

ATTACHMENT 1

FINDINGS FOR APPROVAL Case no. 14RZN-00000-00004

1.0 CEQA FINDINGS

The Board of Supervisors finds the proposed project exempt from environmental review pursuant to CEQA Guidelines Section 15061 (b)(3). CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed project is a legislative action that will replace an outdated agricultural zone district under Ordinance 661 with an agricultural zone district under the Land Use and Development Code. The project does not involve any development. Please see Attachment 3 of the Board Letter, dated February 3, 2015, and incorporated herein by reference.

2.0 ADMINISTRATIVE FINDINGS

2.1 REZONE

In compliance with Section 35.104.060 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an Amendment to the Development Code, Local Coastal Program, or Zoning Map the review authority shall first make all of the following findings:

2.1.1 The request is in the interests of the general community welfare.

The rezone is in the interest of the general community as it would update the subject parcel's zoning from Ordinance 661 to zoning under the County's Land Use and Development Plan. Ordinance 661 is outdated and does not provide for telecommunications facilities. The subject parcel has been identified as an ideal site for a telecommunications facility. Telecommunication facilities are considered critical structures by emergency services and are also in the public interest as more and more residents of the County use telecommunication devices for their health and safety as well as for their personal and professional needs.

2.1.2 The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code. If the Amendment involves an Amendment to the Local Coastal Program, then the request shall also be found to be consistent with the Coastal Land Use Plan.

Pursuant to the discussion in Sections 6.2 and 6.3 of the Planning Commission staff report dated December 17, 2014 (Attachment 7 to this Board Letter, dated February 3, 2015), and incorporated herein by reference, the rezone is consistent with the Comprehensive Plan and with the requirements of the Zoning Ordinance (Land Use and Development Code) and with State Land Use Law requiring vertical consistency between an agency's Comprehensive Plan and its Zoning Ordinance. The rezone does not involve an amendment to the Local Coastal Program.

2.1.3 The request is consistent with good zoning and planning practices.

The rezone is consistent with good zoning and planning practice because it updates antiquated regulations and allows for modern uses not contemplated under the antiquated regulations to be permitted on the subject lot consistent with current zoning.