

ATTACHMENT 1

FINDINGS FOR APPROVAL ORDINANCE 661 CONSISTENCY REZONE PHASE II PROJECT

Case Nos. 16RZN-00000-00001, 16GPA-00000-00001,
16ORD-00000-00001 and 16NGD-00000-00003

1.0 CEQA FINDINGS

1.1 FINDINGS PURSUANT TO THE PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090, 15091, AND 15163:

1.1.1 CONSIDERATION OF THE NEGATIVE DECLARATION

The Board of Supervisors has reviewed and considered the Negative Declaration (16NGD-00000-00003) and its appendices, together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the Board of Supervisors, has been completed in compliance with CEQA, and is adequate for this proposal.

1.1.2 FULL DISCLOSURE

The Board of Supervisors finds that the Negative Declaration (16NGD-00000-00003) and its appendices constitute a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Board of Supervisors further finds that the Ordinance 661 Consistency Rezone Phase II project will not have a significant effect on the environment.

Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. Negative Declaration 16NGD-00000-00003 did not identify any significant effects associated with the project. Therefore, a reporting or monitoring program is not required to be adopted for this project.

1.1.3 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

2.0 ADMINISTRATIVE FINDINGS

2.1 AMENDMENT TO THE DEVELOPMENT CODE AND ZONING MAP AMENDMENT (REZONE) FINDINGS

Findings required for all amendments to the Comprehensive Plan, County Land Use and Development Code and the County Zoning Map. Pursuant to Section 35.104.060 of the County Land Use and Development Code (LUDC), prior to the approval or conditional approval of an application for an Amendment to the Development

Code or Zoning Map, the Board of Supervisors shall first make all of the following findings:

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

The purpose of the Ordinance 661 Consistency Rezone Phase II Project is to rezone parcels zoned under Ordinance 661 in the Santa Maria Valley, Lompoc Valley, Cuyama Valley, Los Padres National Forest, Santa Ynez Valley, and South Coast Foothill to the equivalent Land Use and Development Code (LUDC) zoning designation. The consistency rezone will: 1) provide equitable treatment between similarly zoned properties with respect to eligible land uses and permit processing requirements; 2) increase land use options available to property owners; and 3) improve permit process efficiency by having a single zoning ordinance (LUDC) applicable for the majority of the County which will help reduce time and cost for permit processing and eliminate the need for individual consistency rezones from Ordinance 661 to the LUDC. Therefore, the Board of Supervisors finds that the project is in the interests of the general community welfare.

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

Section 5.2 of the Planning Commission staff report dated April 26, 2016, incorporated by reference, describes the project's consistency with Santa Barbara County Comprehensive Plan policies, as well as compliance with the Land Use and Development Code; each of which are consistent with State planning and zoning laws. Therefore, the Board of Supervisors finds that the project is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and the Santa Barbara County Land Use and Development Code.

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

The purpose of the consistency rezone is to rezone the majority of the remaining parcels zoned under Ordinance 661 in the Santa Maria Valley, Lompoc Valley, Cuyama Valley, Los Padres National Forest, Santa Ynez Valley, and South Coast Foothill to the equivalent Land Use and Development Code (LUDC) zoning designation. Having a singular zoning ordinance will help ensure consistency and equity in the application of LUDC zoning ordinance requirements and implementation of the Santa Barbara County Comprehensive Plan. Therefore, the Board of Supervisors finds that the project is consistent with good zoning and planning practices

2.2 COMPREHENSIVE PLAN AMENDMENT FINDINGS

2.2.1 Government Code Section 65358 requires a general plan amendment to be in the public interest. Additionally, Section 35.104.060 of the County Land Use and Development Code (LUDC) requires, prior to the approval or conditional approval of an application for an Amendment to the Comprehensive Plan, the Board of Supervisors shall first make the finding that the request is deemed to be in the public interest.

The comprehensive plan amendment is in the public interest for the following reasons. As discussed in Section 4.2 of this staff report, incorporated by reference, Ordinance 661 was created in the 1960's. Completing a consistency rezone will facilitate the removal of this outdated zoning ordinance. The proposed change to the LUDC will address future development across the County under one zoning ordinance. It will simplify the zoning and permitting processes, as well as reducing permitting costs and time for applicants, as well as, providing landowners the opportunity to apply for a greater variety of land uses that are currently available in the LUDC. Overall, it is in the public interest to address future development in the County under one code by approving the Project.

As discussed in Section 4.4.2 of this staff report, incorporated by reference, the Ordinance 661 Consistency Rezone Phase II Project also involves a Comprehensive Plan amendment to apply Agriculture I-40 (A-I-40), Agriculture II-40 (A-II-40), Agriculture II-100 (A-II-100), Agriculture II-320 (A-II-320), Mountainous Area 100 (MA-100), Mountainous Area 40 (MA-40), Mountainous Area 40/Educational (MA-40/Educational), Mountainous Area 320 (MA-320), Recreation/Open Space, Other Open Lands, Institution/Government, and Residential land use designations found in the Comprehensive Plan Land Use Element and Agricultural Element. The Agricultural (A) and Open and Grazing designations are older designations from the original 1965 Santa Barbara County General Plan which have been systematically replaced throughout the County.

The proposed new land use designations facilitate rezoning the affected parcels to their corresponding LUDC designations and provided internal consistency with proposed land use and zoning designations. Additionally, Section 5.2 of this staff report, incorporated by reference, describes the project's consistency with Santa Barbara County Comprehensive Plan policies. Therefore, the Board of Supervisors finds that the project is in the public interest.

Board of Supervisors
Ordinance 661 Consistency Rezone Phase II Project
June 21, 2016
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