

ATTACHMENT 1: FINDINGS

1.0 CEQA FINDINGS

SUBSEQUENT ACTIVITIES WITHIN THE SCOPE OF THE PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)

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

1.1 CONSIDERATION OF THE SUBSEQUENT ACTIVITIES IN THE PROGRAM

The County Planning Commission considered the previously certified PEIR for the Cannabis Land Use Ordinance and Licensing Program, 17EIR-00000-00003 (Attachment H to the staff report, dated July 1, 2020, and incorporated herein by reference), along with the proposed project which is an activity within the scope of the PEIR. Staff prepared a written checklist in compliance with State CEQA Guidelines § 15168(c)(4) to document the evaluation of the site and the activity to determine that the environmental effects of the operation are covered in the PEIR (Attachment C to the staff report, dated July 1, 2020, and incorporated herein by reference). As shown in the written checklist, 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, including the written checklist, 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 under State CEQA Guidelines § 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 Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

2.0 ADMINISTRATIVE FINDINGS

2.1 LAND USE PERMIT FINDINGS

2.1.1 *Finding required for all Land Use Permits. In compliance with Section 35.30.100.A of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first find, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (e.g., water, sewer, roads) are available to serve the proposed development.*

The County Planning Commission finds that the proposed project is adequately served by public or private services and resources. As discussed in the staff report dated July 1,

2020, and incorporated herein by reference, adequate public and private services are in place to serve the proposed project. The subject property is served by an existing agricultural well that has historically been used for crop irrigation. The applicant proposes to use the existing well to serve both agricultural and domestic water, which will require review and approval by the Public Health Department, Environmental Health Services. Sanitary facilities for employees will be provided by portable chemical toilets with hand-washing stations. The proposed onsite wastewater system will require review and approval by the Public Health Department, Environmental Health Services. The subject parcel will continue to be served by the Santa Barbara County Fire Department for fire protection services and by the Santa Barbara County Sheriff for public safety. Ingress and egress to the parcel would continue to be provided off of West Highway 246.

2.1.2 Findings required for all Land Use Permits. In compliance with Subsection 35.82.110.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first make all of the following findings:

- 1. The proposed development conforms:**
 - a. To the applicable provisions of the Comprehensive Plan, including any applicable community or area plan.**
 - b. With the applicable provisions of this Development Code or falls within the limited exception allowed in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).**

The County Planning Commission finds that the proposed development conforms to the applicable provisions of the Comprehensive Plan and the Land Use and Development Code as discussed in the staff report dated July 1, 2020, and incorporated herein by reference. In addition, approval of this Land Use Permit will permit nine as-built structures. The proposed development, including the as-built structures, is consistent with the Land Use and Development Code requirements for the AG-II-100 zone district as they relate to permitted uses, building heights, setbacks and parking.

2. The proposed development is located on a legally created lot.

The County Planning Commission finds that the proposed development is located on a legally created lot. The subject property is a legal lot created by TPM 13,037 approved by the Santa Barbara County Planning Commission in 1980. The lot is shown on Record of Survey 113-016 recorded March 10, 1981.

- 3. The subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks and any other applicable provisions of this Development Code, and any applicable zoning violation enforcement fees and processing fees have been paid. This Subsection shall not be interpreted to impose**

new requirements on legal nonconforming uses and structures in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).

The County Planning Commission finds that, as conditioned, the subject property is, and the proposed project will be, in full compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and all other applicable provisions of the Land Use and Development Code. Additionally, all processing fees have been paid to date.

SB County Coalition for Responsible Cannabis Appeal of Castlerock Family Farms II, LLC Cannabis Cultivation
Case Nos. 20APL-00000-00019 and 19LUP-00000-00050
Hearing Date October 6, 2020
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