

## **EXHIBIT A**

### **FINDINGS**

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## **FINDINGS – CONDITIONAL USE PERMIT**

Conditional Use Permit to establish a 20,000-square foot covered arena with a 6,000-square foot barn, both for personal use only on a portion of 4.28 acres.

1. **The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.** The 4.28-acre site is adequate in size and shape to accommodate the proposed accessory structures. The site plan shows all aspects of the Project, which meets the required setbacks and landscaping. With approval of the Major Variance to allow the accessory structures to extend in front of the primary residence, the site will be adequate to accommodate the proposed use.
2. **The site for the proposed use has adequate access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use.** The project is adjacent to Flowerfield Street and Sundown Drive, which provide legal and physical access to the site.
3. **The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance.** The proposed use is consistent with the development allowed in the Phelan Pinon Hills Community Plan Rural Living (PH/RL) land use zoning district. The structures are for private, personal use only – there will be no public events. The Project must incorporate landscaped building setbacks to provide a buffer for adjacent properties.
4. **The proposed use and manner of development are consistent with the goals, policies, standards and maps of the General Plan and any applicable specific plan or planning area.** The proposed covered arena and horse barn are consistent with the goals, policies, standards, and maps of the General Plan, the Development Code, and the Phelan Pinon Hills Community Plan. The Project, together with the provisions for its design and improvement, are consistent with the General Plan's goals and policies, is consistent with the development standards of the RL Land Use Zoning District, and is consistent with the Phelan Pinon Hills Community Plan. Although the Community Plan does not contain a specific goal or policy relative to the Project, the Community Priorities include the protection and preservation of the rural character of the community and the maintenance of the rural lifestyle through the retention of key features such as large lots, an equestrian-friendly environment, and animal raising opportunities. The Project is consistent with the following Goals and Policies:
  - **Goal D/LU 1 – In the Desert Region, maintain land use patterns that enhance the rural environment and preserve the quality of life of the residents of the region.**
    - **Policy D/LU 1.1 – Encourage low density development by retaining Rural Living (RL) zoning in Community Plan areas that are outside of city spheres of influence and removed from more urbanized community core areas.**

Goal and Policy Implementation: The Project proposes the retention of the rural environment by maintaining the single family residence on a 4.28-acre parcel and permitting the continuation of an

animal keeping land use. The entirety of the Phelan Pinon Hills Community Plan is outside the sphere of influence of any city and removed from urbanized community core areas.

- **Goal D/ED 1 – Promote economic development that is compatible with the rural desert character of the Desert Region.**
  - **Policy D/ED 1.2 – Promote the expansion of home based businesses...that are compatible with the rural nature of the plan area.**

Goal and Policy Implementation: The Project proposes the retention and improvement of an animal keeping land use.

5. **There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels.** Water will continue to be supplied by the Phelan Pinon Hills Community Services District. Electricity is supplied by Southern California Edison. Wastewater will continue to be handled by an on-site wastewater treatment system which will require certification from County Environmental Health Services based on the requirements of the Lahontan Regional Water Quality Control Board. Access roads, Flowerfield Street and Sundown Drive, are adjacent to the project site.
6. **The lawful conditions stated in the approval are deemed necessary to protect the public health, safety, and general welfare.** All development issues have been evaluated by the appropriate agencies and applicable conditions have been required to address their concerns and areas of responsibility.
7. **The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.** The addition of the proposed buildings would increase the area covered by structures and impervious surfaces on the property to approximately 17 percent. The maximum lot coverage permitted in the RL land use zoning district is 20 percent. Sufficient open space exists to consider the use of solar energy systems and passive or natural heating and cooling opportunities.
8. **An Environmental Initial Study / Negative Declaration has been prepared in compliance with the California Environmental Quality Act (CEQA) and represents the independent judgment of the County, acting as lead agency for the Project.** The Initial Study concludes that the project will not have a significant effect on the environment. No mitigation measures are proposed because the initial evaluation of the Project did not identify any impacts of the project that would have a significant effect on the environment. Adoption of a Negative Declaration is therefore part of the recommendation for action on the Project.

## **FINDINGS – MAJOR VARIANCE**

Major variance to allow the accessory structures to extend in front of the primary residence.

1. **The granting of this Variance will not be materially detrimental to other properties or land uses in the area and will not substantially interfere with the present or future ability to use solar energy systems.** The Project proposes to construct a covered arena and barn, agricultural accessory structures, in front of the primary residence. The proposed location of the 20,000-square foot covered arena is approximately 200 feet from the residence to the south and approximately 160 feet from the residence to the east. The southern elevation of the arena will be approximately 200 feet wide by 24.5 feet high with open sides. The eastern elevation of the arena and barn will be approximately 150 feet wide and will range in height from 15 feet to 24.5 feet. Only the barn portion will have solid walls; the arena portion will have open sides. The maximum height in the RL land use zoning district is 35 feet. The size and scale of the proposed structures, combined with the distance from the nearest residences, ensure compatibility with surrounding properties. The design of the project will not substantially interfere with the present or future ability to use solar energy systems, because the total square footage of the Project and existing structures does not equal or exceed the maximum lot coverage of 20 percent. That leaves more than 80% of the lot available for solar energy systems.
2. **There are exceptional or extraordinary circumstances or conditions applicable to the subject property or to the intended use that do not apply to other properties in the same vicinity and land use zoning district.** The long, narrow Project site is on the corner of Flowerfield Street and Sundown Drive. Because it is on a corner, it has two frontages. The existing residence sits just west of the east/west center of the property, near the northern property line, oriented so that the majority of the buildable area on the Project site lies in front of the residence. With street frontages to the south and east and a floodplain to the west, the locations available to construct the covered arena and barn are very limited.
3. **The strict application of the land use zoning district deprives the subject property of privileges enjoyed by other properties in the vicinity or in the same land use zoning district.** Barns, shade structures, horse stables, and similar accessory structures are common on RL properties in the area. Because of the location of the existing single-family residence, the covered arena cannot be constructed without extending in front of this structure. In order for the Project site to enjoy the same amenities as other properties in the vicinity, approval of the proposed variance is needed.
4. **The granting of the Variance is compatible with the maps, objectives, policies, programs, and general land uses specified in the County General Plan and any applicable specific plan.** Specifically, the Project and associated Variance are compatible with the following goals and policies:
  - **Goal D/LU 1 – In the Desert Region, maintain land use patterns that enhance the rural environment and preserve the quality of life of the residents of the region.**
    - **Policy D/LU 1.1 – Encourage low density development by retaining Rural Living (RL) zoning in Community Plan areas that are outside of city spheres of influence and removed from more urbanized community core areas.**

Goal and Policy Implementation: The Project proposes the retention of the rural environment by maintaining the single family residence on a 4.28-acre parcel and permitting the continuation of an animal keeping land use. The entirety of the Phelan Pinon Hills Community Plan is outside the sphere of influence of any city and removed from urbanized community core areas.

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