

EXHIBIT A – FINDINGS
DRC2014-00022 M&R Investment One Company, Inc.

Environmental Determination

- A. The Environmental Coordinator found that the previously adopted Mitigated Negative Declaration is adequate for the purposes of compliance with CEQA. Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162) an Addendum to the adopted Mitigated Negative Declaration was prepared as the following conditions apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) no new information of substantial importance which was not known or could not have been known at the time of the adopted Negative Declaration has been identified. No new mitigation measures have been proposed.

Minor Use Permit/ Coastal Development Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan and Local Coastal Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- 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 new residences do not generate activities that present potential threats to the surrounding property and buildings. This project is subject to 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 three single family residences are allowed uses 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 Birch Avenue, 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 adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Sensitive Resource Area

- H. The development will not create significant adverse effects on the natural features (Coastal Stream) of the site or vicinity that are the basis for the Sensitive Resource Area designation, and will preserve and protect such features through site design because the project includes adequate setbacks from the riparian vegetation, a prohibition of fireplaces and direct lighting into the riparian area, and conditions to restore the riparian habitat and implement grading, erosion, sedimentation standard measures that will protect the sensitive habitat.
- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements because the three residences and driveway are located in the least environmentally damaging portion of the project site and outside the creek setback.
- J. The proposed clearing of topsoil is the minimum necessary to achieve safe and convenient access and siting for the project, and will not create significant adverse effects on the identified sensitive resource because the development will be located outside the creek setback and sensitive riparian habitat. No tree removal will be allowed and the residences are located the furthest extent possible from the riparian vegetation.
- K. 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 is conditioned to submit an erosion, sedimentation control and drainage plan utilizing Best Management Practices to Public Works for approval at the time of building permit applications and implementation during construction.

Streams and Riparian Vegetation

- L. The proposed project is a development of three single family residences that is an allowable use and will be located approximately 20 to 40 feet to the creek. No alternative locations and routes are feasible or less environmentally damaging because the residences are placed from the furthest extent of the riparian vegetation and on the least environmentally damaging portion of the project site.
- M. Adverse environmental effects have been mitigated to the maximum extent feasible. Implementation of the conditions and mitigation measures will ensure no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat.

Archaeology findings

- N. Disturbance of archeological resources cannot be feasibly avoided through a site design and construction. A mitigation plan was submitted (Applied Earthworks, 2015) and will be implemented prior to permit issuance or ground disturbing activities, and during construction.