

**ATTACHMENT 1: FINDINGS FOR APPROVAL
CASE NO. 22ORD-00000-00001**

1.0 CEQA FINDINGS

**SUBSEQUENT ACTIVITIES WITHIN THE SCOPE OF THE PROGRAM ENVIRONMENTAL
IMPACT REPORT**

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

1.1 CONSIDERATION OF SUBSEQUENT ACTIVITIES IN THE PROGRAM

The County Planning Commission considered the previously certified PEIR for the Cannabis Land Use Ordinance and Licensing Program, 17EIR00000-00003 (Link to the PEIR provided in Attachment 1 to the Board Agenda Letter, dated February 15, 2022, and incorporated herein by reference) along with the Proposed Project, which is an activity within the scope of the PEIR. Changing the required permit to a Conditional Use Permit will not have any environmental impacts and no new environmental document is required pursuant to CEQA Guidelines Section 15162. Changing the permit requirement to a CUP provides additional discretion over proposed projects to County decision-makers.

The Proposed Project is within the scope of the PEIR and the effects of the Proposed Project were examined in the PEIR. Therefore, on the basis of the whole record, the previously certified PEIR, and any public comments received, the Planning Commission finds that the Proposed 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 pursuant to State CEQA Guidelines Section 15162 warranting the preparation of a new environmental document for the Proposed 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 Clerk of the Board located at 123 East Anapamu Street, Santa Barbara, CA 93101. The Final PEIR is located online at <http://cannabis.countyofsb.org/zones.sbc>.

2.0 ADMINISTRATIVE FINDINGS

In compliance with Section 35.104.060 of the County Land Use and Development Code (LUDC), the following findings shall be adopted by the Planning Commission in order to approve a text amendment to the County LUDC:

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

The Planning Commission finds that the proposed ordinance amendment is in the interest of the general community welfare because the amendments will require approval of a Conditional Use Permit (CUP) instead of a Land Use Permit (LUP), for all commercial cannabis cultivation in the Inland Area AG-II (Agriculture II), M-RP (Industrial Research Park), M-1 (Light Industry), and M-2 (General Industry) zones. The permit change will afford the County decision-makers greater discretion when considering proposed, new commercial cannabis operations that involve cultivation with an additional discretionary review and approval process.

2.2 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 adopted LUDC cannabis regulations to establish standards that are designed to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls, as a result of, and in compliance with, State law, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment, by establishing minimum land use requirements for medicinal and adult-use cannabis activities including cultivation, processing, distribution, manufacturing, testing, and sales. The additional CUP findings set forth additional discretionary standards (e.g., that the project will be compatible with surrounding uses and will not be detrimental to neighborhood comfort, convenience, general welfare, health, and safety) with which proposed projects must comply and, therefore, would afford County decision-makers greater discretion than currently afforded to them when considering to allow new commercial cannabis cultivation.

The Planning Commission finds that the ordinance amendment is consistent with adopted policies and development standards of the Comprehensive Plan, including the Community Plans. The proposed ordinance amendments are also consistent with the remaining portions of the LUDC that these ordinance amendments would not be revising. Therefore, the proposed ordinance amendments would be consistent with the Comprehensive Plan including the Community Plans, the requirements of State Planning and Zoning Laws, and the LUDC.

2.3 The request is consistent with good zoning and planning practice.

The Planning Commission finds the proposed ordinance is consistent with good zoning and planning practices because the amendments provide additional discretion and require County decision-makers to make additional findings to approve a CUP which serves to minimize potential adverse impacts on people, communities, and the environment. As discussed in Finding 2.2, above, the proposed LUDC amendments are consistent with the Comprehensive Plan, the LUDC, and good zoning and planning practice. Therefore, the proposed ordinances are consistent with sound zoning and planning practices to regulate land uses.