigation (EIR Mitigation Measures W-3, W-4, and BIO-9), incorporated as project conditions of approval. These measures require implementation of a storm water pollution prevention plan (W-3), designated equipment washout area(s) during the construction period (W-4), and implementation of best management practices to minimize pollutants impacting downstream waterbodies or habitat (e.g., Orcutt Creek) (BIO-9).

1.6 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES OR MITIGATION MEASURES ARE NOT FEASIBLE

The FEIR prepared for the project evaluated the following nine (9) project alternatives in EIR Section 7, incorporated herein by reference. The alternatives were evaluated as methods of reducing or eliminating potentially significant environmental impacts. The Board of Supervisors finds that the following alternatives are infeasible for the reasons stated below:

1.6.1 THE “NO PROJECT” ALTERNATIVE

This alternative assumes none of the proposed components, including the General Plan Amendments, Recorded Map Modification, Government Code Consistency Finding, Lot Line Adjustment, Development Plan and Conditional Use Permit are implemented. There will be no changes to the existing land use restrictions within the KS18 open space, no modifications to the Southpoint Estates conditions of approval or recorded final tract maps, OASIS will not acquire the development rights deeded to the County of Santa Barbara, and no portion of the OASIS KS18 property will be added to the LeBard commercial property at the northwest corner of the Clark Avenue/ Foxenwood Lane Intersection. Under this alternative, the project site will retain the existing land use designation of Open Space and 5.16 acres of the 8.5 KS18 acres identified as the site of a future Orcutt Creek public park. OASIS will not have senior or community programs at the project site and OASIS will continue to operate at its existing location at 420 Soares Avenue.

Under the No Project Alternative, the County will continue to hold the property's development rights. As identified in the OCP, the property will remain as open space with the potential for noncommercial recreational land uses, including if developed in the future as part of the 8.5 acre public park, involving 5.16 acres of the OASIS property and the portions of APNs 105-020-060, -061 and -062 (Southpoint Estates TM 13,345 open space lots 87 and 88), located south of Orcutt Creek.

The “No Project” alternative is determined to be infeasible for the following reasons because this alternative will not meet most project objectives as it will not provide an improved facility for continued and expanded services for existing and new members. Additionally, the No Project will not provide an additional rental venue available to the public which could provide revenue to support OASIS programs. Also, this alternative will not meet project objectives because it will not install the multi-use Orcutt Creek Trail including Class I Bikeway. Development impact fees, with or without combined grant monies, may fund this trail installation in the future, depending on priorities for use of such funds. However, there will be greater assurance and shorter time frame for trail installation with the OASIS project. The Board of Supervisors rejects the No Project Alternative because this alternative will not meet most of the project objectives.

1.6.2. OFF-SITE PROJECT ALTERNATIVE - EXISTING OASIS LOCATION/KS17

The Off-Site Alternative at the Existing OASIS Location is determined to be infeasible because this alternative will not meet most project objectives, such as providing an

improved facility, and because one of the objectives for the project is for OASIS to own (control in the long-term) the property they will develop. This alternative involves property owned by the Orcutt Union School District (OUSD) and, unless OUSD is interested in a land swap with OASIS for the KS18 property, it is expected that the OUSD property will be subject to a long-term lease for the land, similar to the arrangement made with the developer for KS17 (for the senior living development). This does not meet most of the applicant's project objectives. Additionally, this alternative will not result in the installation of the multi-use Orcutt Creek Trail. The Board of Supervisors rejects the KS17 Off-Site Alternative because this alternative will not meet the project objectives.

1.6.3 OFF-SITE PROJECT ALTERNATIVE – AQUA-CENTER LOCATION

The Off-Site Alternative at the Aqua-Center Location is determined to be infeasible because this alternative is not under the control of the applicant and OASIS would need to purchase the property to implement this alternative. County Assessor data for the OASIS property (APNs 105-020-063 and -064, together one legal lot), currently identifies the property value as \$38,459 and the Aqua-Center location is valued at \$143,340. Therefore, funds from selling the OASIS KS18 property do not appear to be comparable to the purchase price for the Aqua-Center property. This makes OASIS' acquisition of the Aqua-Center property and this alternative infeasible and it is unlikely that OASIS could timely and successfully complete the project at this location. The OASIS property is currently restricted to open space and public park/other non-commercial recreation uses (no remuneration permitted so no revenue generating activities). The Board of Supervisors rejects the Aqua-Center Off-Site Alternative because this alternative will not meet most of the project objectives and is not in the control of the applicant and cannot be reasonably acquired or controlled.

1.6.4 REDUCED OASIS FACILITY WITH PUBLIC PARK ALTERNATIVE AND WIDER TRAIL EASEMENT

The Reduced Project with Park and Wider Trail Alternative is determined to be infeasible because this alternative will not meet most of the project objectives as it will not provide an adequately sized facility to meet OASIS objectives for continued and expanded services for existing and new members. Reducing the size of this building from 15,661 sf to 8,500 sf and reducing attendance from 200 to 150 members does not meet the programming needs of the OASIS center. As detailed in the project description and the project floorplans, two-thirds of the building is divided into five meeting and activity rooms along with full kitchen, six staff offices and restrooms. The proposal layout of these rooms has 24 seats in the library, 40-50 sets in the large meeting room. 24 seats in the craft room, 20 to 24 sets in the medium room and 14 in the small meeting room. This reduced project alternative will not be able to meet the project objectives because it will not provide an adequately sized facility for use as a public rental venue to support OASIS programs.

This alternative is also economically infeasible. Reducing the size of the building by approximately one-half would not be financially infeasible and will not meet the objective of this project. Even if the size of the building and attendance is reduced, this project is still

responsible for all of the site infrastructure, including the driveway, parking lot, outdoor activity area, utilities, and multi-purpose trail. Also, there is the added cost of an additional 1.0-acre park area in this alternative and the long-term maintenance costs of this additional park unless the county is proposing to take on this maintenance. This reduced project would be economically infeasible as it will not be able to meet the objectives and the future programming for the OASIS members. Finally, this alternative will not reduce significant impacts compared to the proposed project.

The Board of Supervisors rejects the Reduced Project Alternative because this alternative will not meet most of the project objectives and is infeasible.

1.6.5 ALTERNATIVE ACCESS ROUTE FROM CLARK AVENUE AT NORRIS STREET

The Alternative Access Route from Clark Avenue at Norris is determined to be infeasible because the applicant does not control either property over which an access easement is required to implement this alternative, increasing project costs and challenging the economic ability of the project to timely and successfully complete the project using this alternative access. Although this alternative will have similar impacts from grading on 30 percent plus slopes as the proposed project, the grading and associated cut slopes scars are expected to be more visible from properties to the north than will grading on the slope north of the proposed project driveway. While this alternative could reduce traffic impacts, it may create more severe aesthetic impacts from grading. The Board of Supervisors rejects the Alternative Access from Clark Avenue because the applicant does not control the property and cannot reasonably acquire or control the property.

1.6.6 ALTERNATIVE ACCESS ROUTE FROM BROADWAY/CALIFORNIA BOULEVARD

The Alternative Access Route from Broadway/California Boulevard is determined to be infeasible because this alternative:

- Would require OASIS to obtain an access easement across at least two separately owned properties (APN 1050-020-070 Southpoint Estates Homeowner's Association and APN 105-020-060 Knight), increasing project costs and challenging the economic feasibility of the project;
- Would result in increased impacts from flooding and to biological resources and water quality, due to the access road location within the 100-year flood zone and in proximity to Orcutt Creek;
- May not be permissible due to setbacks required by other agencies (e.g., Flood Control, Regional Water Quality Control Board, Fish & Wildlife, etc.) from Orcutt Creek; and
- Creates conflicts with Flood Control District operation of the regional retention basin at the west end of KS18.

- Would send additional trips to the Broadway/Clark intersection and to California Boulevard intersections.

For these reasons, the Board of Supervisors rejects this Alternative as infeasible because it is not in the control of the applicant, the applicant cannot reasonably acquire or control the property, and does not reduce the significant impacts of the project.

1.6.7 ALTERNATIVE ACCESS ROUTE FROM PARK AVENUE

The Alternative Access Route from Park Avenue is determined to be infeasible because this alternative would:

- Require OASIS to obtain an access easement across at least two separately owned properties (APN 1050-020-068 Southpoint Estates Homeowner's Association and APN 105-020-060 Knight), increasing project costs and challenging the economic feasibility of the project;
- Potentially increase geologic impacts compared to the proposed project, depending on the specific route and specific grading/retaining walls needed to accommodate this access route.
- Result in greater biological and open space/recreation impacts than the proposed, as the driveway will traverse and disturb additional undeveloped, protected open space between the OASIS property and Park Lane.
- Result in new significant impacts as the vehicle trips will be redistributed into the Old Town Orcutt residential neighborhood north of Clark Avenue, onto Clark Avenue intersections between Gray Avenue and Broadway, and the intersections of Broadway/Park Avenue and Broadway/North Avenue.

For these reasons, the Board of Supervisors rejects this Alternative as infeasible because it is not in the control of the applicant, the applicant cannot reasonably acquire or control the property, and does not reduce the significant impacts of the project.

1.6.8 ALTERNATIVE ACCESS ROUTE FROM FOXENWOOD LANE NORTH OF PROPOSED DRIVEWAY

The Alternative Access Route from Foxenwood Lane, Moved North of the Proposed Project Driveway is determined to be infeasible this alternative would:

- Result in greater biological impacts than the proposed project, as this route will involve more earthwork and removal of native vegetation in the riparian habitat and banks of Orcutt Creek;
- Result in greater geologic impacts than the proposed project, as this route will require more grading, including substantial amounts of fill, on steep slopes within and along Orcutt Creek;
- Benefit circulation at the Foxenwood/Clark intersection by providing increased distance between that intersection and the project driveway. However, this

alternative will be expected to send the same number of vehicle trips to the intersection.

- Increase short-term construction emissions due to increased emissions from a longer grading period and related increase in emissions from construction equipment and trucks importing fill to the site.

For these reasons, the Board of Supervisors rejects the alternative with a driveway further north on Foxenwood Lane as infeasible because it would not reduce any significant impacts.

1.6.9 PREVIOUSLY PROPOSED OFF-SITE LOCATION: FOSTER ROAD COUNTY COMPLEX (CITY OF SANTA MARIA)

This alternative will not accomplish the project objective of installing a segment of the KS18 multi-use, Orcutt Creek Trail including Class I Bikeway. Additionally, this alternative is not feasible because OASIS does not control the property and cannot reasonably acquire or control the property. The County has not agreed to a land swap between the OASIS property and the Foster Road site. When the Foster Road site was proposed by OASIS, the County proposed only a 20-year lease, which does not meet OASIS objective of owning the property they develop. This site is owned by the County of Santa Barbara and the OASIS organization worked for over two years to negotiate a long-term lease or purchase for this property. It was only after the County would not agree to the terms that the OASIS organization gave up pursuing this site and was able to come to an agreement to acquire its current property. It does not meet most of the objectives for the proposed project, for instance, no multi-purpose trail are feasible at this location.

The Foster Road Site does not meet most of the objectives of the OASIS members. This site does not meet the objective #4 to help establish the KS-18 multipurpose trail. Also, this site is smaller than the proposed project site, which would mean many of the outdoor activities would have to be reduced or removed. For these reasons, the Board of Supervisors rejects the Foster Road off-site alternative as it does not meet most of the objectives of the OASIS center.

1.7 STATEMENT OF OVERRIDING CONSIDERATIONS

The FEIR including the EIR Revision Letter No. 2 for OASIS identifies significant and unavoidable project impacts to Aesthetics/Visual Resources (Open Space Views – Project Specific and Cumulative), Biological Resources (Increased Development/Human Activities on/adjacent to Open Space/Wildlife Habitat – Project Specific and Cumulative), Land Use - Compatibility/Quality of Life, Recreational Opportunities/Loss of Open Space (Project Specific and Cumulative), and Transportation (Increased Traffic/Safety/Turning Movements at OCP Buildout). The Board of Supervisors therefore makes the following Statement of Overriding Considerations which warrants approval of the project notwithstanding that all identified effects on the environment are not fully mitigated. With

respect to each of the significant environmental effects of the project listed below, the Board of Supervisors finds that the stated overriding benefits of the project outweigh the following significant effects on the environment.

- *Impact VIS-1 (Scenic Views)*
- *Cumulative Aesthetics/ Visual Resources (Loss of Open Space Views)*
- *Impact BIO-5: (Increased Development/ Activity in an Open Space/ Wildlife Corridor)*
- *Cumulative Biological Resources Impact (Habitat Fragmentation)*
- *Impact LU-1: Land Use Compatibility*
- *Impact REC-1 (Loss of Open Space/Recreation)*
- *Cumulative Recreation/Loss of Open Space*

The EIR identifies mitigation that will substantially reduce the above impacts, although residual impacts will remain significant and unavoidable.

While the project will result in eight Class I impacts to visual resources, biological resources, open space, recreation, land use compatibility and traffic, the Board of Supervisors has determined that the project benefits, on balance, outweigh and override these significant impacts. Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Sections 15043, 15092 and 15093, any remaining significant effects on the environment are acceptable due to these overriding considerations:

- This non-profit organization has been providing social, health, and community benefits for over 1,500 seniors in the Orcutt community at no cost to the County of Santa Barbara.
- This project will provide passive park amenities, including a driveway and limited parking for the public using the multi-purpose trail. In addition, OASIS restrooms will be available for use by the public when the building is open.
- The project will employ approximately 20 construction workers for about one year and 7 regular employees in the future.
- The project will result in dedication of a public easement for and construction of a segment of the multi-use Orcutt Creek Trail, between Foxenwood Lane and generally following OASIS' eastern and northern property lines, and another spur trail on adjacent properties. The trail includes the parallel Class I bikeway described in the Orcutt Community Plan. The exception to this is the 300-foot section of the project driveway, where striped (Class II) bike lanes are proposed, which will provide bicycle access from Foxenwood Lane to the Class I bikeway beginning near the bottom of the driveway at the southeast corner of the OASIS property.
- The project will provide improved facilities for a variety of senior activities and services, from an improved arts and crafts area, barbeque and lawn areas, and walking trails within the developed area for accessible outdoor activities, improved cooking facilities for weekday senior lunches and rental uses, and more and better indoor meeting rooms for a variety of concurrent activities (e.g., computer classes, health screenings, spaces for community groups to meet, etc.).

- The project will provide an improved facility for OASIS, to expand programs and activities for existing members and additional room to accommodate new members. OASIS anticipates an increase in use of approximately 30 percent over existing use levels but has proposed a maximum attendance cap, which they believe provides flexibility to expand, while ensuring the level of activities within the site remains compatible. Maximum any-given-time attendance is proposed to be capped at 200 people, which is proposed to include approximately 15 caterers/employees/volunteers. As a secondary issue, this attendance cap will ensure that all project related parking demand can be accommodated onsite.
- The project's maximum attendance cap, restricted hours of operation for regular and rental activities, and compliance with project conditions of approval incorporated herein by reference, will ensure that the project provides benefits to the community which outweigh the project's significant environmental impacts.
- The project will provide an additional facility available as a rental venue to the public and community groups for private parties/events, fundraisers, celebrations of life, and for community groups.

1.8 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.

ADMINISTRATIVE FINDINGS

GENERAL PLAN AMENDMENT

Findings required for all Amendments to the Comprehensive Plan, Development Code, and the County Zoning Map. In compliance with Section 35.104.060 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an Amendment to the Comprehensive Plan, Development Code, or Zoning Map the review authority shall first make all of the following findings as applicable:

1. *Findings for Comprehensive Plan, Development Code and Zoning Map Amendments.*
 - a. *The request is in the interests of the general community welfare.*

The Board of Supervisors finds that the project is in the interests of the general community welfare, subject to compliance with the conditions of approval, including project descriptions, included in Attachment 2 4 of the Board Memo dated December 11, 2020, incorporated herein by reference, ~~Letter for the public hearing dated December 15, 2020, incorporated herein by reference.~~ The amendments to the Orcutt Community Plan (OCP) component of the Comprehensive Plan will remove the open space and park land designations and restrictions for the property, allow for development of the proposed OASIS project, and allow a section of proposed Orcutt Creek Trail Class I bike path component to be constructed as a Class II bike lane within the proposed OASIS driveway. These amendments will allow for development and use of a portion of the KS18 property by OASIS, a local, non-profit provider of senior services. Additionally, the proposed project is in the interests of the general community welfare because the primary use of the OASIS project is for provision of services to Orcutt area seniors and because the project will result in the creation of a public trail. Other uses proposed as part of the OASIS project will be secondary to the primary senior center use, including use of the site as a rental venue. This finding can be made because the project description and conditions of approval include, but are not limited to, restrictions and limitations on both OASIS and non-OASIS activities to avoid conflicts with neighboring residential and open space uses, including but not limited to: maximum any given time attendance onsite of 200 people (including staff, caterers, other workers), limit on the total combined number of OASIS and non-OASIS events to 12 per year, specific criteria for use of amplification for voice, instruments, and music (use of technology with auto-shutoff of amplification if maximum volume is exceeded). The project conditions also restrict the hours of operation for regular activities and rental activities/special events, and parking (e.g., no parking on adjacent open space areas/parcels or in the Caltrans park and ride commuter lot unless documented approval from Caltrans).

- b. *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 finds, as identified in Section 6.2 and 6.3 of the staff report dated September 3, 2020, incorporated herein by reference, the project is consistent with the County Comprehensive Plan and LUDC (Development Code). In addition, as identified in these Findings, including Section 2.1 (General Plan Amendment), Section 3 (Government Code Section 65402), Section 4 (Recorded Map Modification) and Section 5 (Lot Line Adjustment), the project is consistent with the requirements of applicable State planning and zoning laws. The above staff report sections (6.2 and 6.3) and findings sections (2.1, 3, 4, and 5) are incorporated herein by reference.

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

The Board of Supervisors finds that the project is consistent with good zoning and planning practices as identified in these Findings. The project will provide a centrally-located beneficial facility that provides a variety of services to local seniors (lunches, exercise classes, health clinic, etc.), as well as a new rental venue to the public that will be available to the public for community events, fairs, meetings, and other similar events, and will construct a segment Orcutt Creek Trail/Bikeway from Foxenwood Lane to the center of the OASIS property as well as a County-approved Bikeway/Public trail on APNs 105-020-052,-053. Also, see the Statement of Overriding Considerations above, incorporated herein by reference.

2. Additional finding for Comprehensive Plan Amendments. 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 finds that the project is in the public interest. The project will provide a beneficial senior services facility to the Orcutt community and will construct a segment of Orcutt Creek Trail/Bikeway from Foxenwood Lane to the center of the OASIS property, generally following the project driveway and the OASIS' eastern and northern property line, as well as a County-approved Bikeway/Public Trail on APNs 105-020-052, -053. Also, see the Statement of Overriding Considerations, incorporated herein by reference.

3.0 RECORDED MAP MODIFICATION

3.1 Santa Barbara County Subdivision Regulations (County Code Chapter 21) Including Subdivision Map Act (California Government Code Sections 66474)

In compliance with Section 21-15.9 of Chapter 21 (Subdivision Regulations) of the County Code, prior to the approval or conditional approval of an application for a modification to recorded final or parcel map, lot split plat or lot line adjustment the review authority shall first make all of the following findings:

- 1. There are changes in circumstances that make any or all of the conditions of such a recorded final or parcel map, lot split plat or lot line adjustment no longer appropriate or necessary;*

The Board of Supervisors finds that the property restrictions, which limit the OASIS property (TM 13,345 open space lot 89) to open space, non-commercial recreation and “Not a Building Site,” are no longer necessary. The project site was previously identified as open space and a potential future location for a public park, but a park was never developed and subsequently the community identified a change in circumstances and the need for a senior-serving use/facility. The Board further finds that existing Orcutt Planning Area open space and parkland, together with anticipated future dedication of open space and development of parks and trails with new development, will provide adequate open space, open space views, and recreation for the Orcutt community. Within OCP Key Site 18/Southpoint, the remaining open space lots (current APNs 105-020-060, -061, -062, -065, -068, -069, and -070) will remain restricted to open space, public park and noncommercial recreational uses. In addition, the Southpoint Estates “oil drilling” lot immediately east of OASIS (APNs 105-020-052 and -053), is similarly development restricted by the OCP and the Southpoint Estates rezone (Ordinance 3106, Section 7).

- 2. The modification does not impose any additional burden on the present fee owner(s) of the property;*

The Board of Supervisors finds that the requested modification does not impose any additional burden on the present fee owner of the property where the modification will take place. OASIS is the present fee owner of the property and the requested modifications remove the development restrictions applicable to the OASIS property and will therefore remove, rather impose, a burden on the OASIS, the current fee owner of the property.

3. *The modification does not alter any right, interest or title reflected by the recorded final or parcel map, lot split plat or lot line adjustment;*

The Board of Supervisors finds that the requested modifications to the recorded maps and conditions on the maps will not alter any current right, interest, or title to the OASIS property. The modifications will remove the requirement for a non-profit association of the homeowners or other entity conditioned by the County to hold title to the property. The property is currently owned by OASIS and this revision will not alter any right, interest, or title reflected in the map. The modifications will remove the requirement that the County hold the development right interests to the property because the proposed project includes a request for the vacation, abandonment, or release of the rights currently held by the County as to the OASIS site. While OASIS proposes to obtain the development rights held by the County, the requested modifications to the two recorded maps and conditions on the maps do not compel the County to relinquish the development rights to OASIS.

4. *The recorded final or parcel map, lot split plat or lot line adjustment as modified conforms to the provisions of Section 66474 of the California Government Code;*

The Board of Supervisors finds that the proposed recorded map modifications conform to the provisions of Section 66474 of the California Government Code, as identified below:

The modifications are consistent with the General Plan, including the Orcutt Community Plan as identified in Section 6.2 of the Planning Commission staff report dated September 3, 2020, incorporated herein by reference. As identified in Section 6.2, consistency is subject to approval of the companion General Plan Amendment case (14GPA-00000-00020), which includes amendments to the Orcutt Community Plan, including to DevStd KS18-1, the Open Space Map, the Parks Recreation and Trails Map and the Bikeways Map. (§66474a)

The proposed design and improvement of the OASIS portion of TM 12,679, part of Lot 165; TM 13,345 Lot 89) is consistent with the General Plan, as identified in Section 6.2 and subject to approval of the associated General Plan Amendment case, 14GPA-00000-00020. (§66474b)

The site is physically suitable for the type and proposed density of development, subject to the Board of Supervisors determination that all findings can be made for the proposed amendments to the Orcutt Community Plan and subject to the conditions of approval included in Attachments ~~B-1 through B-5~~ of the 4 of the Board Memo dated December 11, 2020, incorporated herein by reference, ~~staff report dated September 3, 2020~~, incorporated herein by reference. (§66474c and §66474d)

EIR mitigation measures adopted as conditions of approval will substantially mitigate potential environmental and wildlife impacts. In addition, the majority of the open space along Orcutt Creek will remain undeveloped open space and the EIR mitigation measures will mitigate environmental and wildlife impacts. (§66474e)

The change in the design of the subdivision to convert one of the open space lots to development and the development design and use of the OASIS property is expected to expose neighboring residents to increased noise, odors, night-lighting and traffic. Mitigation has been identified and incorporated as conditions of approval to reduce these effects. Although residual impacts will remain adverse, nuisance impacts on nearby residents, they are not considered serious public health problems. (§66474f)

The changes to the Southpoint Estates subdivision and proposed OASIS improvements will not conflict with existing public easements. (§66474g)

5. *The recorded final or parcel map, lot split plat or lot line adjustment as modified is consistent with the applicable zoning ordinance;*

The Board of Supervisors finds that as discussed in Section 6.3 (LUDC Compliance) of the staff report dated September 3, 2020, incorporated herein by reference, the recorded final map as modified is consistent with the LUDC, subject to approval of the companion General Plan Amendment requests (Case No. 14GPA-00000-00020) and conditions of approval included in Attachments 4 of the Board Memo dated December 11, 2020, incorporated herein by reference, included herein by reference. ~~B-1 through B-5.~~

6. *The property for which the modification is sought is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, height and setbacks, and any other provisions applicable to the property for which the modification is sought, and such enforcement fees as established from time to time by the Board of Supervisors have been paid;*

The Board of Supervisors finds that there are no known notices of violations on the property. The Board of Supervisors further finds that upon approval of the requested modifications removing the requirement for the property to be owned by the homeowner's association or other entity, subject to conditions prescribed by the Board of Supervisors and conveyance of the property's development rights to the County, the property will be in compliance with the subdivision conditions of approval (TM 12,679 Condition 18 and identical TM 13,345 Condition 21).

7. *The recorded final or parcel map or lot line adjustment as modified does not result in an increased number of dwelling units or a greater density than the recorded final or parcel map or lot line adjustment.*

The Board of Supervisors finds that, as conditioned, the project will not result in an increased number of dwelling units or greater density of dwelling units than the recorded final map because the project includes the approval of a meeting facility and not residential uses.

4.0 LOT LINE ADJUSTMENT

Santa Barbara County Subdivision Regulations Chapter 21-93 and County Land Use and Development Code (LUDC) §35.30.110

4.1 *Finding required for all Lot Line Adjustments. In compliance with Section 21-93 of Chapter 21 (Subdivision Regulations) and LUDC Section 35.30.110.B, prior to the approval or conditional approval of an application for a Lot Line Adjustment the review authority shall first make all of the following findings:*

1. *The Lot Line Adjustment is in conformity with the County General Plan and purposes and policies of Chapter 35 of this Code, the Zoning Ordinance of the County of Santa Barbara.*

The Board of Supervisors finds that the Lot Line Adjustment complies with all applicable requirements of the Comprehensive Plan, including the Orcutt Community Plan (subject to approval of the requested amendments to the Orcutt Community Plan identified in Case No. 14GPA-00000-00020), as discussed in Section 6.2 of the Planning Commission staff report dated September 3, 2020, incorporated herein by reference, and with the requirements of the Land Use and Development Code, as discussed in Section 6.3 of the Planning Commission staff report dated September 3, 2020, incorporated herein by reference.

2. *No parcel involved in the Lot Line Adjustment that conforms to the minimum parcel size of the zone district in which it is located shall become nonconforming as to parcel size as a result of the Lot Line Adjustment.*

The Board of Supervisors finds, as discussed in the Staff Report dated September 3, 2020 and incorporated herein, that APN 105-020-041(LeBard) is zoned Old Town – General Commercial, which has no minimum parcel size. APNs 105-020-063 and 105-020-064 (together one legal parcel totaling 5.28 acres) are zoned Recreation, which has a one-acre minimum parcel size, and therefore, both parcels currently conform to the minimum parcel size of the zone district.

3. *Except as provided herein, all parcels resulting from the Lot Line Adjustment shall meet the minimum parcel size requirement of the zone district in which the parcel is located. A Lot Line Adjustment may be approved that results in nonconforming (as to size) parcels provided that it complies with Subsection a. or b. listed below:*

The Board of Supervisors finds that the one parcel is zoned Old Town – General Commercial, which has no minimum parcel size and Recreation, which has a one-acre minimum parcel size. The Recreation zoned parcels will have an adjusted parcel size of 5.16 acres. Therefore, both parcels resulting from the Lot Line Adjustment will meet the

zone district minimum parcel size. Therefore, Subsections (a) and (b) below are not applicable.

- a. *The Lot Line Adjustment satisfies all of the following requirements:*
 - (1) *Four or fewer existing parcels are involved in the adjustment; and*
 - (2) *The Lot Line Adjustment shall not result in increased subdivision potential for any affected parcel; and,*
 - (3) *The Lot Line Adjustment shall not result in a greater number of residential developable parcels than existed prior to the adjustment. For the purposes of this subsection only, a parcel shall not be deemed residentially developable if the documents reflecting its approval and/or creation identify that: 1) the parcel is not a building site, or 2) the parcel is designated for a non-residential purpose including, but not limited to, well sites, reservoirs and roads. A parcel shall be deemed residentially developable for the purposes of this subsection if it has an existing single family dwelling constructed pursuant to a valid County permit.*

- b. *Otherwise, to be deemed a residentially developable parcel for the purposes of this subsection only, existing and proposed parcels shall satisfy all of the following criteria as set forth in the County Comprehensive Plan and zoning and building ordinances:*
 - (1) *Water supply. The parcel shall have adequate water resources to serve the estimated interior and exterior needs for residential development as follows: 1) a letter of service from the appropriate district or company shall document that adequate water service is available to the parcel and that such service is in compliance with the Company's Domestic Water Supply Permit; or 2) a County approved onsite or offsite well or shared water system serving the parcel that meets the applicable water well requirements of the County Environmental Health Services.*
 - (2) *Sewage disposal. The parcel is served by a public sewer system and a letter of available service can be obtained from the appropriate public sewer district. A parcel to be served by a private sewage disposal (septic) system shall meet all applicable County requirements for permitting and installation, including percolation tests, as determined by Environmental Health Services.*
 - (3) *Access. The parcel is currently served by an existing private road meeting applicable fire agency roadway standards that connects to a public road or right-of-way easement, or can establish legal access to a public road or right-of-way easement meeting applicable fire agency roadway standards.*

- (4) *Slope stability. Development of the parcel including infrastructure avoids slopes of 30 percent and greater.*
- (5) *Agriculture viability. Development of the parcel shall not threaten or impair agricultural viability on productive agriculture lands within or adjacent to the property.*
- (6) *Environmentally sensitive habitat. Development of the parcel avoids or minimizes impacts where appropriate to environmentally sensitive habitat and buffer areas, and riparian corridor and buffer areas.*
- (7) *Hazards. Development of the parcel shall not result in a hazard to life and property. Potential hazards include, but are not limited to flood, geologic and fire.*
- (8) *Consistency with Comprehensive Plan and Development Code. Development of the parcel is consistent with the setback, lot coverage and parking requirements of the zoning ordinance and consistent with the Comprehensive Plan and the public health, safety and welfare of the community.*
- (9) *To provide notification to existing and subsequent property owners when a finding is made that the parcel(s) is deemed not to be residentially developable, a statement of this finding shall be recorded concurrently with the deed of the parcel, pursuant to Section 21-92 (Procedures) of Chapter 21 of the Santa Barbara County Code.*

The Board of Supervisors finds, as noted above in Finding, 4.1.3, incorporated herein by reference, the resulting parcels meet the zone districts' minimum parcel size requirements, and therefore, Subsections (a) and (b) above are not applicable.

4. *The Lot Line Adjustment will not increase any violation of parcel width, setback, lot coverage, parking or other similar requirement of the applicable zone district or make an existing violation more onerous.*

There Board of Supervisors finds that there is currently no development on site and no identified violations of zone district requirements for either lot involved in the Lot Line Adjustment and therefore the Lot Line Adjustment will not result in any new violations of zone district requirements.

5. *The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Article or the Lot Line Adjustment has been conditioned to require compliance with such rules and regulations and such zoning violation fees imposed pursuant to applicable law have been paid. This finding shall not be interpreted to impose new requirements on legal non-conforming uses and structures under the respective*

County Ordinances: Land Use and Development Code (Section 35.101.20 and 35.101.30).

The Board of Supervisors finds that both properties involved in the Lot Line Adjustment are in compliance with applicable requirements of the Land Use and Development Code and the County Subdivision regulations, both properties are currently undeveloped, and there are no zoning violations associated with either property, no grading or development is approved as part of the Lot Line Adjustment, and with approval and as conditioned, the project will be in compliance with all applicable laws and regulations.

6. Conditions have been imposed to facilitate the relocation of existing utilities, infrastructure and easements.

The Board of Supervisors finds that no existing utilities or infrastructure will be relocated as a result of the Lot Line Adjustment. However, the project includes a proposed easement(s) across APN 105-020-041 in favor of APNs 105-020-063, -064 (together one legal lot) for public utilities from the OASIS property to water and gas utility connections along Clark Avenue. In addition, project conditions in Attachment ~~B-2~~ 4 of the Board Memo dated December 11, 2020, incorporated herein by reference, require these easements be identified on an exhibit recorded with the Lot Line Adjustment documents.

5.0 DEVELOPMENT PLAN

5.1 *County Land Use and Development Code Section 35.82.080.E.1 - Findings required for all Preliminary or Final 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 or Final Development Plan the review authority shall first make all of the following findings, as applicable:

- 1. The site for the subject 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 site is adequate for the project, as conditioned in Attachment ~~B-3~~ 4 of the Board Memo dated December 11, 2020, incorporated herein by reference, ~~of this staff report dated September 3, 2020~~, in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed. These parameters include many design features and conditions of approval, which take into account the property's location within the Key Site 18/Southpoint Estates, approximately 35-acre contiguous open space along Orcutt Creek. The project's size and intensity of development is designed to ensure that the project location, near Orcutt Creek, with steep slopes on both sides of the driveway,

and surrounded on the north, east and west by protected open space, is adequate. Design features and conditions of approval have been incorporated to further ensure that the density and intensity of development are compatible with this particular property. This includes development setbacks from Orcutt Creek riparian habitat, use of predominantly native plant species in landscaped areas, minimum night lighting required for safety purposes, operational limits on maximum attendance levels, the development and the location of development, parking, trails and other amenities as well as parameters for onsite operations that take into account the project's location adjacent to undeveloped open space (e.g., restricting the location, , maximum attendance, noise regarding maximum attendance, and hours of operation).

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

The Board of Supervisors finds that adverse environmental impacts from the project will be mitigated to the maximum extent feasible. All mitigation measures identified in the OASIS EIR have been incorporated as conditions of approval for 16DVP-00000-00002 (Attachment ~~B-44~~ of the Board Memo dated December 11, 2020) to reduce environmental impacts, including measures required to reduce significant impacts and measures recommended to minimize adverse but less than significant impacts.

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 as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, the streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the project. The Santa Barbara County's Public Works Department reviewed the project for consistency with all applicable regulations and has determined that streets and highways are adequate and properly designed to carry the type of quantity of traffic generated by the proposed use, subject to project conditions included in Attachment ~~B-44~~ of the Board Memo dated December 11, 2020, and based on the traffic analysis and data in the EIR, the traffic modelling for buildout of the Orcutt Community Plan, recent Orcutt area traffic studies, including but not limited to traffic studies prepared by Stantec and ATE for the OASIS project, and recent temporary roadway changes implemented by Public Works at the Clark Avenue/Foxenwood Lane intersection.

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 as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, there will be adequate public services to serve the project, as conditioned in Attachment ~~B-4-4~~ of the Board Memo dated December 11, 2020. The project will be served by municipal water (Golden State Water Company) and sewer (Laguna County Sanitation District). Project conditions addressing public services include, but are not limited to requirements for: 1)

Recordation of a private easement for OASIS across the open space parcel to the north (APN 105-020-060, Knight) to extend a new sewer line from OASIS to the off-site sewer trunk line on the south side of Orcutt Creek; 2) Purchase of supplemental water from the City of Santa Maria to ensure the project does not result in an increase in ground water pumping and overdraft of the Santa Maria Groundwater Basin; 3) County Sheriff's Office approval of an Event Safety Plan to ensure anticipated events onsite do not overwhelm limited Sheriff personnel assigned to the area; and 4) Compliance with County Fire standard requirements for fire suppression and access design.

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 finds that the project, as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, 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. Project conditions, including the project description, include maximum attendance caps, limitations on use of amplified sound, hours of operation, implementation of a Transportation Demand Management Plan to reduce single occupancy vehicle trips, and other measures to address compatibility with the surrounding area. In addition, all mitigation measures identified in the OASIS EIR have been incorporated as conditions of approval for 16DVP-00000-00002 (Attachment ~~4 B-4~~ of the Board Memo dated December 11, 2020,) to reduce environmental impacts, including measures required to reduce significant impacts and measures recommended to minimize adverse but less than significant impacts.

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 project complies with all applicable requirements of the Comprehensive Plan, including the Orcutt Community Plan (subject to approval of the requested amendments to the Orcutt Community Plan identified in Case No. 14GPA-00000-00020) and with the requirements of the Land Use and Development Code, as discussed in Sections 6.2 and 6.3, respectively of the Planning Commission staff report dated September 3, 2020, incorporated herein by reference.

The project includes the construction of a second bikeway/trail in a new trail/bikeway location on APNs 105-020-052 and -053, together one legal parcel. The new bikeway/trail is consistent with all applicable Comprehensive Plan and Orcutt Community Plan policies and LUDC development standards as follows:

- ***Policy PRT-O-1:*** *Diverse passive and active recreational activities shall be developed in Orcutt.*

The second bikeway/trail is consistent with policies and development standards for recreational activities and park facilities as it will provide an additional trail opportunity for the community.

- ***DevStd PRT-O-4.2:*** *Development shall comply with the Trail Siting Guidelines as set forth in the Orcutt Multiple Use Trails Plan.*
- ***DevStd PRT-O-4.3:*** *Development on sites with identified trail corridors (PRT-6 map) shall include, where appropriate, the construction and assurance of the fitness of designated trails for two years, at which time the County Park Department would assume maintenance responsibility. Where immediate construction is not required, a construction bond shall be required.*

The second bikeway/trail is consistent with these Development Standards for trails. The project proposes to construct a segment of a trail on APNs 105-020-052 and -053, together one legal parcel. Conditions of approval have been included that would ensure restoration plantings and creek setback are consistent with the *Orcutt Multiple Use Trails Plan* and its Trail Siting and Design Guidelines, and that conflicts between the final location of the proposed trail and easements is adequately resolved. The project is also conditioned to ensure that the proposed plant palette is consistent with the Fire Department's vegetation fuel management requirements. Implementation of mitigation measures identified in Section 4.11 of the Final EIR would also ensure feasibility of the trail segment in a location that would be accessible to the public in the long-term. OASIS proposes to, and is conditioned to, construct the trail/bikeway, maintain the trail/bikeway for 3 years, and provide a bond to ensure construction and maintenance.

- ***DevStd BIO-O-2.3:*** *Setbacks shall be sufficient to allow and maintain natural stream channel processes (e.g. erosion, meanders) and to protect all new structures and development from such processes. Hardbank protection (including riprap, boulders, concrete) shall be prohibited unless necessary to protect an existing structure or facilities of a public works nature, whether existing or proposed (e.g. energy dissipaters, upstream fact of retention basins, high flow diversion structures, bridges, roads, trails, necessary private access, etc.), subject to Public Works and Planning and Development Department review. (Added by Res 01-226, 7/10/01).*

The project is consistent with this policy because the proposed trail/bikeway area is located outside of the buffer area of Orcutt Creek. Immediately west of Foxenwood Lane, grading on the slope north of the existing dirt road to accommodate improvements for the project access and Orcutt Creek Trail components would not extend into the riparian canopy nor would it extend into the banks of Orcutt Creek, and natural stream processes would be protected.

- ***DevStd BIO-O-5.3:*** *Multi-use trail construction should avoid removal of riparian vegetation to the maximum extent feasible. The Orcutt Creek multi-use trail shall*

be set back a minimum of 50 feet from the outside edge of riparian vegetation or the top-of-bank (whichever is further) unless this would make the multi-use trail link infeasible. Trail construction shall include riparian restoration between the edge of existing native vegetation and the bicycle path. Trail lighting should be directed away from the creek

- **DevStd BIO-O-5.4:** *Trails should follow existing dirt road and trail alignments and utilize existing bridges where feasible. Where this is not possible, prior to final trail alignment proposed trail routes should be surveyed and rerouted where necessary to avoid sensitive species, subject to final approval by P&D and the Park Department. All trails shall be sited and designed to avoid or minimize impacts to sensitive resources, areas of steep slopes and/or highly erosive/sandy soils, where feasible. Developers shall fund sign installation along certain trails (as identified in the Multi Use Trail Guidelines) providing educational and interpretive information and advising dog owners to keep their dogs out of sensitive habitats.*

The project is consistent with trail development standards because the trail/bikeway would be setback a minimum of 50 feet from the outside of riparian canopy. In addition, Section 4.11 of the Final EIR includes mitigation measures that identify design options to resolve the conflict between easements and implementation of these measures as project conditions of approval would ensure that the proposed bikeway/trail is developed in a manner that would be consistent with these Development 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 project is located in an urban area and is therefore not subject to rural area standards.

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 project, as conditioned, will not conflict with any easements required for public access the property. The Orcutt Community Plan (OCP) identifies a proposed future public trail and future public bikeway across the OASIS property, however, there are no existing public easements in place.

9. *Additional Finding for the Modification of Required Parking Spaces. Pursuant to Section 35.82.080.H.1. of the LUDC, at the time of Final Development Plan is approved, the review authority may modify the parking requirements when the review authority finds the modifications are justified.*

The project includes a request to modify the required number of parking spaces. The modification for the LUDC parking requirements is justified because the peak parking

analysis prepared by Associated Transportation Engineers (ATE) and included in EIR Section 4.12, incorporated herein by reference, identifies peak parking demand as 139 spaces. The proposed modification to allow 143 spaces is justified based on the ATE analysis that the modified number of parking spaces will not negatively impact the area. Development Plan and Conditional Use Permit conditions of approval further include conditions to ensure project parking demand can be accommodated by the 143 proposed onsite parking spaces. These conditions ensure project-related vehicles do not park in locations which could increase traffic hazards (e.g., along the driveway outside of the designated spaces) or which could infringe upon the recreational opportunities (trail, bikeway, park) or biological resources within the remaining KS18 open space. Finally, as requested by Caltrans, the conditions also restrict OASIS use of the Park and Ride parking for parking demand associated with regular OASIS operations or for special events/rentals, unless specifically permitted by Caltrans.

5.2 ***Land Use and Development Code***
Section 35.82.080.E.2 – Final Development Plans

Additional finding required for Final Development Plans. In compliance with Subsection 35.82.080.E.2 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Final Development Plan the review authority shall first find that the plan is in substantial conformity with any previously approved Preliminary Development Plan except when the review authority considers a Final Development Plan for which there is no previously approved Preliminary Development Plan. In this case, the review authority may consider the Final Development Plan as both a Preliminary and Final Development Plan.

There is not an approved Preliminary Development Plan for the OASIS project. Therefore, the OASIS Final Development Plan is considered both a Preliminary and Final Development Plan.

6.0 **CONDITIONAL USE PERMIT FINDINGS (not related to signs) FOR OASIS PROJECT**

Land Use and Development Code

Section 35.82.060.E.1

Findings required for all Conditional Use Permits. In compliance with Subsection 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 Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the following findings, as applicable:

- 1. The site for the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the type of use and level of development proposed;*
- 2. Environmental impacts.*
 - a. Within the Inland area significant environmental impacts will be mitigated to the maximum extent feasible.*

The Board of Supervisors finds that significant environmental impacts will be mitigated to the maximum extent feasible, and all of mitigation measures identified in the OASIS EIR have been incorporated as conditions of approval for 16CUP-00000-00006 (Attachment 4 ~~B-4~~ of the Board Memo dated December 11, 2020,) to reduce environmental impacts.

- 3. 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 as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, the streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the project. Santa Barbara County's traffic experts in the Public Works Department have determined that streets and highways are adequate and properly designed to carry the type of quantity of traffic generated by the proposed use, subject to project conditions included in Attachment ~~B-4~~ 4 of the Board Memo dated December 11, 2020, incorporated herein by reference, and based on the traffic analysis and data in the EIR, the traffic modelling for buildout of the Orcutt Community Plan, recent Orcutt area traffic studies, including but not limited to traffic studies prepared by Stantec and ATE for the OASIS project, and recent temporary roadway changes implemented by Public Works at the Clark Avenue/Foxenwood Lane intersection.

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

The Board of Supervisors finds that as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, there will be adequate public services to serve the project, as conditioned in Attachment ~~B-4-4~~ of the Board Memo dated December 11, 2020, incorporated herein by reference. The project will be served by municipal water (Golden State Water Company) and sewer (Laguna County Sanitation District). Project conditions addressing public services include, but are not limited to requirements for: 1) Recordation of a private easement for OASIS across the open space parcel to the north (APN 105-020-060, Knight) to extend a new sewer line from OASIS to the off-site sewer trunk line on the south side of Orcutt Creek; 2) Purchase of supplemental water from the City of Santa Maria to ensure the project does not result in an increase in ground water pumping and overdraft of the Santa Maria Groundwater Basin; 3) County Sheriff's Office approval of an Event Safety Plan to ensure anticipated events onsite do not overwhelm limited Sheriff personnel assigned to the area; and 4) Compliance with Public Works requirements for access and roadway improvements on Foxenwood Lane and Clark Avenue.

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

The Board finds that the project, as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, 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. Project conditions, including the project description, include maximum attendance caps, limitations on use of amplified sound, hours of operation, implementation of a Transportation Demand Management Plan to reduce single occupancy vehicle trips, and other measures to address compatibility with the surrounding area. In addition, all mitigation measures identified in the OASIS EIR have been incorporated as conditions of approval for 16DVP-00000-00002 (Attachment 4 ~~B-4~~ of the Board Memo dated December 11, 2020, incorporated herein by reference) to reduce environmental impacts, including measures required to reduce significant impacts and measures recommended to minimize adverse but less than significant impacts.

6. *The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.*

The Board of Supervisors finds that as conditioned and as discussed in the Staff report, dated September 3, 2020 and incorporated herein, the project complies with all applicable requirements of the Comprehensive Plan, including the Orcutt Community

Plan (subject to approval of the requested amendments to the Orcutt Community Plan identified in Case No. 14GPA-00000-00020), as discussed in Section 6.2 of the Planning Commission staff report dated September 3, 2020 and with the requirements of the Land Use and Development Code, as discussed in Section 6.3.

- 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 project is located in an urban area and is therefore not subject to rural area standards.

6.1. CONDITIONAL USE PERMIT -OFF-SITE DIRECTIONAL SIGN

Land Use and Development Code

Section 35.38.60 Signs Allowed in All Zones

Section 35.28.060.C.2.b Directional and Informational Signs

In compliance with Subsection 35.82.060.F of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the following findings (as applicable):

- 1. The sign is necessary to direct or inform the public as to the location or changing attraction of those uses specified in Chapter 35.38 (Sign Standards).*

The Board of Supervisors finds that the proposed off-site directional sign is necessary to direct and inform the public of the location of the proposed OASIS driveway and facility because the meeting facility will not be located immediately adjacent to a road. The sign will be located near the Foxenwood Lane driveway entrance and outside of the road right-of-way. Project conditions in Attachment ~~B-5~~ 4 of the Board Memo dated December 11, 2020, incorporated herein by reference, ensure that the sign meets Old Town design standards and that the sign placement will not impede visibility for travelers (vehicles, bicycles, and pedestrians) using Foxenwood Lane or the OASIS driveway.

- 2. The location and size of the sign will not be detrimental to the safety, convenience, property values, and general welfare of the neighborhood.*

The Board of Supervisors finds that the proposed sign is necessary to identify the OASIS driveway and facility. The sign is conditioned to be in a location approved by Public Works that is readily visible from Foxenwood Lane and also located to avoid conflict with line of sight from Foxenwood Lane and the OASIS driveway, including for vehicles, pedestrians and bicyclists. In addition, the sign received conceptual review by the North

Board of Architectural Review (NBAR) and is required to receive final approval prior to zoning clearance. With the application of County standard conditions of approval, including building and safety requirements, the sign will not be detrimental to the safety, convenience, property values or general welfare of the neighborhood.

- 3.** *If the sign informs the public concerning service club meetings, the permittee agrees in writing, if required by the Zoning Administrator, to permit additional service club signs to be placed on the same structure.*

The Board of Supervisors finds that the sign is not proposed to inform the public of service club meetings.