

**ATTACHMENT 1:  
FINDINGS FOR APPROVAL OF CANNABIS AMENDMENTS TO THE  
RIGHT TO FARM ORDINANCE**

**May 8, 2018**

**Case Nos. 18ORD-00000-00008**

**1.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS**

**1.1 CASE NOS. 18ORD-00000-00008, FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21166 AND THE CEQA GUIDELINES SECTIONS 15162-15164:**

**1.1.1 RELIANCE ON PREVIOUSLY CERTIFIED PROGRAM ENVIRONMENTAL IMPACT REPORT (EIR)**

On February 6, 2018, the Board of Supervisors (Board) certified the Final Programmatic EIR (Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016) for the Cannabis Land Use Ordinances. Also, on February 6, 2018, the Board adopted a statement of overriding considerations. Both of these actions remain in full force and effect and are not proposed to be changed by the amendments to Section 3-23 of the County Code, the Right to Farm Ordinance. The CEQA Guidelines Sections 15162 through 15164 and 15168(c) set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. In accordance with CEQA Guidelines Section 15164(e) and 15168(c) the previously certified EIR is adequate without modification for the following reasons.

The present action is the amendment of the the Right to Farm Ordinance to address cannabis uses and development allowed pursuant to the Cannabis Land Use Ordinance and Licensing Program.

The EIR allowed for the possible adoption of other amendments to the County Code to address various aspects of cannabis activities, as described in Chapter 2, *Project Description*, Page 2-44. Amending the Right to Farm Ordinance falls into this category. This ordinance amendment would not result in any impacts to the environment, but would ensure that the mitigation measures outlined in the EIR will be feasible to implement given that the right-to-farm protections will not be applied to cannabis activities.

Therefore, adoption of amendments to the Right to Farm Ordinance is consistent with the project description, analysis, and mitigation measures provided in the Final Programmatic EIR. Thus, the proposed action would not result in new or more severe impacts than was previously analyzed.

Finding: The Board finds that there are no substantial changes in the project, no substantial changes in the circumstances under which the project is undertaken, and

no new information which results in a new significant environmental effect or a substantial increase in the severity of a previously identified significant environmental effect since the certification of the Final Programmatic EIR (17EIR-00000-00003) dated December 2017, and the EIR Revision Letter (RV 01) dated January 31, 2018, for the project. In addition, the Board finds that no new effects would occur and no new mitigation measures would be required; and adoption of amendments to the Right to Farm Ordinance is within the scope of the project covered by the EIR, and no new environmental document is required.

### **1.1.2 FULL DISCLOSURE**

The Board finds that the previously certified EIR, appendices, and RV 01, along with these findings and the findings and statement of overriding consideration made by the Board on February 6, 2018, constitute a complete, accurate, adequate, and good faith effort at full disclosure pursuant to CEQA.

### **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.