

ATTACHMENT A: FINDINGS FOR DENIAL

1.0 CEQA FINDINGS

The Board of Supervisors finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 [Projects Which are Disapproved]. Please see Attachment B (CEQA Notice of Exemption) of this staff report dated January 3, 2023 and incorporated herein by reference.

2.0 ADMINISTRATIVE FINDINGS

The discussion below is limited to the required findings which cannot be made for the project.

2.1 COASTAL DEVELOPMENT PERMIT FINDINGS

Findings required for Coastal Development Permit applications subject to Section 35-169.4.2. In compliance with Section 35-169.5.2 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.2 the decision-maker shall first make all of the following findings:

2.1.1 The proposed development conforms:

- a. To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan;**
- b. With the applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 35-161 (Nonconforming Use of Land, Buildings and Structures).**

The Board of Supervisors finds that the project does not conform to applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan, and does not comply with applicable provisions of the Article II Coastal Zoning Ordinance, specifically for parking, as detailed in Sections 6.1, 6.3, and 6.4 of the staff report dated January 3, 2023, and included herein by reference.

2.1.2 The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, 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 Division 10 (Nonconforming Structures and Uses).

The Board of Supervisors finds that the property will not comply with all law, rules, and regulations due to the lack of adequate parking if the project was approved. Two (2) parking spaces are required per bedroom in the SR-M Zone, for a total of 12 required spaces. The project proposes a change in use, which requires a recalculation of parking spaces according to current Division 6 standards. The property does not provide the 12 parking spaces as required by Article II, as detailed in Section 6.4 of the staff report dated January 3, 2023, and included herein by reference.