

ATTACHMENT 1: FINDINGS

1.0 CEQA FINDINGS

1.1 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 the proposed amendment to the Land Use and Development Code and the Conditional Use Permit.

1.2 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 the project as approved will not have a significant effect on the environment.

1.3 FINDING THAT A PREVIOUS ENVIRONMENTAL DOCUMENT CAN BE USED (PER CEQA SECTION 15162)

An Environmental Impact Report (04EIR-08) was adopted for Amendments that were made to the Uniform Rules for Agricultural Preserves and Farmland Security Zones on September 23, 2007. CEQA Section 15162 requires the use of a previously adopted Environmental Impact Report (EIR) for a project unless substantial evidence supports that major revisions of the previous EIR are necessary due to substantial changes in the proposed project because of: 1) new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 2) substantial changes to the circumstances under which the project is undertaken due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or 3) new information of substantial importance.

The EIR adopted for the Uniform Rules Amendments in 2007 analyzed the inclusion of a proposed new section which would provide opportunities for small scale processing of agricultural products grown on contracted lands in the County. The currently proposed revisions are the same as what was previously proposed, except that small scale processing would be limited to the milling of agricultural products from a raw form to a milled liquid form without heat, or chemical reactions. Because no new significant environmental effects would occur, previously identified environmental effects will not increase in severity, and no new information of substantial importance will require revisions to the previously adopted EIR (04EIR-08), no subsequent EIR or ND shall be prepared for this project.

1.4 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 of Supervisors located at 105 East Anapamu Street, Santa Barbara, CA 93101.

1.5 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 ORDINANCE AMENDMENT FINDINGS

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:

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

The ordinance amendment is in the interests of the general community welfare. The amendment is supportive of Agricultural Element Goals and Policies and will be beneficial to the County as the amendment provides a permitting path to enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. The ordinance will allow fruit to be processed from a raw form to a milled liquid form on land with an AG-I or AG-II zone designation located within the unincorporated inland area of the County. The additional types of products that could be processed will be required to comply with development standards, which limit simple mechanical processing to convert fruit from a solid to a liquid without additives, chemical reactions, or changes in natural ambient temperatures. These development standards ensure that future projects do not compromise community values, environmental quality, or the public health and safety.

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

In accordance with Sections 6.2 and 6.3.1 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, the ordinance amendment is compatible with existing Comprehensive Plan policies, including the Agricultural Element. The ordinance amendment enhances the continuation of agriculture as a major viable production industry in Santa Barbara County, and encourages the continuation of agriculture. The ordinance amendment does not result in any inconsistencies with the adopted policies and development standards of the Comprehensive Plan including community and area plans, and is also consistent with the remaining portions of the County Land Use and Development Code that are not revised by the ordinance amendment.

Therefore, the ordinance amendment is consistent with the Comprehensive Plan including the community and area plans, the requirements of State Planning and Zoning Laws, and the County Land Use and Development Code. The ordinance amendment does not involve an amendment to the Local Coastal Program.

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

The proposed ordinance amendment is consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values. Development standards ensure that future projects will not compromise community values, environmental quality, or the public health and safety. As discussed in Finding 2.2, below, the amendment is consistent with the Comprehensive Plan including the community and area plans, and the County Land Use and Development Code.

2.2 AMENDMENT TO THE UNIFORM RULES FINDINGS

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

The inclusion of small-scale processing of agricultural products beyond the raw state is in the interests of the general community welfare as it will allow growers enrolled in the County's Agricultural Preserve (Williamson/Land Conservation Act) Program to include value-added production that will increase viability of individual farming operations and contribute to the regional economy.

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

In accordance with Attachment 8 of the July 8, 2014 Board Agenda Letter, incorporated herein by reference, the amendment to the Uniform Rules has been determined to be consistent with all applicable policies of the Comprehensive

Plan, including the Land Use and Agricultural Elements. The Agricultural Element contains goals and policies which require the protection of agriculture lands, the reservation of prime soils for agricultural uses, and the preservation of a rural economy. The inclusion of small-scale processing of agricultural products beyond the raw state serves to further these policies and goals for agriculturally-zoned lands under Williamson Act contract.

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

The inclusion of small-scale processing of agricultural products beyond the raw state will promote the continuation of agriculture by allowing growers enrolled in the County's Agricultural Preserve (Williamson/Land Conservation Act) Program to include value-added production that will increase viability of individual farming operations and contribute to the regional economy. Development criteria, including limitations on the scale and intensity of ancillary facilities, will ensure that land use compatibility with surrounding agricultural and non-agricultural uses. The Uniform Rules amendment is consistent with all applicable policies of the Comprehensive Plan and Land Use and Development Code. Therefore, the request is consistent with good zoning and planning practices.

2.3 CONDITIONAL USE PERMIT FINDINGS

Findings required for all Conditional Use Permits. In compliance with Subsection 35.82.060.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the following findings, as applicable:

2.3.1 The site for the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the type of use and level of development proposed.

The Youngman premises is comprised of 4 legal parcels totaling 165 acres. The olive oil processing facility will be located within three existing horse barns of 2,880 sq. ft. each, with a maximum height of 22 feet located on APN 141-042-012 (39.54-acres).

No exterior modifications to the existing structures are proposed. The existing structures are visible from Baseline Avenue and adjacent parcels. However, the existing barns are 13 feet lower than the maximum height limit of 35 feet in the AG-II-40 zone district, and are compatible with the existing structural development on the Youngman premises which consists primarily of equestrian facilities (barns) and single family dwellings.

The existing structures are subordinate in appearance to the natural landforms, and follow the natural contours of the site, which consists of slopes of less than 10%. For the above reasons, the project site is found to be adequate in terms of location, physical characteristics, shape and size to accommodate the type and use of development proposed. Therefore, the project is consistent with this finding.

2.3.2 Within the Inland area significant environmental impacts will be mitigated to the maximum extent feasible.

The Final Negative Declaration (14NGD-00000-00003) prepared for the project identified no significant unavoidable (Class I), or potentially significant (Class II) impacts. Therefore, the project is consistent with this finding.

2.3.3 Streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The project is anticipated to result in a maximum of 8 peak hour trips (8 maximum employees) and 1 average daily truck trip during the milling season. Traffic generated from the project-related traffic will not impact a street or intersection that is operating at a LOS D, E, or F, and the project traffic will constitute a negligible fraction of the capacity of area roadways and intersections and will not exceed the threshold of significance. The project does not propose unsafe driveways; impede pedestrian, bicycle, or transit access or otherwise cause or exacerbate an unsafe traffic condition. Therefore, the project is consistent with this finding.

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

Adequate private services and resources are available to serve the proposed olive oil processing facility. Access to the facility would be provided via an existing 18 foot wide private driveway of approximately 800 feet in length and accessed from Edison Street.

Milling activities would take place for a maximum of 10 weeks annually (70 days). Approximately 500 gallons of fresh ground water per 24 hour period would be required for the washer, and an additional 50 gallons of fresh ground water per 1 ton of olives milled. The Youngman premises are planted with 65-acres of olive groves. These groves are planted in a “super high density” format which yields approximately 4 tons of olives per acre. Therefore, the proposed project would result in a total water usage of 0.15 AFY (48,000 gallons of water per year / 325,828 gallons of water/acre foot). The project water usage of 0.15 AFY is well below the 61 AFY applied threshold of significance for the Santa Ynez uplands ground water basin.

All process wastewater would be accommodated onsite and either recycled for irrigation, or disposed of in a Regional Water Quality Board-approved wastewater disposal system. Police services would continue to be provided by the Santa Barbara County Sheriff's Department. Therefore, the project is consistent with this finding.

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

With incorporation of conditions of approval, the project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood. The project will allow for an agricultural processing facility to process olive oil within three existing horse barns. The project will result in less than significant impacts to the environment, and is compatible with the surrounding area. Adequate parking, water, sanitary services, and safe ingress/egress is in place to serve the project. Therefore, the project is consistent with this finding.

2.3.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.

In accordance with Sections 6.2, and 6.3 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, the project is consistent with the applicable requirements of the AG-II-40 zone district, the Comprehensive Plan, Santa Ynez Valley Community Plan, and the LUDC. Therefore, the project is consistent with this finding.

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

The project site is located approximately 1 mile northeast of the Edison Street / Highway 154 intersection, in the Santa Ynez Valley Community Plan rural area. The Youngman premises are bounded by agriculturally zoned parcels between 5 and 50-acres in size and characterized by low intensity residential, agricultural and equestrian uses. Public views in this area are dominated by rolling hills, pastures, and agriculture (vineyards, and olive groves). The premises are developed with a combination of equestrian uses (barns), single family dwellings, and 65 acres of olive orchards.

The project will allow for a permitted olive oil processing facility to mill olives grown on and off the premises into olive oil. The facility will be located within three existing horse barns, of approximately 2,880 sq. ft. each. No additional

structural development is proposed. Since the project will be located within existing horse barns, it will be compatible with and subordinate to the existing rural and scenic character of the area. Therefore, the project is consistent with this finding.