ATTACHMENT 1: FINDINGS FOR DENIAL

1.0 CEQA FINDINGS

The Santa Barbara County Board of Supervisors (Board, herein) finds that the denial of the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15270 [Projects which are Disapproved]. CEQA Section 15270 confirms that CEQA does not apply to projects that a public agency rejects or disapproves.

2.0 ADMINISTRATIVE FINDINGS

2.1 GENERAL PLAN AMENDMENT

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 (LUDC), or Zoning Map, the review authority shall first make all of the following findings. However, as a result of the recommendation for project denial, only those findings which cannot be made are discussed below.

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

The Board finds that the request to change Key Site 3's land use designation from Residential Ranchette to Planned Development (PD) to allow the mesa portion of the project site to be developed with 119 clustered single-family residences is not consistent with the existing housing density in the surrounding area, and that the proposed density of 119 homes on the northern mesa area is not compatible with the surrounding community. The predominant land use surrounding the property consist of medium density residential, general commercial and U.S. 101 to the north; and low-density residential development and 5-20 acre ranchettes to the west. The property is also surrounded by agricultural uses to the south is (grazing) and to the east across U.S. 101 (rotational crops). The proposed project density and smaller lot size is therefore not compatible with the existing rural ranchette development in the area. Further, the proposed project is required to provide secondary access to comply with the County Fire condition letter dated April 5, 2021. The applicant does not have a private maintenance agreement in place to delineate maintenance responsibilities on Chancellor Street, thus amending the Orcutt Community Plan to move secondary access from Oakbrook Lane to Chancellor Street is not in the interests of the general community welfare.

2.2 REZONE FINDINGS

In compliance with Section 35.104.060 of the County LUDC, prior to the approval or conditional approval of an application for an Amendment to the Development Code, Local Coastal Program, or Zoning Map, the review authority shall first make all of the following

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

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

The Board finds that the request to rezone the Residential Ranchette portion of the subject parcel from RR-10 to Planned Residential Development-119 (PRD-119) to allow the mesa portion of the project site to be developed with 119 clustered single-family residences is not consistent with the existing housing density in the surrounding area, and that the proposed density of 119 homes on the northern mesa area is not compatible with the surrounding community. The predominant land use surrounding the property consist of medium density residential, general commercial and U.S. 101 to the north; and low-density residential development and 5-20 acre ranchettes to the west. The property is also surrounded by agricultural uses to the south is (grazing) and to the east across U.S. 101 (rotational crops). The proposed project density and smaller lot size is therefore not compatible with the existing rural ranchette development in the area. Further, the proposed project is required to provide secondary access to comply with the County Fire condition letter dated April 5, 2021. The applicant does not have a private maintenance agreement in place to delineate maintenance responsibilities on Chancellor Street, thus amending the Orcutt Community Plan to move secondary access from Oakbrook Lane to Chancellor Street is not in the interests of the general community welfare.

2.2.4 Additional findings required for sites zoned Planned Residential Development (PRD).

In compliance with Subsection 35.104.080.E.2 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Rezone to the PRD zone, the review authority shall first make all of the following findings. However, as a result of the recommendation for project denial, only those findings which cannot be made are discussed below.

a. That the overall estimated population density which will result upon full development of the property under the PRD zone in accordance with the Preliminary or Final Development Plan is appropriate for such area and will not have a detrimental effect upon surrounding areas nor exceed the capacity of service and utility facilities in such surrounding areas.

The Board finds that even though the proposed project will not exceed the capacity of service and utility facilities in the area, the overall estimated population density at full development of the property under the PRD zone in accordance with the Development Plan will have a detrimental effect upon

surrounding areas. Full buildout of the proposed PRD zone would include the 119 units proposed as a part of this project.

The proposed density will exceed that of the existing surrounding residential development, particularly in comparison to the larger lot residential development along Oakbrook Lane and Chancellor Street, which are developed with rural ranchettes. The proposed density and proximity to lower density areas would present neighborhood quality of life incompatibilities. The Board finds that the proposed density of the 119 single-family dwellings will ~~would~~ have a detrimental effect upon surrounding areas due to traffic concerns over the safety of an unsignalized intersection at Clark Avenue and Sunny Hills Road, and concerns over increased traffic along Chancellor Street.

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

2.3.5 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 finds that the proposed project will be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and that the project will be incompatible with the surrounding area. The predominant land use surrounding the property consist of medium density residential, general commercial and U.S. 101 to the north; and low-density residential development and 5-20 acre ranchettes to the west. The property is also surrounded by agricultural uses to the south is (grazing) and to the east across U.S. 101 (rotational crops). As discussed in Finding 2.2.4 herein, the proposed density will exceed that of the existing surrounding residential development, particularly in comparison to the larger lot residential development along Oakbrook Lane and Chancellor Street. The proposed project density and smaller lot size is not compatible with the existing rural ranchette development in the area. Further, the proposed project is required to provide secondary access to comply with the County Fire condition letter dated April 5, 2021. The applicant does not have a private maintenance agreement in place to delineate maintenance responsibilities on the access road that they possess an easement for ingress, egress, and public road purposes over.

2.4 TENTATIVE MAP FINDINGS

Findings for all Tentative Maps. In compliance with the Subdivision Map Act, the review authority

shall make the following findings for the Orcutt Key Site 3 Vesting Tentative Tract Map, Case No. 13TRM-00000-00001. However, as a result of the recommendation for project denial, only those findings which cannot be made are discussed below.

2.4.2 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.

The Board finds that the proposed subdivision, together with the provisions for its design and improvement, will not be consistent with the general plan without approval of the Rezone and General Plan Amendment. Because the findings for the associated General Plan Amendment and Rezone applications cannot be made, the proposed map will not be consistent with all applicable policies of the County's Comprehensive Plan and the Orcutt Community Plan.

2.4.3. 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.

The Board finds that this finding can be made, thus the map may not be approved. The proposed subdivision map cannot be approved because it will not be consistent with the general plan without approval of the Rezone and General Plan Amendment. Because the findings for the associated General Plan Amendment and Rezone applications cannot be made, the proposed map will not be consistent with all applicable policies of the County's Comprehensive Plan, the Orcutt Community Plan, and the Santa Barbara County Land Use and Development Code.

b. The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

The Boards find that this finding can be made, thus the subdivision may not be approved. The proposed subdivision map cannot be approved because it will not be consistent with the general plan without approval of the Rezone and General Plan Amendment. Because the findings for the associated General Plan Amendment and Rezone applications cannot be made, the proposed subdivision will not be consistent with all applicable

policies of the County's Comprehensive Plan, the Orcutt Community Plan, and the Santa Barbara County Land Use and Development Code.

2.5 ROAD NAMING FINDINGS

Findings for Naming Roads (LUDC 35.76.050.D.2): The objective of regulated road naming is to ensure that proposed road names are pleasant sounding; easy to read (so that the public, and children in particular, can readily pronounce the name in an emergency); and add to the pride of home and community. In order to meet that objective, the following criteria were adopted and must be met in order to approve the naming of a road.

However, the Board finds that they cannot make the findings for road naming given that the findings for the associated General Plan Amendment, Rezone, and Development Plan applications cannot be made. Therefore, no roads will be constructed as a result of the project because the project is being denied.