

FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

As discussed in Attachment 3 of this Board Letter, dated July 10, 2012 and incorporated herein by reference, the Brown project can be found exempt from environmental review based upon Section 15303 [New Construction or Conversion of Small Structures] and Section 15304 [Minor Alterations to Land] of the California Environmental Quality Act (CEQA) Guidelines.

Section 15303, exempts the construction of accessory (appurtenant) structures including but not limited to: garages, carports, patios, swimming pools and fences. The current project proposes to construct a new 195'x116' (approx. 22,625 sq.ft.) horse riding arena, and legalization of the two existing agricultural accessory structures (a 500 sq.ft. hay barn and a 630 sq.ft. horse stall). The proposed project would fall within the limits of this exemption.

Section 15304 exempts minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of healthy, mature, scenic trees except for forestry or agricultural purposes. The current project proposes the removal of excess soil overburden located within the COMB easement for the SCC waterline, relocation of that excavated soil to a structurally engineered area immediately adjacent to the easement, relocation of an existing horse riding arena to that engineered area, and the construction of a new round pen and corral area. Additionally, no protected trees would be removed as a part of this project. Therefore, the proposed development would fall within the limits of this exemption.

2.0 LAND USE PERMIT FINDINGS

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 subject property currently enjoys adequate services for both the existing and proposed development. As discussed in Section 5.2 of the Planning Commission staff report, dated January 20, 2012 (included as Attachment 5 to this Board Letter, dated July 10, 2012) and incorporated herein by reference, the parcel will continue to be served by the Goleta Water District, a private onsite septic system and the Santa Barbara County Fire Department. Access to the site will also continue to be provided off of Franklin Ranch Road. Therefore, this finding can be made.

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 to the applicable provisions of the Comprehensive Plan, including any applicable community or area plan and 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).***

As discussed in Section 6.3 and 6.4 of the Planning Commission staff report, dated January 20, 2012 (included as Attachment 5 to this Board Letter, dated July 10, 2012) and incorporated herein by reference, the project, as depicted on plan sheet "3ALT of 8, plan date February 8, 2012 (Revision date 5/23/12)" and as conditioned, conforms to the applicable provisions of the Comprehensive Plan, including the Goleta Community Plan and complies with the applicable provisions of this Development Code. Therefore, this finding can be made.

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

The subject parcel is identified as Lot #13 of the Por. Rancho Los Dos Pueblos Map (Book 77-Pg. 03). Furthermore, the property is considered a legally created lot for planning purposes as it is developed with an existing single-family residence that has been validated by prior issuance of County Planning and Building Permits. Therefore, this finding can be made.

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.*

As discussed in Section 6.4 of the Planning Commission staff report, dated January 20, 2012 (included as Attachment 5 to this Board Letter, dated July 10, 2012) and incorporated herein by reference, the project, as depicted on plan sheet “3ALT of 8, plan date February 8, 2012 (Revision date 5/23/12)” and as conditioned, remedies all existing zoning violations and brings the property into compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks and any other applicable provisions of this Development Code, and as conditioned, any applicable zoning and building violation enforcement fees and processing fees will be paid prior to issuance of Building Permits. Therefore, this finding can be made.

4. *In compliance with Subsection 35.28.100.E 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 that the proposed development is consistent with all applicable biological goals, objectives, policies, actions and development standards of the Goleta Community Plan, in addition all other findings required by the County Land Use and Development Code for permit approval.*

As discussed in Section 6.3 and 6.4 of the Planning Commission staff report, dated January 20, 2012 (included as Attachment 5 to this Board Letter, dated July 10, 2012) and incorporated herein by reference, the project, as depicted on plan sheet “3ALT of 8, plan date February 8, 2012 (Revision date 5/23/12)” and as conditioned, is consistent with all applicable biological goals, objectives, policies, actions and development standards of the Goleta Community Plan, in addition all other findings required by the County Land Use and Development Code for permit approval. Therefore, this finding can be made.