

## **ATTACHMENT 1: FINDINGS**

### **1.0 CEQA FINDINGS**

#### **SUBSEQUENT ACTIVITIES WITHIN THE SCOPE OF THE PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)**

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15162 AND 15168:

#### **1.1 CONSIDERATION OF THE SUBSEQUENT ACTIVITIES IN THE PROGRAM**

The Board of Supervisors considered the previously certified PEIR for the Cannabis Land Use Ordinance and Licensing Program, 17EIR-00000-00003 (Attachment 3 to the Board Agenda Letter, dated November 1, 2022 and incorporated herein by reference), along with the Project, which is an activity within the scope of the PEIR. Staff prepared a written checklist in compliance with State CEQA Guidelines § 15168(c)(4) to document the evaluation of the site and the activity to determine that the environmental effects of the operation are covered in the PEIR (Attachment 4 to the Board Agenda Letter, dated November 1, 2022 and incorporated herein by reference). As shown in the written checklist, the Project is within the scope of the PEIR and the effects of the Project were examined in the PEIR. Therefore, on the basis of the whole record, including the written checklist, the previously certified PEIR, and any public comments received, the Board of Supervisors finds that the Project will not create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment, and there is no new information of substantial importance under State CEQA Guidelines Section 15162 warranting the preparation of a new environmental document for the Project.

#### **1.2 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 Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101, and available online at the below link:

<https://cosantabarbara.box.com/s/ylsgz7j4od04bfaz88k0b48e6n0iuo1p>

A digital copy of the Final PEIR can be located online at the below link:

<https://ca-santabarbaracounty.civicplus.pro/1358/Zoning-Permitting>

### **2.0 ADMINISTRATIVE FINDINGS**

#### **2.1 LAND USE PERMIT FINDINGS**

##### **2.1.1 *Finding required for all Land Use Permits. In compliance with Section 35.30.100.A of the County Land Use and Development Code, prior to the approval or conditional***

***approval of an application for a Land Use Permit the review authority shall first find, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (e.g., water, sewer, roads) are available to serve the proposed development.***

The Board of Supervisors finds that the proposed Project is adequately served by public or private services and resources.

The Project site is served by an existing water system including three existing groundwater wells that will continue to provide water for the proposed Project. An analysis of the existing water system performed by a Professional Geologist demonstrates that the Project will result in a reduction of the historic water use of the property and the existing production capacity of the wells is adequate to meet the demand of the Project. Environmental Health Services (EHS) also reviewed the Project and determined that the existing system's primary well (identified as the "Main Well") is adequate for domestic use. The Project will include approval of a water system permit and the repair of an existing private onsite wastewater treatment system tied to an existing restroom that will be made available for employee use.

The Project site will continue to be accessed via an existing 24-ft.-wide asphalt driveway off Highway 101. The Project was reviewed by the Public Works Department - Transportation Division and the existing roads providing access to the Project site were determined to be adequate to support Project traffic. The Project site is within the jurisdiction of the Santa Barbara County Fire Department (County Fire) and County Fire will continue to provide fire protection services to the Project site.

**2.1.2 *Findings required for all Land Use Permits. In compliance with Subsection 35.82.110.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first make all of the following findings:***

- 1. *The proposed development conforms:***
  - a. *To the applicable provisions of the Comprehensive Plan, including any applicable community or area plan.***
  - b. *With the applicable provisions of this Development Code or falls within the limited exception allowed in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).***

The Board of Supervisors finds that the proposed development conforms to the applicable provisions of the Comprehensive Plan and the Land Use and Development Code (LUDC) as discussed in the Planning Commission Staff Report dated August 2, 2022, and incorporated herein by reference. As discussed in Section 6.3 of the Staff Report, the proposed development conforms to the applicable provisions of the

Comprehensive Plan. The Project is not located within any applicable Community Plan area. Additionally, as discussed in Section 6.4 of the Staff Report, the proposed development is consistent with the LUDC requirements for cannabis activities and development within the AG-II-40 Zone District, as they relate to permitted uses, building heights, setbacks, and parking.

***2. The proposed development is located on a legally created lot.***

The Board of Supervisors finds that the proposed development is located on a legally created lot. The subject property is a part of the Rancho Nojoqui, in the County of Santa Barbara, State of California, as granted by patent dated September 11, 1869, and recorded in Book "A" at Page 779, et seq., of Patents, in the office of the County Recorder. The subject property is a developed lot standard in size.

***3. The subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks and any other applicable provisions of this Development Code, and any applicable zoning violation enforcement fees and processing fees have been paid. This Subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).***

The Board of Supervisors finds that, as conditioned, the subject property and the proposed Project will be in full compliance with all laws, rules, and regulations pertaining to zoning uses, subdivisions, setbacks and all other applicable provisions of the LUDC as discussed in Section 6.4 of the Planning Commission Staff Report, dated August 2, 2022, and incorporated herein by reference. Additionally, all processing fees have been paid to date.