

ATTACHMENT 1

FINDINGS FOR APPROVAL EASTERN GOLETA VALLEY COMMUNITY PLAN (EGVCP) ENVIRONMENTALLY SENSITIVE HABITAT/RIPARIAN (ESH/RC) CORRIDOR LAND USE AND ZONING OVERLAYS MAP UPDATE

Case Nos. 17GPA-00000-00001 and 17RZN-00000-00001

1.0 CEQA FINDINGS

1.1 FINDING THAT A PREVIOUS ENVIRONMENTAL DOCUMENT CAN BE USED

The County Board of Supervisors (Board) finds that the previous environmental document, a Program Environmental Impact Report (EIR) certified for adoption of the EGVCP on October 20, 2015, Case No. 14EIR-00000-00005, may be used to fulfill the environmental review requirements for the EGVCP ESH/RC Land Use and Zoning Overlays Map Update (the Project), Case Nos. 17GPA-00000-00001 and 17RZN-00000-00001.

Pursuant to State CEQA Guidelines Section 15168(c)(2), no new environmental document is required if an agency determines a subsequent activity is within the scope of the project covered by the certified Program EIR, and finds, pursuant to Section 15162, no new effects would occur or no new mitigation measures would be required. Section 15162 provides that the lead agency shall not prepare a subsequent EIR for a project when the lead agency or another entity has already certified an EIR for that project, unless one or more of the following have occurred: 1) substantial changes are proposed which will require major revisions to the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 2) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or 3) new information of substantial importance which was not known and could not have been known at the time the previous EIR was certified or negative declaration was adopted has become available.

The Project is a subsequent activity within the scope of the previously approved EGVCP covered by the certified Program EIR. The Project implements EGVCP Action ECO-EGV-5A by providing new and enhanced information regarding the likely locations of many of the environmentally sensitive habitats and riparian corridors identified for protection by EGVCP Policy ECO-EGV-5.4. The Project will not allow new land uses, increase development densities, or otherwise alter the purpose or intent of the goals, policies, and programs of the EGVCP. Thus, the Project does not include any substantial changes to the EGVCP or to the circumstances under which the EGVCP is implemented, and there is no new information of substantial importance.

Further, the Project will not have new significant effects or increase the severity of impacts discussed in the Program EIR; thus, no new mitigation measures would be required. The existing EGVCP ESH/RC Land Use and Zoning Overlays are outdated and based on

information and mapping prepared for the 1993 Goleta Community Plan, which was replaced by the 2015 EGVCP. The Project supports the protection of biological resources identified by EGVCP Policy ECO-EGV-5.4 by continuing to assist County staff in the review of development applications to assure that sensitive habitats are protected from new development by providing enhanced habitat information. The Project will not facilitate new development (either directly or indirectly), nor does it involve any construction activities. Therefore, the County Board of Supervisors finds that no new environmental document is required and that the project does not require subsequent environmental review pursuant to State CEQA Guidelines Section 15162.

The EGVCP Program Environmental Impact Report (14EIR-00000-00005) is available for review at:

Santa Barbara County Planning and Development Department
123 East Anapamu Street
Santa Barbara, CA 93101

<http://longrange.sbcountyplanning.org/planareas/goleta/gcpeir.php>

1.2 FULL DISCLOSURE

The Board finds that the previously certified EIR, along with these findings and the findings and statement of overriding consideration made by the Board on October 20, 2015, constitute a complete, accurate, adequate, and good faith effort at full disclosure pursuant to CEQA.

2.0 ADMINISTRATIVE FINDINGS

2.1 AMENDMENTS TO THE COMPREHENSIVE PLAN, DEVELOPMENT CODE, AND COUNTY ZONING MAP (REZONE) FINDINGS

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

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

The Project follows the direction of EGVCP Action ECO-EGV-5A to update the ESH/RC overlay areas. The Project updates a portion of the ESH/RC overlay map as it pertains to the Rural Area of the EGVCP with a focus on sensitive vegetation types. Although the Project does not update the map with respect to all ESHs, it updates a significant component of those resources and improves the overlay mapping tool for use in protecting those resources. As the Project provides new and enhanced information regarding the likely locations of many of the ESHs and RCs identified for protection by EGVCP Policy ECO-EGV-5.4, the Project provides

an enhanced tool for use by County staff and the public to better implement the ESH and RC policies of the EGVCP and the ESH and RC Overlay regulations of the LUDC, resulting in better protection of these biological resources. Thus, the request is in the interests of the general community welfare and this finding can be made.

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

The EGVCP is a component of the Comprehensive Plan. As stated above, the Project follows the direction of EGVCP Action ECO-EGV-5A to update the ESH/RC overlay areas. The Project updates a portion of the ESH/RC overlay map as it pertains to the Rural Area of the EGVCP with a focus on sensitive vegetation types. Although the Project does not update the map with respect to all ESHs, it updates a significant component of those resources and improves the overlay mapping tool for use in protecting those resources. Further, the Project provides an enhanced tool for use by County staff and the public to better implement the ESH and RC policies of the EGVCP and the ESH and RC Overlay regulations of the LUDC by providing better information as to the location of ESHs. The Project does not revise the regulations or text of the LUDC. Therefore, the Project is consistent with the Comprehensive Plan, State planning and zoning laws, and the County LUDC, and this finding can be made.

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

The Project is limited and focused, following the direction of EGVCP Action ECO-EGV-5A to update the ESH/RC overlay areas. As such, it provides an enhanced tool for use by County staff and the public to better implement the ESH and RC policies of the EGVCP and the ESH and RC Overlay regulations of the LUDC, which is consistent with good zoning and planning practices. Therefore, this finding can be made.

2.2 ADDITIONAL FINDING FOR COMPREHENSIVE PLAN AMENDMENTS

2.2.1 The request is deemed to be in the public interest.

The Project updates the ESH/RC Land Use and Zoning Overlays, which are components of the Comprehensive Plan and the LUDC, respectively. The Comprehensive Plan amendment (Case No. 17GPA-00000-00001), updating the ESH/RC Land Use Overlay, updates and improves the information on the overlay regarding the location of ESHs and RCs. The Project enhances this map tool used by County staff and the public to better implement the ESH and RC policies of the EGVCP and the ESH and RC Overlay regulations of the LUDC. Overall, it is in the public interest to provide better information regarding ESHs and RCs and improve the permit process for new development in or adjacent to these areas. Therefore, this finding can be made.