

ATTACHMENT 1

- FINDINGS FOR DENIAL -

1.0 CEQA FINDINGS

Find that CEQA does not apply to the denial of the appeal pursuant to CEQA Guidelines Section 15270 [Projects Which are Disapproved].

2.0 ADMINISTRATIVE FINDINGS

In order for a Land Use Permit for new development to be approved, the proposed development must comply with all applicable requirements of the County LUDC and policies of the County Comprehensive Plan. As proposed, the following required findings in County LUDC cannot be made. Only findings that cannot be made are discussed below:

- 2.1 Pursuant to Section 35.82.110.E of the County Land Use & Development Code, a Land Use Permit shall be approved only if all of the required findings can be made:

The proposed development conforms to the applicable provisions of the Comprehensive Plan, including any applicable community or area plan.

As discussed in Sections 5.3 and 6.2 of the staff report dated April 18, 2014, included as Attachment 3 to this Board letter, dated June 3, 2014 and incorporated by reference herein, the proposed project is not consistent with the applicable policies of the Comprehensive Plan, including the Summerland Community Plan. The proposed project does not conform to the following policy and actions of the Summerland Community Plan: Policy VIS-S-5, Action VIS-S-5.1 and Action VIS-S-5.2. Therefore, this required finding cannot be made and the proposed development associated with Land Use Permit 13LUP-00000-00376 cannot be approved.

- 2.2 Attachment 1, Part 6 [Permit Requirements] Section B.1 [Required Findings] of the LUDC states that in addition to any findings that are otherwise required by the Development Code for the approval of a permit for development, project approval within the Summerland Community Plan overlay zone shall require that the review authority also first find that:

The project complies with all applicable requirements of the Summerland Community Plan, including the requirements of the Summerland Development Standards.

As discussed in Sections 5.3, 6.2, and 6.3 of the staff report dated April 18, 2014, included as Attachment 3 to this Board letter, dated June 3, 2014 and incorporated by reference herein, the proposed project is not consistent with the applicable policies of the Comprehensive Plan, including the Summerland Community Plan and the Summerland Development Standards. Specifically, the project does not conform to all applicable policies and actions of the Summerland Community Plan, including Policy VIS-S-5, Action VIS-S-5.1. Therefore, this required finding cannot be made.