

ATTACHMENT 1: FINDINGS OF APPROVAL

1.0 CEQA FINDINGS

CEQA EXEMPTION

The Board of Supervisors finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15303. Please see Attachment C, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

2.1.1 LAND USE PERMIT FINDINGS

- A. 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 Board of Supervisors finds that adequate services and resources (e.g., water, sewer, roads) are available to serve the proposed development. The parcel will be served by the City of Santa Barbara Water District and Mission Canyon Sewer District as documented by the project water and sewer availability letters dated October 31, 2023 (water) and October 30, 2023 (sewer). Fire protection will be provided by the Santa Barbara County Fire Department. Project plans were approved by County Fire on October 18, 2023. Access will continue to be provided via an existing public road, Montrose Place. Police services are provided by the Santa Barbara County Sherriff.

- B. 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 Board of Supervisors finds that, as discussed in Sections 6.3 and 6.4 of the Planning Commission staff report, dated February 27, 2024, and incorporated herein by reference, the proposed development conforms to

all applicable policies of the Comprehensive Plan, including the Mission Canyon Community Plan, and the project complies with all of the applicable provisions of the County Land Use and Development Code. The project is consistent with policies regarding adequate services, aesthetics, geology, cultural resources, hillside and watershed protection, noise, and with the purpose and intent, setbacks, and height limit requirements of the R-1 Zone District.

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

The Board of Supervisors finds that the proposed development is located on a legally created lot. The parcel was created as Lot 561 of Mission Canyon Heights as shown on Surveyors Map Book 20, Page 35 and is described in a Certificate of Compliance recorded May 26, 1989, as Instrument No. 89-034624 of Official Records.

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 Board of Supervisors finds that the subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks and any other applicable provisions of the Land Use and Development Code. As discussed in Section 6.4 of the Planning Commission staff report, dated February 27, 2024, and incorporated herein by reference, the project complies with the purpose and intent, setbacks, building separation, and height limit requirements of the R-1 Zone District. There are no zoning or building violations recorded against the subject parcel. All processing fees have been paid to date.