

ATTACHMENT 1: FINDINGS OF APPROVAL

1.0 CEQA FINDINGS

1.1 NEGATIVE DECLARATIONS

1.2 CONSIDERATION OF THE NEGATIVE DECLARATION AND FULL DISCLOSURE

The Board of Supervisors has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment and analysis of the Board of Supervisors and has been completed in compliance with CEQA and is adequate for this proposal.

1.3 FINDING OF NO SIGNIFICANT EFFECT

On the basis of the whole record, including the negative declaration and any comments received, the Board of Supervisors finds that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated and on the basis of the whole record (including the initial study and any comments received), there is no substantial evidence that the project will have a significant effect on the environment. The Mitigated Negative Declaration identified that there are certain potentially significant environmental impacts associated with the project that can be reduced to less than significant with the implementation of the proposed mitigation measures. The areas of environmental impact found to be less than significant with project mitigation incorporated include: Aesthetics/Visual Resources impacts VIS-1 through VIS-6, which will be mitigated by requiring landscape buffers, dark sky compliant exterior lighting, and architectural design review, Fire Protection impacts FIRE-1 through FIRE-4, which will be mitigated to reduce wildfire risk to structures and people by requiring fire-resistant building materials and design, maintenance of defensible space around structures, and payment of Development Impact Mitigation Fees (DIMFs) for fire suppression services, Geologic Processes impacts GEO-1 and GEO-2, which will be mitigated to reduce or avoid effects of construction and operation by requiring a soils engineering study and an erosion and sediment control plan, and Water Resources impacts, which will be mitigated to ensure domestic water supply and improve water conservation.

1.3.1 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 Clerk of the Board of Supervisors located at 105 East Anapamu Street, Santa Barbara, CA 93101. These documents and materials are also available at:

<https://santabarbara.legistar.com/Calendar.aspx#current>

1.3.2 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15074(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 COUNTY LAND USE AND DEVELOPMENT CODE FINDINGS

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

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

1. Findings for Comprehensive Plan, Development Code and Zoning Map Amendments.

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

The Board of Supervisors finds that the request is in the interests of the general community welfare. The Famcon Pipe and Supply Project General Plan Amendment and Rezone will revise the language of Policy KS33-1 to change the land use designation and zone district of Assessor Parcel Numbers 107-150-021 and 107-150-022 from Highway Commercial to General Commercial, adjust the Urban/Rural Lands Boundary to designate the site as Urban Lands, and revise the language of Policy LU-O-6 to allow the Urban/Rural Lands Boundary adjustment. As discussed in Section 6.2 of the Planning Commission staff report, dated June 3, 2025, and incorporated herein by reference, the changes to land use designation and zone district, Urban/Rural Boundary, and policy language will not create a significant change in the compatibility of allowed commercial land uses on and around the project site. The project is in the interests of the general community welfare and deemed to be in the public interest because it will provide wholesale pipe supplies and associated products

that are used for large water conveyance and utilities projects, such as projects managed by local agricultural operations, utility providers, municipalities, and state agencies such as Caltrans. This Rezone change is a request from one commercial zone district to another. The proposed business is compatible with the nearby Mark Richardson Career Technical Education Center and Agricultural Farm located down the road on Founders Avenue. The proposed project is not growth inducing, because water and sanitary sewer services have already been extended to serve existing development east of the site and the site is already zoned for commercial use. The adjustment of the Urban Rural Boundary line is limited to the sites which already have water and sewer service. The site is located within the service area of the Laguna County Sanitation District, and the project would not require extension of main lines for water or sewer services.

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

The Board of Supervisors finds that the request is consistent with the Comprehensive Plan, the requirements of state planning and zoning laws, and the Land Use Development Code (LUDC) because the allowed use will remain commercial in nature and the development will be compatible with its surroundings. As discussed in Section 6.2 of the Planning Commission staff report, dated June 3, 2025, and incorporated herein by reference, the proposed development will allow for a commercial use in an area that contains existing urban development and commercial uses. The project is consistent with the policy requirements that adequate services are available to serve the proposed development. The proposed use will not exceed any established County thresholds for volume/capacity ratios, Vehicle Miles Traveled, or Level of Service on existing roads. The proposed access will meet County engineering design standards with an approved design exception and encroachment permit. The project is consistent with policy and to minimize fire hazards because fire-resistant materials and design have been incorporated with a plan for maintaining defensible space around structures, and the project will include payment of Development Impact Mitigation Fees to fund services provided by the County Fire Department. As discussed in Section 6.3 of the Planning Commission staff report, dated June 3, 2025, and incorporated herein by reference, the project is consistent with development standards because the development will meet setback and height limit requirements and it will incorporate landscape screening for the proposed structure, storage, and parking. The project will incorporate water efficient design for indoor and outdoor water use. The project will incorporate dark sky compliant exterior lighting and include an underground storm water detention basin. The project will also be required to receive final approval for design review by the North

County Board of Architectural Review. The change in zoning is a request from one commercial zone district to another, which does not create compatibility conflict with existing development or allowed uses. The proposed changes in the land use designation and zone district of the site and proposed site development will align with the County's Comprehensive Plan policies and comply with LUDC requirements.

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

The Board of Supervisors finds that the request is consistent with good zoning and planning practices. As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report, dated June 3, 2025, and incorporated herein by reference, the project will be compatible with the existing land uses in the surrounding area, will not change the community buildout level, and will not significantly affect the level of traffic on existing roadways. The proposed project is not growth inducing because water and sanitary sewer services have already been extended to serve existing development east of the site and the site is already zoned for commercial use. The proposed project is consistent with all applicable development standards in the ordinance and comprehensive plan policies. Additionally, upon approval of the requested Rezone, the proposed project will be consistent with all development standards in the ordinance, and upon approval of the requested General Plan Amendment, the proposed project will be consistent with Policy LU-O-6 and KS33-1. The site is already zoned Highway Commercial, which allows for commercial development that serves a population associated with the Highway 101 travel corridor. The proposed pipe supply use will also utilize the travel corridor and bring a commercial service to area residents and businesses.

2. Additional finding for Comprehensive Plan Amendments.

a. If the request is for an amendment to the Comprehensive Plan, then the review authority shall also find that the request is deemed to be in the public interest.

The Board of Supervisors finds that the request is deemed to be in the public interest. As discussed in Section 6.2 of the Planning Commission staff report, dated June 3, 2025, and incorporated herein by reference, the proposed amendment to the Comprehensive Plan and proposed project development would allow the applicant to supply commercial products for various underground pipe and culvert projects that are installed by public and private sector entities. This Rezone change is a request from one commercial zone district to another. The proposed business is compatible with the nearby Mark Richardson Career Technical Education Center and Agricultural Farm located on Founders Avenue east of the project site. The project is in the interests of the

general community welfare and deemed to be in the public interest because it will provide wholesale pipe supplies and associated products that are used for large water conveyance and utilities projects, such as projects managed by local agricultural operations, utility providers, municipalities, and state agencies such as Caltrans.

2.1.2 DEVELOPMENT PLAN FINDINGS

A. Findings required for all Preliminary or Final Development Plans. In compliance with Subsection 35.82.080.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the review authority shall first make all of the following findings, as applicable:

- 1. The site for the subject project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.**

The Board of Supervisors finds that the site for the subject project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed. The proposed project consists of a request for a Development Plan that will include construction of a warehouse/office building and outdoor storage and sales of pipe supplies, which is a heavy commercial use with uncovered outdoor storage, including a new 11,040 square foot structure and a 40,000 square foot uncovered outdoor storage area on a 4.01-acre site at 1350 Founders Avenue. The site is bounded by Founders Avenue and a vacant lot to the north, a vacant lot and the Mark Richardson Career Technical Education Center and Agricultural Farm to the east, Morningside Drive and an existing pet grooming business/building/kennels to the west, and a driveway and the Elks Rodeo Events Center to the south. The Development Plan is required for proposed development (including proposed outdoor storage) to exceed the 20,000 square foot development threshold within the General Commercial (C-3) Zone District. As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report, dated June 3, 2025, and incorporated herein by reference, the proposed development will be located within an area that has existing urban uses, existing services for water and sanitary sewer, and convenient access to the Highway 101 corridor. The project site has adequate space to accommodate the proposed development use, intensity, parking, loading, and landscaping to screen the development from Highway 101 and is consistent with policies and development standards for setbacks, height limits, design compatibility, water efficiency, site access, exterior lighting and storm water runoff. The agrarian architectural style is designed to be compatible with the surrounding development and compliant with

Orcutt Community Plan policy regarding compatibility of commercial development to its surroundings.

2. Adverse impacts will be mitigated to the maximum extent feasible.

The Board of Supervisors finds that adverse impacts will be mitigated to the maximum extent feasible for the project as set forth in the Final Mitigated Negative Declaration (24NGD-00011). The Final Mitigated Negative Declaration (MND) identifies potentially significant impacts that can be mitigated to less than significant levels with the mitigation measures incorporated into the conditions of approval (Attachment B, incorporated herein by reference). These impacts include Aesthetics/Visual Resources, Fire Protection, and Geologic Processes. For each of these impacts identified in the MND, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect. Findings can be made that, upon approval of the requested General Plan Amendment and Rezone, the project is consistent with the policies of the Comprehensive Plan, including the Orcutt Community Plan, compliant with the Land Use Development Code (LUDC) because the allowed use will remain commercial in nature and the development will be compatible with its surroundings. The project is in the interests of the general community welfare and deemed to be in the public interest because it will provide wholesale pipe supplies and associated products that are used for large water conveyance and utilities projects, such as projects managed by local agricultural operations, utility providers, municipalities, and state agencies such as Caltrans. The project is consistent with good zoning and planning practices because it will not change the community buildout level or cause any adverse impacts to the level of traffic or circulation on existing roadways.

3. Streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The Board of Supervisors finds that streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use. As discussed in Section 6.3 of the Planning Commission staff report, dated June 3, 2025, and the Associated Transportation Engineers Traffic, Circulation and VMT Study, incorporated herein by reference, existing streets and highways are adequate for the proposed project. Furthermore, the proposed project will not exceed any established County thresholds for volume/capacity, Vehicle Miles Traveled (VMT) or Level of Service (LOS). Primary access to the project site will be provided via a new 40-foot-wide driveway off Founders Avenue and a 25-foot-wide egress driveway onto Morningside Drive. All drive paths within the project site will be private and maintained by the owner. The project was reviewed by County Public Works Transportation Division staff and design exceptions were granted for

combined driveway width, one-way egress, and minimum distance of driveway from property line and street intersection. The proposed circulation meets all other applicable road standards.

4. There will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project.

The Board of Supervisors finds that the proposed project is adequately served by public and private utilities and fire and police protection. As discussed in Section 6.2 of the Planning Commission staff report, dated June 3, 2025, and incorporated herein by reference, adequate services will be in place to serve the project. The Applicant will assume full responsibility for costs incurred to provide adequate public and private infrastructure to serve the proposed facilities. The project's domestic water and fire suppression water needs will be served by Golden State Water Company. Wastewater services will be provided by the Laguna County Sanitation District. The project applicant will provide an Engineer's Certificate of Approval for the proposed underground basin and stormwater system and provide a maintenance agreement for the stormwater system, as required in the Public Works Water Resources Division Conditions of approval letter. The project site will continue to be served by the Santa Barbara County Fire Department and the Santa Barbara County Sheriff's Department. The project is conditioned to pay applicable Development Impact Mitigation Fees (DIMFs).

5. The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding area.

The Board of Supervisors finds that the proposed project is compatible with the surrounding area, and the project is not detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report, dated June 3, 2025, and incorporated herein by reference, the proposed project will result in new structural development that is visible to the public. The proposed structural development will be consistent with surrounding land uses, including the pet grooming business immediately west of the site, the Mark Richardson Career Technical Education Center and Agricultural Farm to the east, and the Elks Rodeo Events Center to the south. The proposed project will include fencing and landscaping to screen the views of the project site from Morningside Drive and Highway 101. Proposed lighting will be the minimum necessary for adequate site safety and security, shielded and directed downward, and will not result in lighting impacts to adjoining properties. The proposed project will not generate traffic in excess of any established County volume/capacity, Vehicle Miles Traveled (VMT), or Level of Service (LOS) thresholds.

Regarding neighborhood safety, standard Fire Department requirements such as address number standards, hydrant requirements, and review of site circulation and design of internal roads apply to the proposed project and ensure adequate emergency access to the site. The project is consistent with all policies and development standards regarding allowed uses, adequate services, setback requirements, height limits, design compatibility, water efficiency, site access, exterior lighting and storm water runoff. The project incorporates mitigation for Aesthetics/Visual Resources, Fire Protection, Geologic Processes, and Water Resources impacts, including landscape screening, agrarian architectural style design, dark sky compliant exterior lighting, incorporation of fire resistant building materials and maintenance of a defensible space plan around structures, payment of Development Impact Fees for fire protection services, incorporation of a soils engineering study and erosion and sediment control plan, and provisions for domestic water supply and water conservation.

6. The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.

The Board of Supervisors finds that the proposed project will comply with all applicable requirements of the Land Use and Development Code (LUDC) and Comprehensive Plan upon approval of the proposed Development Plan, General Plan Amendment, and Rezone, as discussed in Sections 6.2 and 6.3 of the Planning Commission staff report, dated June 3, 2025, and incorporated herein by reference. Policies and development standards include those related to adequate Services, aesthetics, air quality, hillside and water protection, noise, water resources/flooding, circulation, setbacks, heights, design compatibility, and parking. The project conforms to all requirements of the LUDC, including the C-3 Zone District standards. The proposed Development Plan will comply with all applicable requirements of the Comprehensive Plan and Development Code, because the allowed use will remain commercial in nature and the development will be compatible with its surroundings.

7. Within Rural areas as designated on the Comprehensive Plan maps, the use will be compatible with and subordinate to the agricultural, rural, and scenic character of the rural areas.

The Board of Supervisors finds that the proposed project is compatible and subordinate to the character of the area. As described in Section 6.3 of the Planning Commission staff report, dated June 3, 2025, and incorporated herein by reference, the project site is located in a rural area that supports other commercial, educational/institutional, and club/recreational (rodeos/events) activities. Views of the proposed structure and storage areas will be screened by new trees and shrubs along the Morningside Drive and Founders Avenue roadway frontages. The tallest

clerestory feature of the proposed structure (approximately 33 feet above finished grade) will be approximately 33 feet above the roof ridge of the existing pet grooming business structure located west of the site. The project was conceptually reviewed by the North Board of Architectural Review (NBAR) on April 25, 2025. NBAR provided favorable comments on the proposed building and site development and recommended the project return for Preliminary and Final NBAR Approval. As conditioned, Final NBAR approval will include findings such as: demonstration of compatibility of proposed structure shape, proportion, and scale and with other existing or permitted structures in and around the subject site; harmony of color, composition, and material on all sides of structures; adequate landscaping in proportion to the project and site; and appropriate size and location of exterior lighting. The project will not result in new development that will be incompatible with the character of the surrounding environment. The proposed facility is of an agrarian style and similar in shape, proportion, scale and materials to surrounding development and will implement landscape screening along public rights of way to protect public views. Exterior lighting will be dark sky compliant. Furthermore, the proposed use will be supportive of existing agricultural and rural uses by providing necessary pipes and supplies.

8. The project will not conflict with any easements required for public access through, or public use of a portion of the subject property.

The Board of Supervisors finds that the proposed project will not conflict with public access easements. The project applicant provided a Preliminary Title Report containing all existing easements. The project will maintain public access to existing rights-of-way along Founders Avenue and Morningside Drive.

- B. Additional finding required for Final Development Plans.** In compliance with Subsection 35.82.080.E.2 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Final Development Plan the review authority shall first find that the plan is in substantial conformity with any previously approved Preliminary Development Plan except when the review authority considers a Final Development Plan for which there is no previously approved Preliminary Development Plan. In this case, the review authority may consider the Final Development Plan as both a Preliminary and Final Development Plan.

The Board of Supervisors finds that the proposed Development Plan is acting as both a Preliminary and Final Development Plan.