

ATTACHMENT 1: FINDINGS FOR DENIAL

1.0 CEQA FINDINGS

The Board of Supervisors finds that the proposed projects are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 [Projects Which are Disapproved]. Please see Attachment 2 (CEQA Notice of Exemption) of this Board of Supervisors Agenda Letter dated September 22, 2021 and incorporated herein by reference.

2.0 ADMINISTRATIVE FINDINGS

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

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 projects do not conform to applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan, and do not comply with existing requirements of Article II from Section 35-76.11.1.a to provide vehicle and bicycle replacement parking, as detailed in the Board Letter dated November 2, 2021 and Sections 6.1, 6.3, and 6.4 of the County Planning Commission staff report dated April 13, 2021 and included herein by reference (Attachment 4 to the Board Letter dated November 2, 2021).

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 properties will not comply with all law, rules, and regulations due to the lack of adequate parking if the projects were approved. Four vehicle

parking spaces and two bicycle spaces are required for a three bedroom dwelling in the SR-M-8 zone district. The projects do not provide replacement vehicle and bicycle parking as required by Article II, as detailed in the Board Letter dated November 2, 2021 and Section 6.4 of the County Planning Commission staff report dated April 13, 2021 and included herein by reference (Attachment 4 to the Board Letter dated November 2, 2021).