

**Findings for Denial**

**1.0 CEQA Finding**

- 1.1 This project is found to be Statutorily Exempt from the requirements of CEQA pursuant to Section 15270(b) of the CEQA Guidelines where the agency can determine that the project cannot be approved. The project is unapprovable due to numerous inconsistencies with General Plan policies.

**2.0 General Plan Findings**

- 2.1 The proposed special use permit is inconsistent with the Low-Density Residential (LDR) General Plan land use designation. The proposed home occupation is not secondary and subordinate to the primary residential use and detrimentally affects the residential character of the dwelling, premises, and the neighborhood.
- 2.2 The proposal, as conditioned, is inconsistent with the intent of Policies 2.2.5.21 and 10.1.74 because current adopted County Code directs that businesses such as the subject one, with employees, storage of equipment, and parking of employee vehicles, are not compatible with residential neighborhoods. The existing business generates vehicular traffic measurably in excess of that normally associated with single-family residential. The project has a significant visual impact on the existing residential zone district. Employees are not consistent with home occupations. The project has the potential to use and store hazardous substances which is not compatible with a residential use.

**3.0 Special Use Permit Findings**

- 3.1 **The issuance of the permit is consistent with the General Plan.** The special use permit is inconsistent with General Plan Policies 2.2.5.21 and 10.1.7.4 which states that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses. The proposed landscape business is located within a residential subdivision and has increased traffic and created significant visual impacts. The use is an unduly intensive commercial use within a residential zone district with developed properties.
- 3.2 **The proposed use would be detrimental to the public health, safety and welfare, or injurious to the neighborhood.** Based on the conclusions contained in the staff report the proposed landscape business is located within a residential subdivision and impacts the neighborhood through increased traffic above the residential levels, significant visual impacts, and the potential to store hazardous materials. These are detrimental to the public health, safety and welfare, of the neighborhood. The use is an unduly intensive commercial use within a residential zone district with developed properties.
- 3.3 **The proposed use is specifically permitted by special use permit pursuant to this Title.** The proposed landscape business is a commercial use and is not permitted by Special Use Permit in the RE-5 Zone District and therefore, there is no authority to approve such a use.