

# Attachment 1

## **EXHIBIT A – FINDINGS DRC2013-00039 Gibbs**

### ***CEQA Exemption***

- A. The project qualifies for Class 1 and Class 3 Categorical Exemptions, pursuant to State CEQA Guidelines Sections 15301 and 15303, respectively, because it involves the demolition of an existing single family residence and construction of a new single family residence on an existing lot, within an urbanized area and will not require the removal of native trees or vegetation. No measures beyond those required by the County's ordinances are necessary to address the potential impacts from proposed project.

### ***Minor Use Permit***

- B. The proposed project is consistent with the San Luis Obispo County General Plan because a single family residence is a permitted use in the Residential Single Family land use category, and the project as conditioned is consistent with all applicable General Plan policies, including policies for Public Works, Coastal Watersheds, Environmentally Sensitive Habitats, Visual and Scenic Resources, Archeology, and Hazards.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety, or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed construction of a single family residence will not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Coastal Zone Land Use Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the construction of the proposed single family residence will result in development that is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Sherwood Drive, a local road constructed to a level able to handle any additional traffic associated with the project.

### ***Coastal Access***

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not immediately adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

### ***Archaeology***

- H. The project design and development incorporates adequate measures to ensure protection of significant archaeological resources because no indications of prehistoric

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resources or early historic archaeological resources were found during the extended Phase 1 archeological assessment.

### ***Sensitive Resource Area***

- I. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because no trees will be removed for the project.
- J. As designed, natural features and topography have been considered in the design and siting of all proposed physical improvements.
- K. The proposed clearing of topsoil and trees is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
- L. The soil and subsoil conditions are suitable for any proposed excavation and site preparation, and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff. To ensure compliance, the project has been conditioned to submit a drainage plan to Public Works at time of application for building permits.

### ***Environmentally Sensitive Habitat***

- M. There will be no significant negative impact on the identified sensitive habitat, and the proposed use will be consistent with the biological continuance of the habitat as the project has been designed to avoid impacts to the maximum extent feasible. The project does not require the removal of native trees or vegetation.
- N. The proposed use will not significantly disrupt the habitat, as the property is located with an existing urban developed neighborhood.