

Attachment 1

10 **CATEGORICALLY EXEMPT** **PA24-0149 (Custom)**

That the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA), under the Class 2 (replacement or reconstruction of an existing structure where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced) exemptions pursuant to Section 15302 of the California Environmental Quality Act (CEQA) Guidelines.

11 **FISH & GAME - EXEMPT** **PA24-0149**

That pursuant to Section 711.4 of the California Fish and Game Code, this project is exempt from the required fees as it has been determined that no adverse impacts to wildlife resources will result from the project.

12 **NCCP NOT SIGNIFICANT** **PA24-0149**

That the proposed project will not have a significant unmitigated impact upon Coastal Sage Scrub habitat and therefore, will not preclude the ability to prepare an effective subregional Natural Communities Conservation Planning (NCCP) Program.

13 **VARIANCE 1** **PA24-0149**

That there are special circumstances applicable to the subject building site which, when applicable zoning regulations are strictly applied, deprive the subject building site of privileges enjoyed by other property in the vicinity and subject to the same zoning regulations. There are special circumstances that would allow for a reduction in the setback while meeting the intent of the zoning code. Specifically, the subject site is a shallow lot with sloping topography, making it difficult to develop or modify while strictly adhering to the applicable zoning regulations. The proposed reduction in the front and rear yard setback will allow the applicant to build the residence in a manner that will be aesthetically similar to the current structure and the surrounding homes of the Emerald Bay community and will have no visual impact to the neighborhood.

14 **VARIANCE 2** **PA24-0149**

That approval of the application will not constitute a grant of special privileges which are inconsistent with the limitations placed upon other properties in the vicinity and subject to the same zoning regulations when the specified conditions are complied with. Specifically Multiple variances for reduced setbacks have been previously approved in this vicinity that allowed neighboring homes to attain a similar layout as the applicant is proposing, and this proposal is typical of those previous approvals.

15 **FENCE AND WALL 1** **PA24-0149**

That the height and location of the fence or wall as proposed will not result in or create a traffic hazard.

16 **FENCE AND WALL 2** **PA24-0149**

That the location, size, design and other characteristics of the fence or wall will not create conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.
