

ATTACHMENT 1: FINDINGS

1.0 CEQA FINDINGS

1.1 CEQA Exemption

The Board of Supervisors finds that the denial of the proposed project (Case Nos. 06TRM-00000-00002/TM 14,709, 16CUP-00000-00030) is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270. Please see the Notice of Exemption included as Attachment B of the Planning Commission staff memorandum, dated May 11, 2017.

2.0 ADMINISTRATIVE FINDINGS

2.1 CONDITIONAL USE PERMIT FINDINGS

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 findings, as applicable. However, as a result of the recommendation for project denial, only those findings which cannot be made are discussed below.

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

As discussed in Section 2.0, Comprehensive Plan Consistency, of the Planning Commission staff memorandum dated May 11, 2017, incorporated herein by reference, the Tentative Tract Map for which the proposed State Small Water System will serve is inconsistent with the Santa Barbara County Comprehensive Plan Agricultural Element. Therefore, the proposed State Small Water System is also not consistent with the Comprehensive Plan and this finding cannot be made.

2.2 TENTATIVE MAP FINDINGS (SUBDIVISION MAP ACT)

A. Findings for all Tentative Maps. In compliance with the Subdivision Map Act, the review authority shall make the following findings for the Rancho La Laguna Vesting Tentative Tract map, Case No. 06TRM-00000-00002/TM 14,709. However, as a result of the recommendation for project denial, only those findings which cannot be made are discussed below.

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

with §65300) of Chapter 3 of Division 1 or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.

As discussed in Section 2.0, Comprehensive Plan Consistency, of the Planning Commission staff memorandum dated May 11, 2017, incorporated herein by reference, the proposed project is inconsistent with the Santa Barbara County Comprehensive Plan Agricultural Element. Therefore this finding cannot be made.

3. State Government Code §66474. A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required if it makes any of the following findings:

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

As discussed in Section 2.0, Comprehensive Plan Consistency, of the Planning Commission staff memorandum dated May 11, 2017, incorporated herein by reference, the proposed project is inconsistent with Goals I, II, and III, and Policies I.A, II.D, and III.A contained in the Santa Barbara County Comprehensive Plan Agricultural Element. The construction of additional residences and accessory structures and associated lighting, fencing, and utilities on the 12 new lots will have the effect of creating an adverse urban influence within the rural project site area. In addition, the proposed subdivision will not ensure the continuation of the existing agricultural operations on the project site due to the potential for conflicts (e.g. odor, dust, pesticide use) between agricultural and residential uses, and the division of the existing agricultural operations onto smaller lots which may be separately owned and operated. These types of conflicts could lead to adverse modifications or reductions in the existing agricultural operations on the site which will violate the integrity and discourage the expansion of the existing agricultural operations on the project site. Therefore, this finding can be made and the County shall deny approval of the tentative map.

2.3 TENTATIVE MAP FINDINGS (COUNTY CODE CHAPTER 21)

A. The following findings shall be cause for disapproval of a tentative map but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant. As a result of the recommendation for project denial, only those findings which cannot be made are discussed below.

6. Nonconformance with any adopted general plan of the County or with any alignment of a state highway officially approved or adopted by the Department of Transportation.

As discussed in Section 2.0, Comprehensive Plan Consistency, of the Planning Commission staff memorandum dated May 11, 2017, incorporated herein by reference, the proposed project is inconsistent with Goals I, II, and III, and Policies I.A, II.D, and III.A contained in the Santa Barbara County Comprehensive Plan Agricultural Element. The construction of additional residences and accessory structures and associated lighting, fencing, and utilities on the 12 new lots will have the effect of creating an adverse urban influence within the rural project site area. In addition, the proposed subdivision will not ensure the continuation of the existing agricultural operations on the project site due to the potential for conflicts (e.g. odor, dust, pesticide use) between agricultural and residential uses, and the division of the existing agricultural operations onto smaller lots which may be separately owned and operated. These types of conflicts could lead to adverse modifications or reductions in the existing agricultural operations on the site which will violate the integrity and discourage the expansion of the existing agricultural operations on the project site. Therefore, this finding can be made and the County shall deny approval of the tentative map.