5-1

Promoting the wise use of land
Helping build great communities

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
March 4, 2005 LOCAL EFFECTIVE DATE March 18, 2005 APPROX FINAL EFFECTIVE DATE April 8, 2005	Tammy L. Seale, Project Planner (805) 781-1162	Steven and Joann Nicholas	DRC 2004-00126

SUBJECT
Request by Steven and Joann Nicholas for a Minor Use Permit/Coastal Development Permit to allow addition of 422 square feet to an existing single-family residence, demolition of a 330 square-foot attached garage, and construction of a 228 square-foot detached garage resulting in 1,718 square feet of footprint and 2,231 square feet of gross structural area. The project will result in the disturbance of approximately 1,946 square feet of a 3,966 square feet parcel. The proposed project is within the Residential Single Family land use category and is located at 315 Wedgewood Street, in the community of Cambria (Lodge Hill area). The site is in the North Coast Planning Area.

RECOMMENDED ACTION
Approve Minor Use Permit DRC 2004-00126 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION
A Class 1/Class 3 Categorical Exemption was issued on January 6, 2005. (ED 04-299)

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Residential Single-Family	Local Coastal Program, Coastal Appealable Area, and Archaeologically Sensitive Area	023-015-011	2

PLANNING AREA STANDARDS:
Setbacks, Height, Parking, Erosion Control, Footprint and Gross Structural Area Limitations
Does the project meet applicable Planning Area Standards: Yes - see discussion

COASTAL ZONE LAND USE ORDINANCE STANDARDS:
Combining Designations: Archaeologically Sensitive Area and Local Coastal Program Area
Does the project conform to the Coastal Zone Land Use Ordinance Standards: Yes - see discussion

FINAL ACTION
This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing.

The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.

5-2

EXISTING USES: Single-family home with an attached garage.	
SURROUNDING LAND USE CATEGORIES AND USES: *North:* RSF & Open Space – vacant (East/ West Ranch) *South:* RSF – Single Family Residence	*East:* RSF – Single Family Residence *West:* RSF – Single Family Residence
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: North Coast Advisory Council, Public Works, Cambria Community Services District, and the California Coastal Commission	
TOPOGRAPHY: Nearly level to gently sloping	VEGETATION: Grasses and forbs
PROPOSED SERVICES: Water supply: Cambria Community Services District Disposal: Cambria Community Services District Protection: Cambria Community Services District Fire	ACCEPTANCE DATE: January 6, 2005

DISCUSSION

NORTH COAST AREA PLAN, LODGE HILL PLANNING AREA STANDARDS:

As detailed in the following table, the project complies with the planning area standards for footprint, gross structural area, height, setbacks, and parking. The project, as conditioned, complies with planning area standards for erosion and runoff control and landscaping. Review of the site plan reveals that the drainage pattern onsite will not be negatively altered and that more landscaping will be provided than is currently onsite. Additionally, Conditions 8 and 15 (see Exhibit B) require the applicant to submit drainage and landscaping plans for approval prior to issuance of a construction permit.

Lot Size: 3,966 square feet
Lot Type: Single, Marine Terrace
Oversized lot adjustment: 2.26

Slope: 1%
Number of trees to be removed: 0
Base: 800 sq ft footprint, 1,000 sq ft GSA

PROJECT REVIEW	ALLOWABLE	EXISTING	PROPOSED	STATUS
FOOTPRINT (SQUARE FEET)	2.26 x 800 = 1808	1360	1718	OK
GSA (SQUARE FEET)	2.26 x 1000 = 2260	1911	2231	OK
DECKS (SQUARE FEET)				
PERVIOUS	542	550	319	OK
IMPERVIOUS	181	0	0	OK
HEIGHT (FEET)	22	22	22	OK
SETBACKS (FEET)				
FRONT	15'	50'	18'	OK
REAR	10'	25'	10'	OK
SIDE	3'	3'	3'	OK
PARKING (SPACES)	2 (1 covered)	2 (1 covered)	2 (1 covered)	OK

5-3

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Combining Designations – Local Coastal Program Area, Archaeologically Sensitive Area

The project site is within a designated Archaeologically Sensitive Area. The existing use onsite is a 2-story single-family residence with an attached garage. Examination of existing records did not reveal any known resources onsite or adjacent to the site. The project will result in minimal site disturbance, and it is conditioned to protect archaeological resources in the unlikely event that they are unearthed or discovered during construction (See Exhibit B, Condition 11)

COASTAL PLAN POLICIES:

This project complies with the Coastal Plan Policies; the most relevant policies follow.

***Public Works*:**
Policy 1: Availability of Service Capacity applies to the project. *The proposed addition of living space and a detached garage does not include any new water fixtures or increases in water use. The Cambria Community Services District serves the existing residence.*

Coastal Watersheds:
Policy 7: Siting of new development*: The proposed project is consistent with this policy because the demolition of the attached garage and addition of living space and a detached garage will be located on an existing lot of record in the Residential Single Family category on a slope less than 20 percent.*
Policy 8: Timing of new construction: *The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15 the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.*
Policy 10: Drainage Provisions: *The proposed project is consistent with this policy because the project is required to have a drainage plan that demonstrates how the construction of the new residence will not increase erosion or runoff.*

Hazards:
Policy 1: New Development: *The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.*
Policy 2: Erosion and Geologic Stability: *The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.*

Visual and Scenic Resources:
Policy 7: Preservation of Trees and Native Vegetation: *The location and design of the project will not remove any trees.*

Archaeology:
Policy 4: Preliminary Site Survey: *The parcel is in an archaeologically sensitive area. The proposed project is an addition to an existing house consisting of minimal ground disturbance. No known archaeological sites are within or adjacent to the project area. Therefore, a preliminary site survey was not required.*

Does the project meet applicable Coastal Plan Policies? Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS:
The North Coast Advisory Council did not provide comments prior to the preparation of this report.

AGENCY REVIEW:
Public Works: No concerns. The applicant proposes to use existing driveway access, and the proposed addition will cause a negligible increase in impermeable surface.

Cambria Community Services District: No concerns. There does not appear to be an increase in the number of water fixtures.

California Coastal Commission: The Commission did not provide comments prior to the preparation of this report.

LEGAL LOT STATUS:
The lot was legally created by a recorded map at a time when that was a legal method of creating lots (Book 5, Page 16 of Maps, August 1930).

Staff report prepared by Tammy Seale and reviewed by Mike Wulkan.

5-5

EXHIBIT A - FINDINGS

CEQA Exemption

A. The project qualifies for a Categorical Exemption Class 1 and Class 3 pursuant to CEQA Guidelines Section 15303 because the project includes an addition to an existing single-family residence that does not result in an increase of more than 2,500 square feet or an expansion of the existing use, and it includes construction of an accessory structure (garage).

Minor Use Permit

B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use 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 23 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 demolition of the attached garage and addition of living space and a detached garage 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 demolition of the attached garage and addition of living space and a detached garage is similar to, and will not conflict with, the surrounding lands and uses.

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, because the project is located on Wedgewood Street, a local road constructed to a level able to handle any additional traffic associated with the project, which would be negligible.

Coastal Access

G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Archaeological Sensitive Area

H. The project design and development incorporates adequate measures to ensure protection of significant archaeological resources because the project is an addition to an existing single-family residence with minimal site disturbance and will not have a significant impact on archaeological resources.

56

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes:

   a. The addition of 422 square feet to an existing single-family residence, demolition of a 330 square-foot attached garage, and construction of a 228 square-foot detached garage resulting in 1,718 square feet of footprint and 2,231 square feet of gross structural area.

   b. All permits shall be consistent with the approved Site Plan, Floor Plans, and Elevations.

Conditions required to be completed at the time of application for construction permits

Cambria Community Services District

2. **At the time of application for construction permits,** the applicant shall provide a letter from Cambria Community Services District stating they are willing and able to service the property.

Site Development

3. **At the time of application for construction permits,** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations, and landscape plan.

4. **At the time of application for construction permits,** the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Conditions to be completed prior to issuance of a construction permit

Cambria Community Services District

5. **Prior to issuance of a construction permit,** the applicant shall apply for a remodel of existing service and pay impact fees to the Cambria Community Services District (District).

Fire Safety

6. **Prior to issuance of a construction permit,** the applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cambria Fire Department.

Grading, Drainage, Sedimentation and Erosion Control

7. **Prior to issuance of construction permits,** if grading is to occur during October 15 to April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.

8. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan for review and approval by the County Public Works Department. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site or passed on through an effective erosion control devise or drainage system approved by the County Engineer.

Landscape Plan

9. **Prior to issuance of construction permit**, the applicant shall submit for Planning Director review and approval, a Landscape Plan that provides for the planting of all open areas of the site disturbed by project construction with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. In addition, non-native, invasive, and water intensive (e.g. turf grass) landscaping shall be prohibited on the entire site.

Miscellaneous

10. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed during project construction

Archaeology

11. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

    A. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

    B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Building Height

12. The maximum height of the project is twenty-two (22) feet from average natural grade.

    a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).

    b. **Prior to approval of the foundation inspection,** the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.

    c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height, and the actual height of the structure. A licensed surveyor or civil engineer shall prepare this certification.

Cambria Community Services District

13. Existing water fixtures shall be retrofitted to current standards under Cambria Community Services District Code Title 4.

14. The owners shall provide the District with a copy of county construction permit issued for this project.

5-8

Grading, Drainage, Sedimentation, and Erosion Control

15. **Prior to any grading,** all trees bordering the proposed project that are to remain shall be marked for protection (e.g., with flagging) and their root zone fenced. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil.

16. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control devise or drainage system approved by the County Engineer.

17. Permanent erosion control devises shall be installed prior to or concurrently with on-site grading activities.

18. Grading, filling or site disturbance of existing soil and vegetation shall be limited to the minimum areas necessary.

19. Stockpiles and other disturbed soils shall be protected from rain and erosion by plastic sheets or other covering.

20. All areas disturbed by grading activities shall be re-vegetated with temporary or permanent erosion control devises in place.

Conditions to be completed prior to final building inspection

Cambria Community Services District

21. **Upon completion of the project,** applicant shall submit for final plumbing inspection.

Fire Safety

22. **Prior to final inspection,** the applicant shall obtain final inspection and approval from Cambria Fire Department of all required fire/life safety measures.

Landscaping

23. **Prior to final inspection**, landscaping in accordance with the approved landscaping plan shall be installed or bonded. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.

Miscellaneous

24. The applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

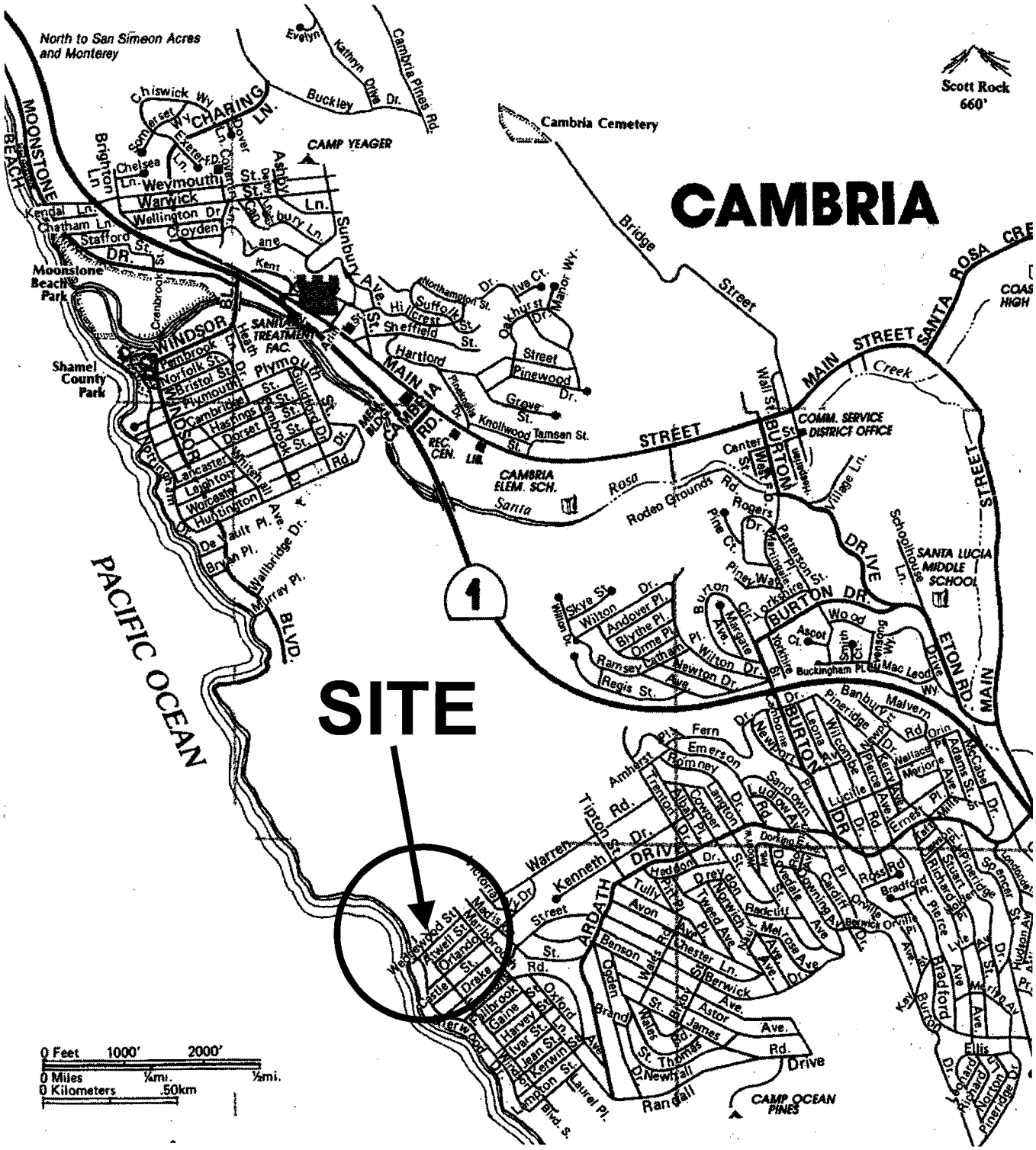
25. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Coastal Zone Land Use Ordinance Section 23.02.050 or if the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Coastal Zone Land Use Ordinance Section 23.02.042 as

5-9

site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

26. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

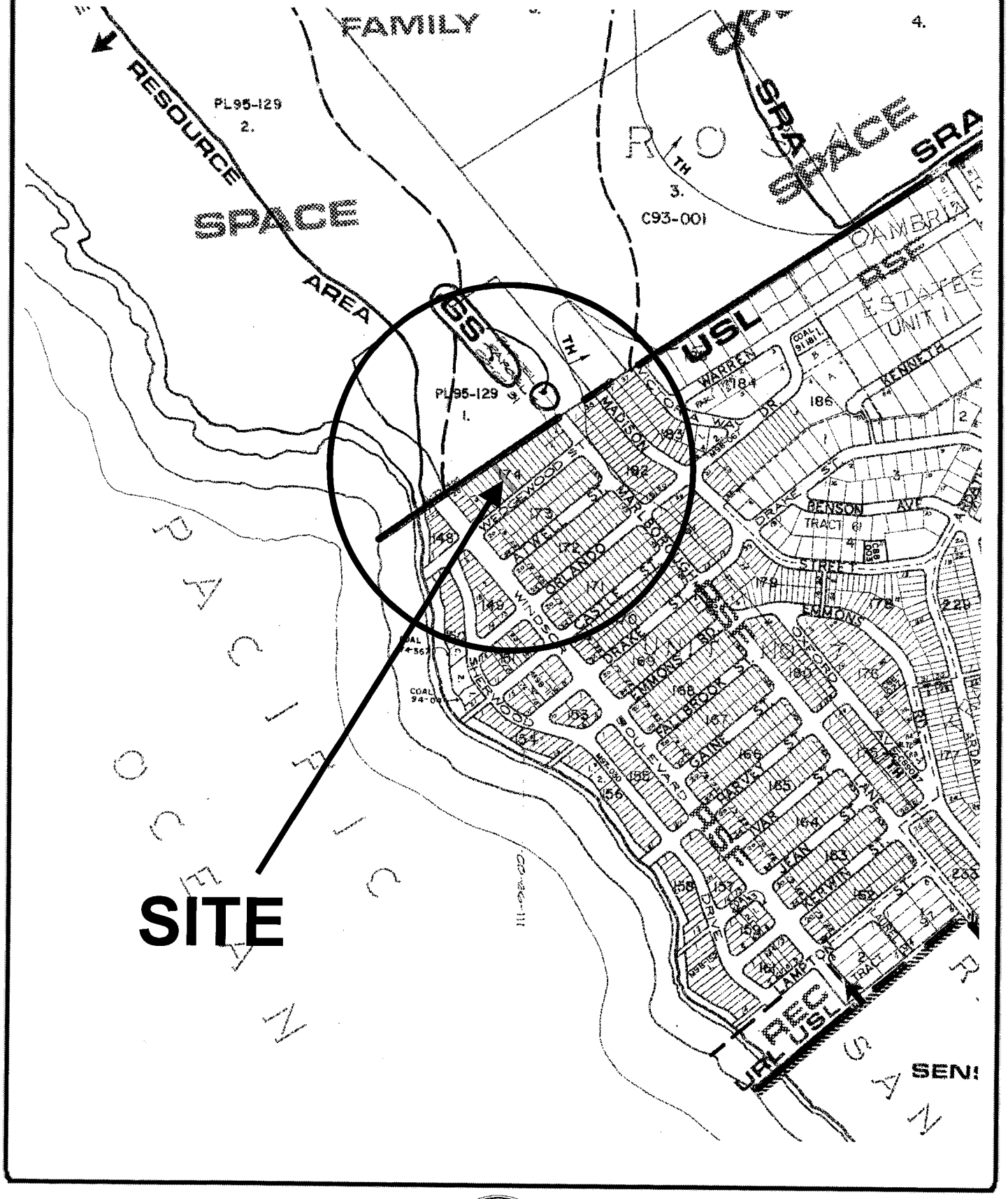
Minor Use Permit
Nicholas DRC2004-00126

EXHIBIT

Vicinity Map

5-11

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

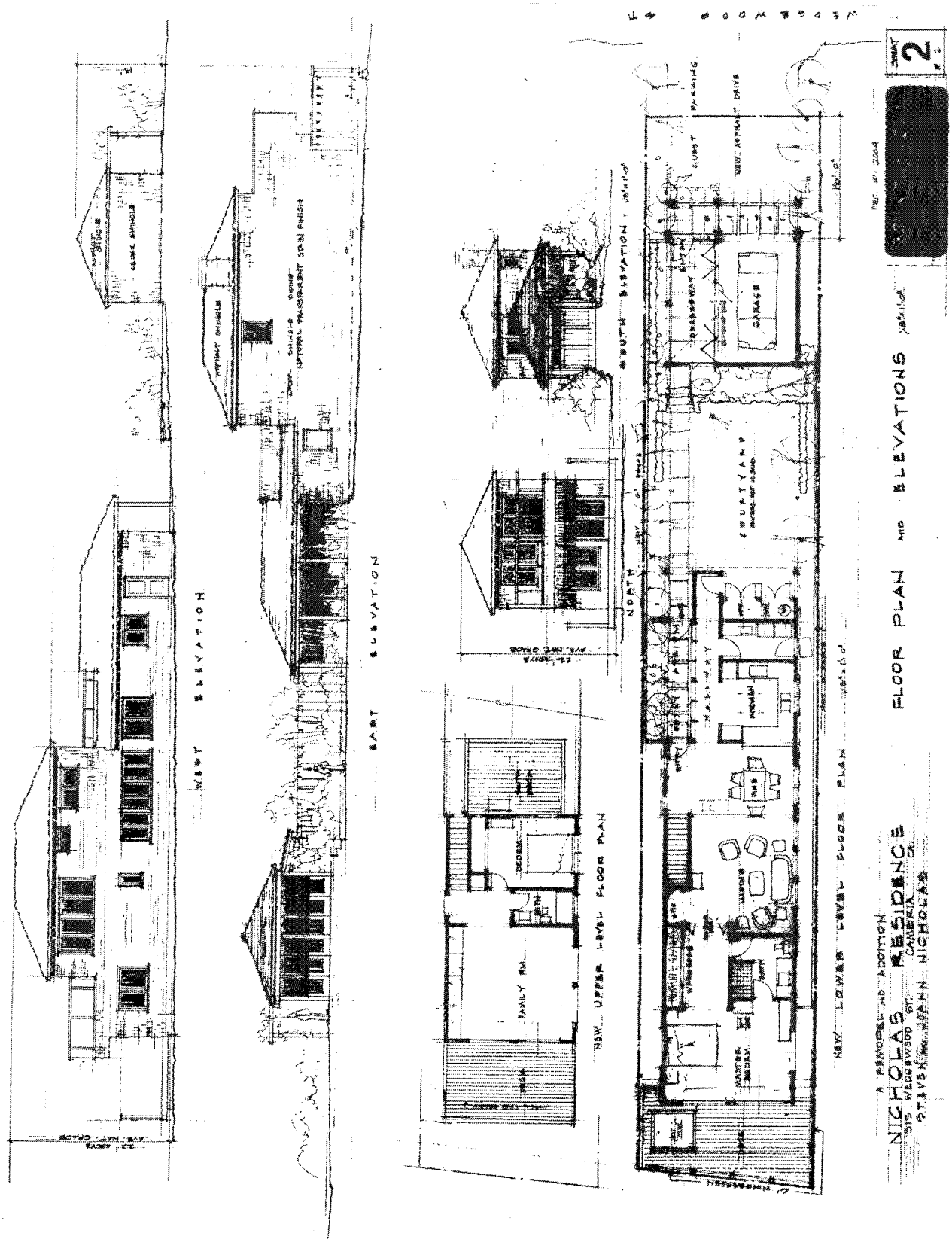
Minor Use Permit
Nicholas DRC2004-00126

EXHIBIT

Land Use Category Map

5-18

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

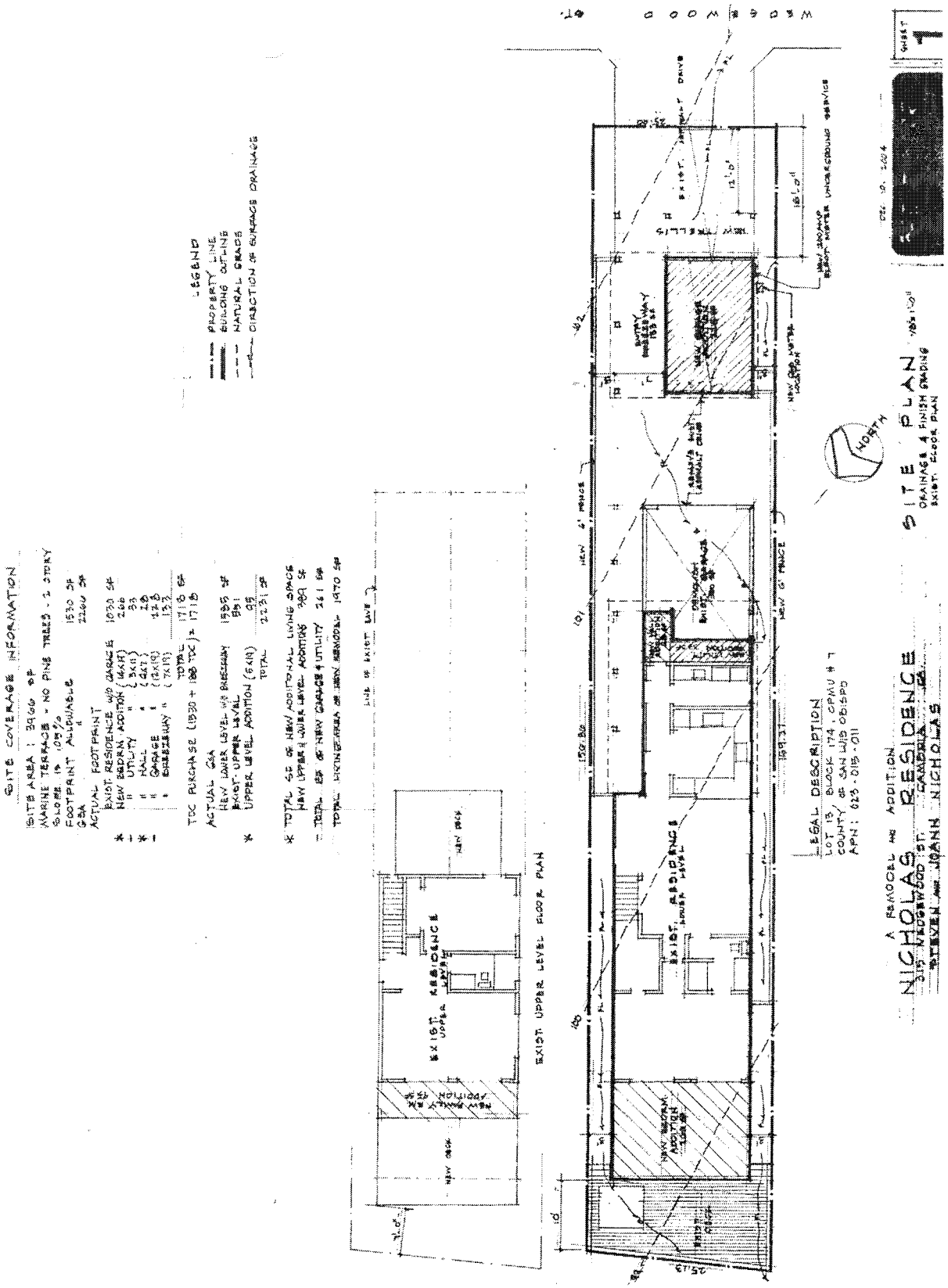
Minor Use Permit
Nicholas DRC2004-00126

EXHIBIT

Floor Plan/Elevations

5-13

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Minor Use Permit
Nicholas DRC2004-00126

EXHIBIT

Site Plan

S-14

PROJECT

Minor Use Permit
Nicholas DRC2004-00126

EXHIBIT

Aerial Photo