

ATTACHMENT 3

REVISED (JULY 14, 2016) **EXHIBIT A - FINDINGS**

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 Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 6, 2016 for this project. Mitigation measures are proposed to address air quality, biological resources, hazards/hazardous material, public services/utilities, transportation/circulation, wastewater, and water/hydrology and are included as conditions of approval.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the uses proposed are allowed uses 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 22 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 project as conditioned does not generate activity that presents a potential threat 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 proposed tasting room/restaurant/limited food service facility will be limited to 998 sf and be restricted to a total of 5 days per week with 3 of those days from 11:00 am to 5:00 pm and 2 days per week from 11:00 am to 9 pm. Additionally, all guest and staff shall be off-site by 9 pm.
- 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 Kiler Canyon Road (a collector road), a road constructed to a level able to handle any additional traffic associated with the project and an unpaved access road that is conditioned for dust suppression and a road maintenance agreement.
- G. A modification of the setback standards required by Land Use Ordinance Section 22.30.070.D.4.c.1 Olive Oil Production / Setbacks) to allow a 96 ft. setback to property line and to allow 380 ft. to an existing residence is justified because it presents a more environmentally friendly solution than constructing a new building that could meet the required setbacks versus using the existing building. The primary use on-site is the processing of approximately 15 tons of olives grown on-site from the 2,700 olive trees planted on-site (currently not all trees have reached maturity).

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- H. A modification of the setback standards required by Land Use Ordinance Section 22.30.075.B.4 Ag Retail Sales / Setbacks that requires all structures to be located no closer than 400 feet to any existing residence to allow a 380 ft. setback to an existing residence (to the north) is justified because it presents a more environmentally friendly solution than constructing a new building that could meet the required setbacks versus using the existing building. The primary use on-site is the processing of approximately 15 tons of olives grown on-site from the 2,700 olive trees planted on-site (currently not all trees have reached maturity).