

1.0 CEQA FINDING

1.1 CONSIDERATION OF THE ADDENDUM AND FULL DISCLOSURE

The Planning Commission has considered the Addendum dated October 15, 2008 for the subject permit. The Addendum reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA. There have been no substantial changes proposed to the project which will require major revisions to the EIR due to new significant environmental effects, no substantial changes to the circumstances under which the project is undertaken, and no new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence. Thus, a subsequent EIR under CEQA Guidelines section 15162 is not necessary. The Addendum, together with the City of Solvang EIR (SCH # 2005081109), is adequate for this proposal.

2.0 ADMINISTRATIVE FINDINGS

2.1 LAND USE PERMIT FINDINGS

Pursuant to Section 35.82.100.E.1 of the Santa Barbara County Land Use and Development Code, a Land Use Permit shall only be issued if all of the following findings can be made:

- 2.1.1 That the proposed development conforms to 1) the applicable provisions of the Comprehensive Plan, including any applicable community or area plan, and the Development Code or falls within the limited exception allowed in compliance with Chapter 35.101 (Nonconforming Uses Structures and lots)**

Land Use Permit 08LUP-00000-00143 (approved by staff on June 4, 2008) consists of a new 1,300' long road, 22' in width. As discussed in Sections 6.2 and 6.3 of this report, the project is consistent with all applicable Comprehensive Plan policies, as well as relevant 40-AL-O zoning regulations.

- 2.1.2 That the proposed development is located on a legally created lot.**

The project will be located on an existing legal lot, recorded in Book 11, page 52 for Map no. 11,671, dated January 24, 1973 in the office of the County Clerk & Recorder and as such is deemed a legally created parcel.

2.1.3 That the subject property is in compliance with all laws, rules and regulations pertaining to uses, subdivisions, setbacks and any other applicable provisions of the Development Code, and any applicable zoning violation enforcement 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 subject property is in compliance with all laws, rules, and regulations pertaining to zoning uses, subdivision, setback and any other applicable divisions of the Development Code. There are no zoning violations relating to the project site. As discussed in Section 6.3 of the Staff Report, the project is consistent with all requirements of the Santa Barbara County Land Use and Development Code.