

FINDINGS OF DENIAL

Conditional Use Permit CUP24-0011/Kuhl Planning Commission/September 25, 2025

Based on review and analysis of this project and supported by discussion in the Staff Report, testimony, and evidence in the record, the following Findings are made:

1.0 CEQA FINDINGS

- 1.1 Denial of Conditional Use Permit (CUP) CUP24-0001 is statutorily exempt pursuant to Section 15270, Projects which are Disapproved, of the California Environmental Quality Act (CEQA) Guidelines.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department, Planning Division, at 2850 Fairlane Court, Placerville, CA, 95667.

GENERAL PLAN FINDING

The project, as proposed, is not consistent with General Plan Policy 8.4.2.1.(A):

The proposed use will be detrimental to that parcel or to adjacent parcels for long-term forest resource production value or conflict with forest resource production in that general area;

ZONING FINDINGS

The project, as proposed, is not consistent with Section 130.40.350 (G.) (1.), Required Findings to Support Residential, Recreational, and Non-Timber Uses

The proposed use is not compatible with and will detract from the land's ability to harvest timber;

CONDITIONAL USE PERMIT FINDINGS

Pursuant to County Code Section 130.52.021, a conditional use permit cannot be approved unless the Commission finds that the use is consistent with the General Plan and would not be detrimental to public health, safety, and welfare, or injurious to the neighborhood. For the reasons stated herein, the Commission cannot make these findings and cannot approve the project. As set forth more fully herein, CUP24-0011 has been found by the Commission to be inconsistent with the General

Plan, required zoning standards, and detrimental to the public welfare and injurious to the neighborhood, requiring denial in accordance with County Code Section 130.52.021.

These findings cannot be made for the project as presented due to fire protection and public safety concerns that have not been adequately met, including the ability to provide adequate public access, emergency ingress and egress, and sufficient water supply.

3.0 Appeal Procedure

In accordance with County Code Section 130.52.090, the Planning Commission's decision can be appealed to the Board of Supervisors within ten working days from September 25, 2025. Contact Planning Services at (530) 621-5355 for required application form and fees.