

**EXHIBIT A
VARIANCE FINDINGS
DRC2015-00089 EUREKA ENERGY**

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 27, 2016 for this project. Mitigation measures are proposed to address biological resources are included as conditions of approval.

Variance

- B. The variance authorized does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and land use category in which it is situated because the existing transmission tower is located on uniformly steep slopes which offers no alternative to development on slopes of less than 30 percent to provide the necessary roadway access. Without this variance, construction of the access road could not be accomplished.
- C. There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, and because of these circumstances, the strict application of this Title would deprive the property of privileges enjoyed by other property in the vicinity and in the same land use category. The site's slopes in excess of 30% underlying the existing high voltage transmission tower constitute special circumstances.
- D. The variance does not authorize a use that is not otherwise authorized in the land use category because the project site is a legally created lot in the Public Facility land use category, and the proposed project is an access road and pedestrian pathways that comply with all San Luis Bay Area Plan -- Coastal standards, and all other CZLUO standards beyond development on slopes of greater than 30 percent.
- E. The granting of such application does not, under the circumstances and conditions applied in the particular case, adversely affect the health or safety of persons, is not materially detrimental to the public welfare, and is not injurious to nearby property or improvements, because a geotechnical report and a Preliminary Drainage Plan have been prepared to evaluate site characteristics and plan for appropriate design, engineering and development of the site. The recommendations from the geotechnical report and Preliminary Drainage Plan are included as conditions of approval for the proposed project and will be incorporated into the construction plans and implemented throughout the building inspection process.
- F. The variance is consistent with the San Luis Obispo County General Plan because it has been designed in accordance with the Coastal Zone Land Use Element and other relevant elements of the general plan.