

## **Exhibit 1: Board of Supervisors Findings**

### **1.0 CEQA FINDINGS**

#### **FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090 AND 15091:**

### **1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT**

The Final Subsequent Environmental Impact Report (11EIR-00000-00003) and the revision letter dated August 28, 2013 were presented to the Board of Supervisors and all voting members of the Board of Supervisors have reviewed and considered the information contained in the Final Subsequent EIR, (11EIR-00000-00003), its appendices, and the revision letter dated August 28, 2013 prior to recommending approval of the project. In addition, all voting members of the Board of Supervisors have reviewed and considered the testimony and additional information presented at or prior to the public hearing on February 11, 2014. The Final Subsequent EIR, as revised, reflects the independent judgment and analysis of the Board of Supervisors and is adequate for this proposal.

### **1.2 SUBSEQUENT ENVIRONMENTAL DOCUMENT APPROPRIATE PER CEQA SECTION 15162)**

The Board of Supervisors finds that the preparation of a Subsequent EIR was permitted under Section 15162 because substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant, environmental effects or a substantial increase in the severity of previously identified significant effects. Therefore, the Board of Supervisors finds that the Final Subsequent EIR and revision letter dated August 28, 2013 are the appropriate environmental documents to prepare for this Project.

### **1.3 FULL DISCLOSURE**

The County Board of Supervisors finds and certifies that the Final Subsequent EIR as revised by the revision letter dated August 28, 2013 (11EIR-00000-00003) prepared subsequent to the Orcutt Community Plan Update EIR (95-EIR-01) in accordance with CEQA Guidelines Section 15162 constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA. The Board of Supervisors finds and certifies that the Final Subsequent EIR has been completed in compliance with CEQA.

#### **1.4 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.

#### **1.5 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE:**

The Final Subsequent EIR (11EIR-00000-00003) for the Orcutt Unified School District – Key Site 17 project identifies two environmental impacts which cannot be fully mitigated; and are therefore considered unavoidable (Class I). Both of these impact areas involve *Aesthetics/Visual Resources*: conflicts with the visual character of Old Town Orcutt, and the loss of unobstructed views of the Solomon and Casmalia Hills. To the extent the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations included herein. For each of the Class I impacts identified by the Final EIR (11EIR-00000-00003), feasible changes or alterations have been required in, or incorporated into, the project to avoid or substantially lessen the significant environmental effect, as discussed below.

##### **1.5.1 Aesthetics/Visual Resources: *Visual Character and Compatibility (Impact AES I)***

Future development of the site in accordance with Alternative 2 could introduce visual elements that are substantially greater in scale than the surrounding development, adversely impacting the visual character and compatibility of the area. However, Alternative 2 would maintain the restriction of building heights along Soares Avenue and Rice Ranch Road to one story.

Alternative 2 incorporates mitigation measures identified as part of 11EIR-00000-00003. Alternative 2 would amend the land use designation to Residential, 20 units per acre (Res. 20) and rezone the site to Design Residential, 20 unit per acre (DR-20) to be consistent with the provisions of the OCP. Also, the applicant's amended development standard (KS17-2) and the applicant's proposed new development standard (KS17-7) are included as part of Alternative 2. In addition, 11EIR-00000-00003 identifies mitigation measures AES 1-1, HAZ 1-2, NSE 1-1 to reduce potential significant impacts to less than significant. These mitigation measures have been incorporated as new development standards KS17-8, KS17-9, and KS17-10 respectively to the Key Site 17 development standards. These measures would retain: the requirement to locate the on-site public park along the south side of Soares Avenue; the limitation of development adjacent to the park, along Soares Avenue, and along Rice Ranch Road to one-story; and all other buildings to be visually compatible with, and shall not significantly block long-range southerly views from, Old Town Orcutt.

Mitigation Measure AES 1-1 would require any future development application for senior housing to be well designed, compatible with the surrounding development, and preserves the surrounding hills. The mitigation measures would be applied to all future development and would substantially reduce the significant environmental effects of the project by incorporating design elements which to promote visual compatibility with the surrounding neighborhood, particularly along Soares Avenue. The measure includes using low maintenance trees, shrubs and groundcover, particularly within the outer perimeter of the site; constructing an onsite stormwater basin which is visually pleasing

both from on-site and as viewed from Rice Ranch Road; placement of trash storage areas away from public view; and improvement of existing visual resources on OUSD-owned property to offset the project's impacts on the area's visual character. No additional feasible mitigation measures are available to further reduce these impacts.

The Final Subsequent EIR recommends Mitigation Measure AES 1-1, requiring Board of Architecture Review (BAR) review with the intent of maximizing compatibility with the character of Old Town Orcutt. This mitigation measure is carried forward by resolution (Exhibit 3). However, it may not be possible to reduce this impact to a less than significant level (Class 1) while also providing senior housing units allowed for by the density bonus provisions specified by Government Code §65915-65918.

### **1.5.2 Aesthetics/Visual Resources: *View Impacts - Southerly Views of the Casmalia and Solomon Hills from Soares Avenue (Impact AES 2)***

Future development on the site, in accordance with the project parameters, could result in a loss of unobstructed views of the Solomon Hills and Casmalia Hills experienced from Soares Avenue. Buildout of the site with one-, two-, and/or three-story structures and associated landscaping would partially obstruct southerly street-level views across the site toward both the Solomon and Casmalia Hills. Given the scenic quality of these hillsides and the value placed on long-range southerly views from the Old Town Orcutt (as expressed in the OCP), the project's potential view blocking effects on the Casmalia Hills and Solomon Hills are considered a significant impact.

Alternative 2 also includes the applicant's amended development standard (KS17-2) and the applicant's proposed new development standard (KS17-7), which would ensure that the future senior housing development would be limited to one-story buildings adjacent to the park, along Soares Avenue, and along Rice Ranch Road; and all other buildings would be visually compatible with, and shall not significantly block long-range southerly views from, Old Town Orcutt. With these limitations, the project will be visually compatible with and will preserve the southerly views of the Solomon and Casmalia Hills.

Mitigation Measure AES 1-1 would require any future development application for senior housing to be low profile in order to maintain visual resources, and to preserve the views to and of the surrounding hills. The mitigation measures would be applied to all future senior housing development and would substantially reduce the significant environmental effects of the project by incorporating design elements which to promote visual compatibility while preserving the views of the Solomon and Casmalia Hills from Soares Avenue. No additional feasible mitigation measures are available to further reduce these impacts.

To address Impact AES 1, the Final Subsequent EIR recommends Mitigation Measure AES 1-1, and Board of Architecture Review (BAR) review would therefore be administered with the intent of preserving southerly views of the Solomon and Casmalia Hills. However, it may not be possible to reduce this impact to a less than significant level given local topographic conditions and the provisions of Government Code §65915-65918. Therefore, this impact would be significant and unavoidable (Class I). It is noted that the OCP EIR also recognized significant unavoidable impacts related to the loss of the scenic backdrop.

The proposed project included changes to site density as well as flexibility to building heights and the location of the park. Alternative 2 allows for increase in density, but retains development standards pertaining to building heights and park location as

originally approved in the OCP. The Board of Supervisors finds that with the adoption of Alternative 2, which was evaluated at a project level of detail, the project's effects on visual resources are less with the approval of Alternative 2.

## **1.6 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY MITIGATION MEASURES (CLASS II IMPACTS)**

The Final Subsequent EIR (11EIR-00000-00003) identified several subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified by the Final EIR (11EIR-00000-00003), feasible changes or alterations have been required in or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

### **1.6.1 Biological Resources: *Nesting Birds (Impact BIO 1)***

Construction at the project site could disturb nesting birds or their nests. Construction of a future project on the site during the bird nesting season would have the potential to damage or remove shrubs. Based on a biological survey completed in 2010, no sensitive wildlife species were observed on the project site. However, any loss of bird nests, eggs, and young, would be in violation of one or more of California Fish and Game Code Sections 3503 (any bird nest), 3503.5 (birds-of-prey), or 3511 (Fully Protected birds). In addition, removal or destruction of one or more active nests of any other birds listed by the federal Migratory Bird Treaty Act of 1918 (MBTA) would be considered a violation of the MBTA and California Fish and Game Code Section 3511, and therefore would be a significant impact.

As revised, Mitigation Measure Bio 1-1 requires that nesting bird surveys be conducted by a qualified biologist prior to site preparation activities to determine if active nests of any special-status bird species are present in the construction disturbance zone of 200 feet and 500 feet for songbirds and raptors, respectively. If so, construction activities shall be limited, and appropriate setbacks shall be established.

The Board of Supervisors finds that the above mitigation measure is adequate to reduce impacts to nesting birds to less than significant (Class II). Any future development proposal involving this property will rely on the EIR prepared for this project and these mitigation measures would be applied at that time, unless one or more of the conditions in CEQA Guidelines Section 15162 apply to the future development, in which case further environmental review may be required. The Board of Supervisors further finds that implementation of the mitigation measure discussed above would ensure that the project's contribution to cumulative biological impacts is not considerable.

### **1.6.2 Biological Resources: *Water Quality Impacts on Pine Canyon Creek and Downstream Waterbodies (Impact BIO 2)***

Development of the site could result in the potential introduction of urban pollutants into stormwater runoff that ultimately drains to Pine Canyon Creek. Development of the

project site would remove existing vegetation and increase the amount of impervious surfaces at the site, which would increase the flow rate and quantity of stormwater runoff reaching Pine Canyon Creek, and potentially Graciosa and Orcutt Creeks. The possibility exists for pollutants to be present in stormwater runoff from the site as a result of temporary construction activities during the construction phase (e.g. sediment) and from routine human activities during the operational phase of the project (e.g. hydrocarbons, heavy metals, herbicides and fertilizers), potentially impacting sensitive wildlife and vascular plant species in Pine Canyon, Graciosa, and Orcutt Creeks. These potential impacts to sensitive biological resources are considered significant.

Impact BIO-2 would be mitigated to less than significant (Class II) through water quality mitigation measures described below under *Flooding and Water Quality (Section 1.5.5, FLD/WQ2)* incorporated herein by reference.

The Board of Supervisors finds that the above mitigation measure is adequate to reduce impacts to water resources in Pine Canyon Creek and downstream water bodies to less than significant (Class II). Any future development proposal involving this property will rely on the EIR prepared for this project and these mitigation measures would be applied at that time, unless one or more of the conditions in CEQA Guidelines Section 15162 apply to the future development, in which case further environmental review may be required. The Board of Supervisors further finds that implementation of the mitigation measure discussed above would ensure that the project's contribution to cumulative biological impacts is not considerable.

### **1.6.3 Hazards and Hazardous Materials: *Exposure to Hazardous Materials and Hazards (Impact HAZ 1)***

Future development of the project site in accordance with the project provisions could result in the potential exposure to hazardous materials from the adjacent Orcutt Union School District bus maintenance and storage facility.

Mitigation Measure HAZ 1-1, requires an update to the Phase I Environmental Site Assessment to ensure that more recent activities on the property have not resulted in deposition of hazardous materials that could result in impacts to future residents at the site. If such materials are found, affected areas would be remediated. Based on a Phase I Environmental Site Assessment conducted in 2001 it was determined that no evidence of hazardous substances was observed at the project site. This mitigation would be applied when a specific development application has been submitted.

In accordance with Mitigation Measure HAZ 1-2, the project recommended for approval includes amending the OCP to add a Key Site 17 development standard requiring that future development on the site be designed to minimize potential conflicts with the adjacent bus yard operations. This mitigation is carried forward in the recommendation for approval by resolution.

The Board of Supervisors finds that the above mitigation measures are adequate to reduce impacts to exposure hazardous materials to less than significant (Class II). Any future development proposal involving this property will rely on the EIR prepared for this project and these mitigation measures would be applied at that time, unless one or more of the conditions in CEQA Guidelines Section 15162 apply to the future development, in which case further environmental review may be required. The Board of Supervisors further finds that implementation of the mitigation measure discussed above would ensure that the project's contribution to cumulative hazards and hazardous materials impacts is not considerable.

#### **1.6.4 Flood/Water Quality: *Surface and Ground Water Quality – Construction Phase (Impact FLD/WQ 1)***

Future construction activity at the site could introduce urban pollutants and sedimentation into surface and ground water. Oil, fuels, chemicals, metals, and other substances from vehicles, equipment, and materials used during the construction phase may potentially leach into subsurface waters and reach the Santa Maria Valley Groundwater Basin. Prior to the implementation of preventative measures to avoid spills and properly handle and store potential pollutants, construction-period impacts on groundwater are considered potentially significant. Additionally, due to the potential for erosion and sedimentation into Pine Canyon Creek, impacts would be potentially significant.

Mitigation Measure FLD/WQ 1-1, requires future development under the project to provide proof of an exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. This mitigation would be applied when a specific development application is reviewed for approval.

The Board of Supervisors finds that the above mitigation measure is adequate to reduce impacts to Surface and Ground Water Quality – Construction Phase to less than significant (Class II). Any future development proposal involving this property will rely on the EIR prepared for this project and these mitigation measures would be applied at that time, unless one or more of the conditions in CEQA Guidelines Section 15162 apply to the future development, in which case further environmental review may be required. The Board of Supervisors further finds that implementation of the mitigation measure discussed above would ensure that the project's contribution to cumulative Surface and Ground Water Quality – Construction Phase impacts is not considerable.

#### **1.6.5 Flood/Water Quality: *Surface and Ground Water Quality – Operational Phase (Impact FLD/WQ 2)***

During the operational phase of a development at the site, urban pollutants may be introduced into surface and groundwater. Future development would increase impervious surfaces, which could facilitate discharge of pollutants into receiving waterbodies (Pine Canyon Creek), which could potentially result in water quality degradation. Pollutants that could be introduced during operations might include

pesticides, herbicides, and fertilizers used for landscaping, and oil, gasoline, metals, and other substances from vehicles. Pollutants could also enter subsurface water through soil infiltration. If untreated, the pollutants could result in potentially significant water quality impacts.

Mitigation Measure FLD/WQ 2-1, requires that development incorporate and maintain specific operational erosion control measures. Erosion control measures are required at time of development and standard conditions of approval would ensure compliance with this measure. This mitigation would be applied when a specific development application has been submitted.

Mitigation Measure FLD/WQ 2-2, requires that future development applicants implement a Storm Water Quality Management Plan (SWQMP) designed to prevent the entry of pollutants from the project site into the storm drain system after development. The SWQMP would be required to include specific Best Management Practices. SWQMP measures are required at time of development and standard conditions of approval would ensure compliance with this measure. This mitigation would be applied when a specific development application is reviewed for approval.

Mitigation Measure FLD/WQ 2-3, requires Low Impact Development (LID) as an alternative site design strategy that uses natural and engineered infiltration and storage techniques to control stormwater runoff where it is generated to reduce downstream impacts. LID measures are required at time of development and standard conditions of approval would ensure compliance with this measure. This mitigation would be applied when a specific development application is reviewed for approval.

The Board of Supervisors finds that the above mitigation measures are adequate to reduce impacts to Surface and Ground Water Quality – Operational Phase to less than significant (Class II). Any future development proposal involving this property will rely on the EIR prepared for this project and these mitigation measures would be applied at that time, unless one or more of the conditions in CEQA Guidelines Section 15162 apply to the future development, in which case further environmental review may be required. The Board of Supervisors further finds that implementation of the mitigation measure discussed above would ensure that the project's contribution to cumulative Surface and Ground Water Quality – Operational Phase impacts is not considerable.

#### **1.6.6 Noise: *Noise from Adjacent OUSD Facility (Impact NSE 1)***

Development of the site may result in a noise nuisance impact related to the introduction of residential uses in proximity to a bus maintenance and storage yard. Typical noises that may be generated by these land uses are associated with bus operations, alarm systems, maintenance activities, and truck deliveries. Although bus maintenance and storage activities are not expected to cause any quantitative standards to be exceeded, noise sources associated with these activities have the potential to result in noise nuisance impacts given the nature, timing, and frequency of noise typically generated by these activities. Therefore, the project's potential noise nuisance impact related to the

development of residential uses near the bus maintenance and storage facility is considered a potentially significant impact prior to mitigation.

In accordance with Mitigation Measure NSE 1-1, the project recommended for approval includes amending the OCP to add a development standard requiring that the noise study required by OCP DevStd NSE-0-1.3 address potential noise nuisance issues associated with the adjacent bus maintenance and storage yard, including measurements of noise levels generated at the bus yard and the identification and incorporation of measures to minimize potential noise nuisance impacts to the extent feasible. With implementation of Mitigation Measure NSE 1.1, on-site noise impacts associated with the adjacent OUSD facility would be less than significant (Class II).

The Board of Supervisors finds that the above mitigation measure is adequate to reduce impacts to Noise from Adjacent OUSD Facility to less than significant (Class II). Any future development proposal involving this property will rely on the EIR prepared for this project and these mitigation measures would be applied at that time, unless one or more of the conditions in CEQA Guidelines Section 15162 apply to the future development, in which case further environmental review may be required. The Board of Supervisors further finds that implementation of the mitigation measure discussed above would ensure that the project's contribution to cumulative noise from adjacent OUSD Facility impacts is not considerable.

## **1.7 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES OR MITIGATION MEASURES ARE NOT FEASIBLE**

The Final Subsequent EIR (11EIR-00000-00003), prepared for the project evaluated a No Project Alternative, the Proposed General Plan Amendment/Rezone without Modification to the Key Site 17 Development Standards Alternative, and the Reduced Density Alternative as methods of reducing or eliminating potentially significant environmental impacts. The project recommended for approval is Alternative 2. The Board of Supervisors find that the other alternatives are infeasible for the reasons stated below:

### **1.7.1 Alternative 1: No Project Alternative (Development of the Site Under the Existing General Plan Designation and Zoning)**

With the OCP EIR "No Project" alternative, the existing land use designation and zoning in place at the time of the OCP EIR's preparation in 1995 (SLP) would be retained. This alternative would achieve none of the basic project objectives and would forego all of the project's benefits which are itemized in the Statement of Overriding Considerations. For these reasons, the OCP EIR No Project alternative is rejected as infeasible.

### **1.7.2 Alternative 3: Reduce Density Alternative (GPA/Rezoning to Res 12.3/DR-12.3 Without Modifications to Development Standards)**

Under this alternative, the site's General Plan land use designation would be changed to Res 12.3 and its zoning would be changed to DR-12.3. The site would be developed with



a 100 percent senior housing project. With this General Plan designation/zoning and a 35 percent density bonus, up to 158 residential units could be built at the site (9.53 acres x 12.3 units per acre x 1.35). In addition, the OCP development standards would remain in effect without revision.

This alternative would reduce the number of senior housing units that could be constructed at the site and would retain the existing development standards with regard to the on-site park location and building heights. It would result in reduced impacts as compared to the proposed project in the areas of aesthetics, air quality (fewer vehicle emissions), geology/soils, hazards and hazardous materials, surface drainage/flooding, noise, public services, recreation, traffic (fewer vehicle trips), and greenhouse gas emissions. This alternative would lessen the severity of the significant and unavoidable (Class 1) impacts as compared to the proposed project, however the provision of fewer senior housing units under this alternative would not meet the proposed project objectives identified in the EIR, and is therefore considered infeasible.

## **1.8 STATEMENT OF OVERRIDING CONSIDERATIONS**

The Final Subsequent EIR (11EIR-00000-00003) and the revision letter dated August 28, 2013 for the Key Site 17 (Orcutt Union School District) project identify project impacts to Aesthetics as significant environmental effects which are considered unavoidable. The Board of Supervisors made the following Statement of Overriding Considerations which warrants approval of Alternative 2 notwithstanding that all identified effects on the environment are not fully mitigated. With respect to each of the environmental effects of Alternative 2 listed below, the Board of Supervisors finds that the stated overriding benefits of the project outweigh the significant effects on the environment and that there is no feasible way to lessen or avoid the significant effects. Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Sections 15043, 15092 and 15093, any remaining significant effects on the environment are acceptable due to these overriding considerations.

- (1) The selected GPA and RZ for approvals, Alternative 2, will increase senior housing opportunities within the Orcutt area.
- (2) Alternative 2 would provide for the future development of a public park on-site.
- (3) Alternative 2 would allow the Orcutt Union School District (OUSD) to make use of its property as the overall numbers of students enrolling in District schools is trending downward and needs for additional school-related facilities are likewise declining.
- (4) Alternative 2 would provide a beneficial community use as the national and local demographics-increasingly shift to an older population, requiring more senior-related housing accommodations.
- (5) Alternative 2 would increase revenues for the OUSD, as the lessor of the property to any future senior housing facility operations.

## **1.9 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM**

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(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 Final EIR includes a mitigation monitoring and reporting program designed to ensure compliance with adopted mitigation measures during project implementation, including specifications for each adopted mitigation measure that identify the action required and the monitoring that must occur. The mitigation monitoring program for the project is included as Exhibit 2.

## **2.0 ADMINISTRATIVE FINDINGS**

### **2.1 COMPREHENSIVE PLAN AMENDMENT FINDINGS**

#### **2.1.1 Government Code Section 65358(a) requires a general plan amendment to be in the public interest.**

The project site provides an opportunity for infill development and multi-family residential housing for seniors with a net increase of 180 residential units (257 senior residential units under the project versus 77 units allowed under existing zoning), including the 35 percent density bonus provided for under California Government Code Section 65915-65918. Development of senior housing would help the community to meet a multitude of needs for housing and would allow for seniors to reside in close proximity to other Orcutt community services. The General Plan Amendment would increase density and would provide greater flexibility for the provision of required onsite amenities. The rezoning for 100 percent senior housing is an identified Action item goal of the community (Action KS17-6 of the Orcutt Community Plan). The project helps to maintain the existing urban boundary and achieve a greater use of the property by providing housing in an urban infill Keysite, which is another recognized goal of the OCP. Overall, the request to re-designate the property from Res 8 (Residential 8 units per acre to Res 20 (Residential 20 units per acre) and rezone it from SLP (Small Lot Planned) to DR 20 (Design Residential 20 units per acre) is in the public interest. Therefore, this finding can be made.

### **2.2 REZONE FINDINGS**

#### **Amendment to the Development Code, LCP, and Zoning Map (Rezone) Findings**

**Findings required for all Amendments to the County Land Use and Development Code, the Local Coastal Program, 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 Development Code, Local Coastal Program, or Zoning Map the review authority shall first make all of the following findings:

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

The project site has residential development along its west boundary and directly across the street along Soares Avenue and Rice Ranch Road. The surrounding residential communities are predominantly single-family units. The project site provides an opportunity for infill development and multi-family residential housing for seniors with a net increase of 180 residential units (257 senior residential units under the project versus 77 units allowed under existing zoning), including the 35 percent density bonus provided for under California Government Code Section 65915-65918. Developing senior housing would help the community to meet a multitude of needs for housing and would allow for seniors to reside in close proximity to other Orcutt community services. The rezoning for 100 percent senior housing is an identified Action item goal of the community (Action KS17-6 of the Orcutt Community Plan). The project helps to maintain the existing urban boundary and achieve a greater use of the property by providing housing in an urban infill Keysite, which is another recognized goal of the OCP. Overall, the request to re-designate the property from Res 8 (Residential 8 units per acre) to Res 20 (Residential 20 units per acre) and rezone it from SLP (Small Lot Planned) to DR-20 (Design Residential 20 units per acre) is in the interests of the general community welfare. Therefore, the proposed rezone is consistent with this finding.

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

As discussed in Sections 6.2, and 6.3 of the Planning Commission staff report, dated October 24, 2013, herein incorporated by reference, the proposed rezone is consistent with the Comprehensive Plan, including the Orcutt Community Plan (OCP), State planning and zoning laws, and this Development Code. Therefore, the proposed rezone is consistent with this finding.

### **2.2.3 The request is consistent with good zoning and planning practices.**

The project site represents an urban infill site with residential development along most of its perimeter. Rezoning the property from SLP to DR-20 to accommodate an increased number of residential units, a total of 257 senior living residential units with a 35 percent housing bonus, is consistent with good zoning and planning practices. The Orcutt Community Plan identified this site as suitable for residential development and includes an Action item to promote 100 percent senior housing accommodations. Given its location adjacent to existing residential development and Old Town Orcutt, proximity to urban commercial centers, public transit, and major arterial roads and the highway, it is good planning practice to increase the allowed residential development density on this site to accommodate the region's senior housing shortages and thereby facilitate a positive use for the community. Therefore, the proposed rezone is consistent with this finding.