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

Tentative Notice of Action

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
December 16, 2005 LOCAL EFFECTIVE DATE December 30, 2005 APPROX FINAL EFFECTIVE DATE January 13, 2006	Kerry Brown 781-5713	Jason Papich	DRC2004-00223

SUBJECT
Hearing to consider a request by Jason Papich for a Minor Use Permit to allow a new 6,000 square feet storage/shop building on a site with an existing storage yard. The project will result in the disturbance of approximately 10,000 square feet of a 6-acre parcel. The proposed project is within the Industrial land use category and is located at 915 Sheridan Road, in the community of Callendar Garrett. The site is in the South County planning area.

RECOMMENDED ACTION
Approve Minor Use Permit/Coastal Development Permit DRC2004-00223 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.

ENVIRONMENTAL DETERMINATION
A Class 3 Categorical Exemption was issued on October 11, 2005 (ED05-152).

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Industrial	Local Coastal Plan Area, Coastal Appealable Zone	091-193-064	2

PLANNING AREA STANDARDS:
Allowable Uses and Permit Requirements
Does the project meet applicable Planning Area Standards: Yes - see discussion

LAND USE ORDINANCE STANDARDS:
Local Coastal Plan Area,
Does the project conform to the 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.

EXISTING USES: Storage yard and accessory buildings	
SURROUNDING LAND USE CATEGORIES AND USES: *North:* Residential Suburban and Industrial / residences and storage and wrecking yards *East:* Agriculture / growing grounds *South:* Industrial and Agriculture / storage yard and growing grounds *West:* Industrial / storage yards	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, County Fire / CDF, Cal Trans, and the California Coastal Commission	
TOPOGRAPHY: Nearly level	VEGETATION: None
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: On-site septic Fire Protection: County Fire / CDF	ACCEPTANCE DATE: October 14, 2005

DISCUSSION

PLANNING AREA STANDARDS:

Allowable Uses and Permit Requirements
Storage yards are allowable uses subject to Minor Use Permit approval. *This application meets this requirement.*

LAND USE ORDINANCE STANDARDS:

Section 23.07.120 - Local Coastal Program

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

COASTAL PLAN POLICIES:

Public Works:
Policy 1: Availability of Service Capacity: The applicant has demonstrated that adequate public service capacities are available to serve the proposed project because services already exist for the structure and will serve letters are required.
Coastal Watersheds:
Policy 7: Siting of new development: *The proposed project is consistent with this policy because the new storage building will be located on an existing lot of record in the Industrial land use category on a slope less than 20 percent.*
Policy 8: Timing of new construction: *The proposed project is consistent with this policy because the project is required to have an erosion and sedimentation control plan and all slope 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 shows the construction of the new residence will not increase erosion or runoff.*

Visual and Scenic Resources:

Policy 1: Site Selection for new development: *The proposed project is consistent with this policy because the development is sited so as to protect views to and along the ocean.*

Policy 5: Land-form Alteration: *The proposed project is consistent with this policy because grading, earthmoving, major vegetation removal and other land-form alterations within public view corridors will be minimized.*

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

AGENCY REVIEW:
Public Works- Recommends approval
County Fire / CDF Department – Fire plan needed
Cal Trans – no response as of November 10, 2005
California Coastal Commission – no response as of November 10, 2005

LEGAL LOT STATUS:
The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Kerry Brown and reviewed by Matt Janssen

EXHIBIT A - FINDINGS

CEQA Exemption

A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the project is a minor addition or alteration to an existing structure that does not expand the existing use of the structure.

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 project 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 project 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 with the project because the project is located road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

G. The project site is not located between the first public road and the ocean. The project site is within an urban reserve line (Callendar Garrett) and an existing coastal access point exists within 1 mile of the project site, therefore, the proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes a new 6,000 square feet storage/ shop building.

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

Site Development

2. The applicant shall submit plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.

3. 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 or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. All plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by County Fire / CDF for this proposed project.

Services

5. The applicant shall submit evidence that there is adequate water to serve the proposal, on the site.

6. The applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

7. The applicant shall pay all applicable school and public facilities fees.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Fire Safety

8. The applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.

Development Review Inspection

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

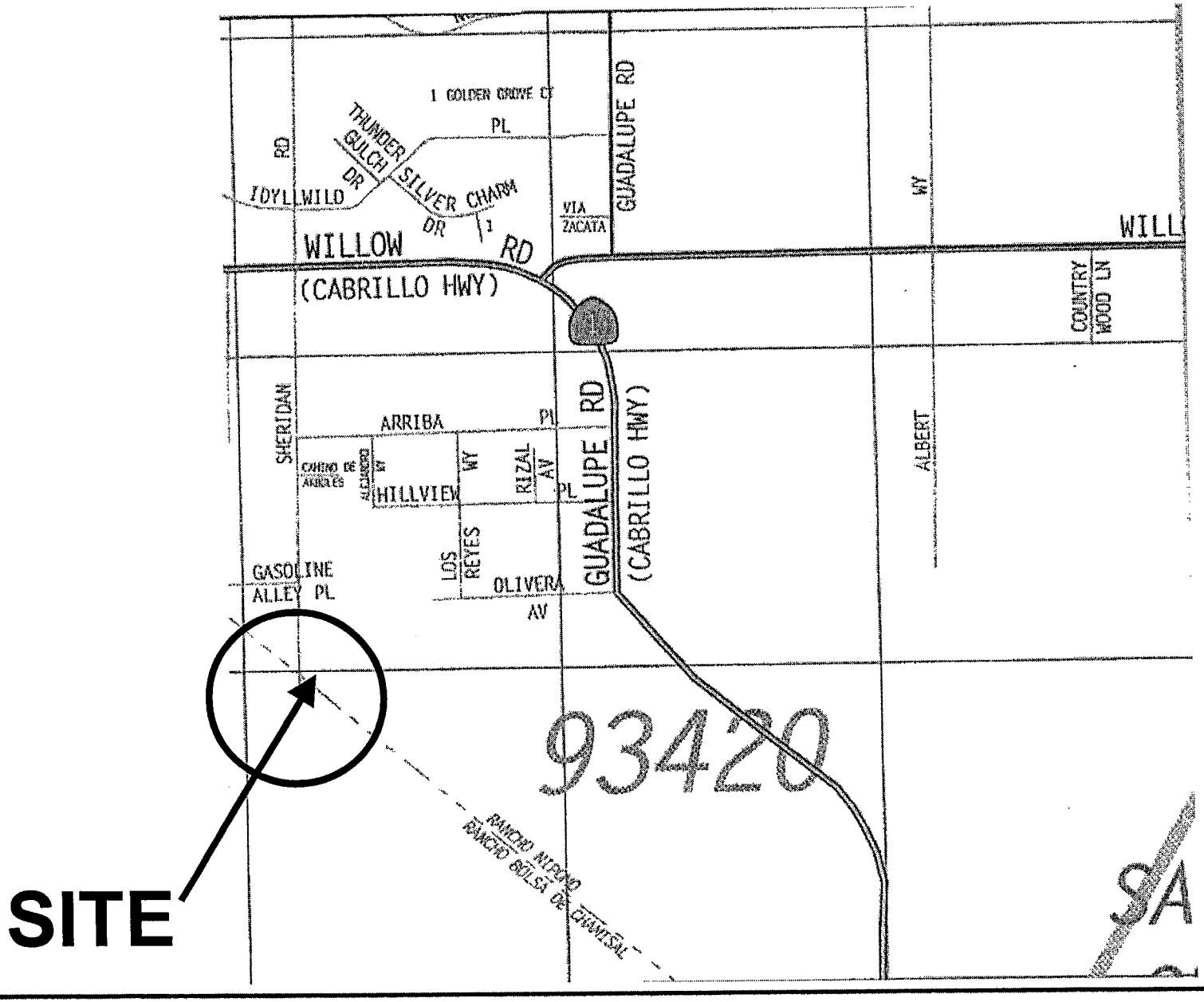
On-going conditions of approval (valid for the life of the project)

10. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or 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 Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

11. 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 Land Use Ordinance.

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Minor Use Permit

Papich DRC2004-00223

EXHIBIT

Vicinity Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

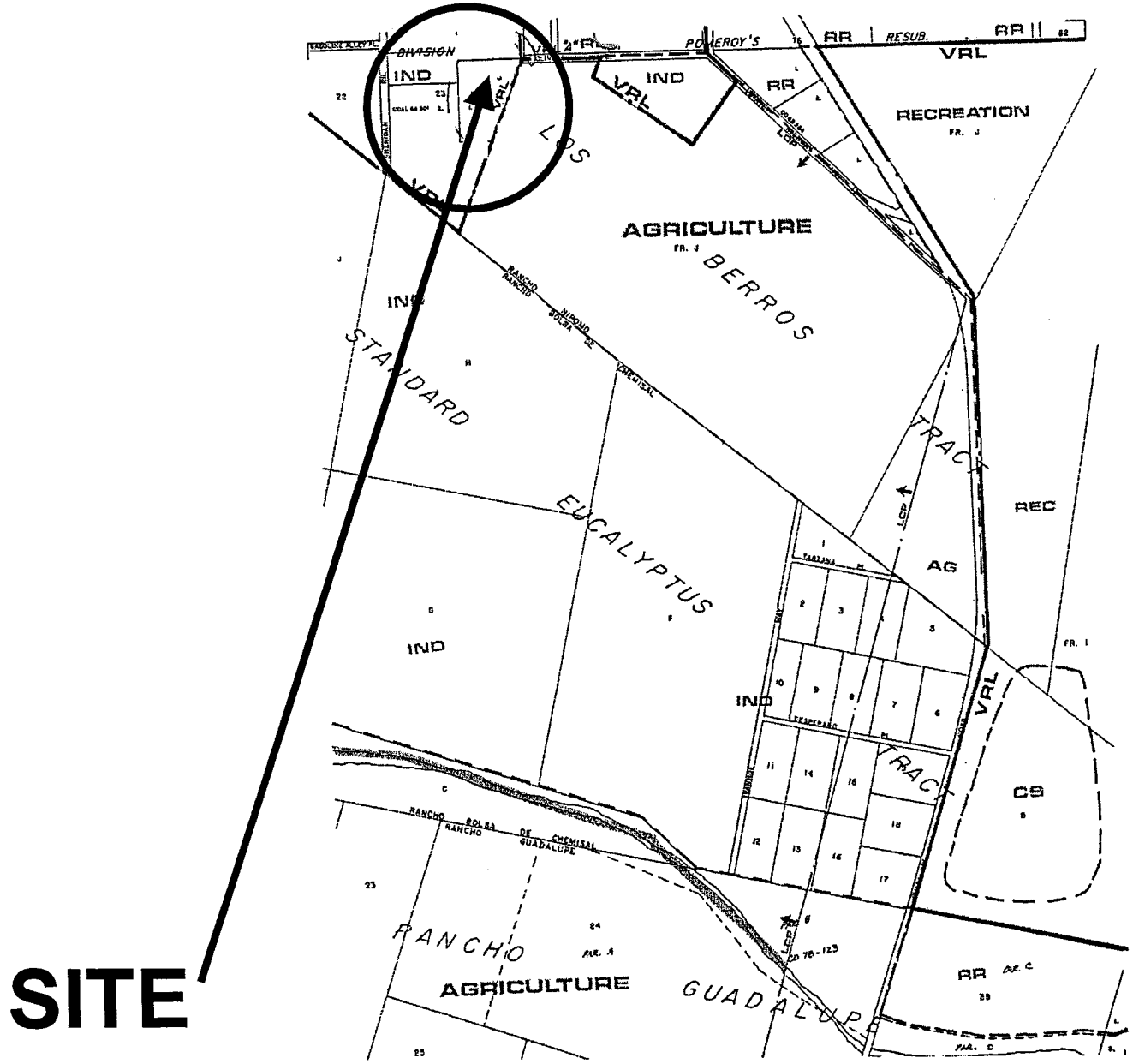


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EXHIBIT

Land Use Category

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

PROJECT

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EXHIBIT

Aerial

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

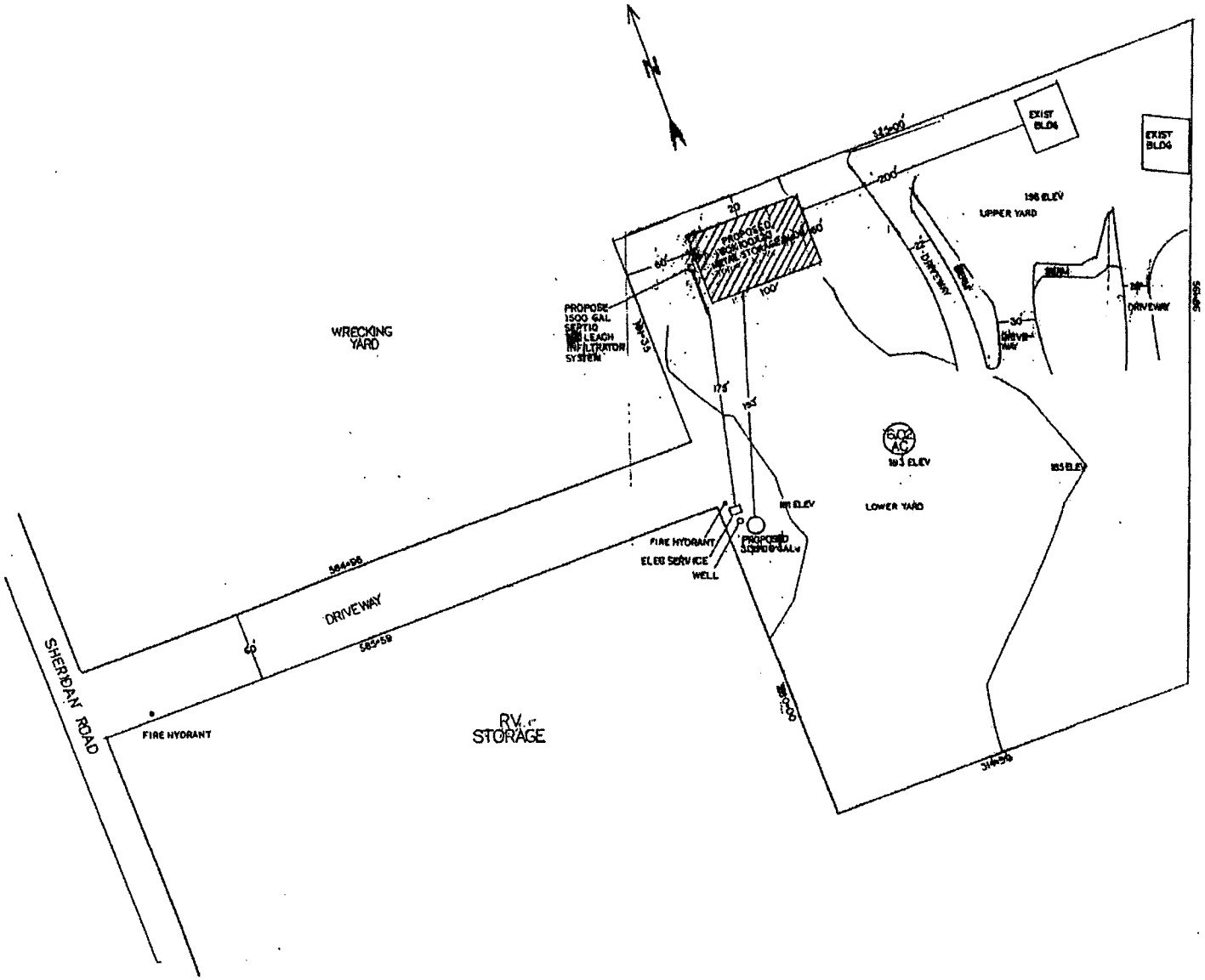

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EXHIBIT

Site Plan

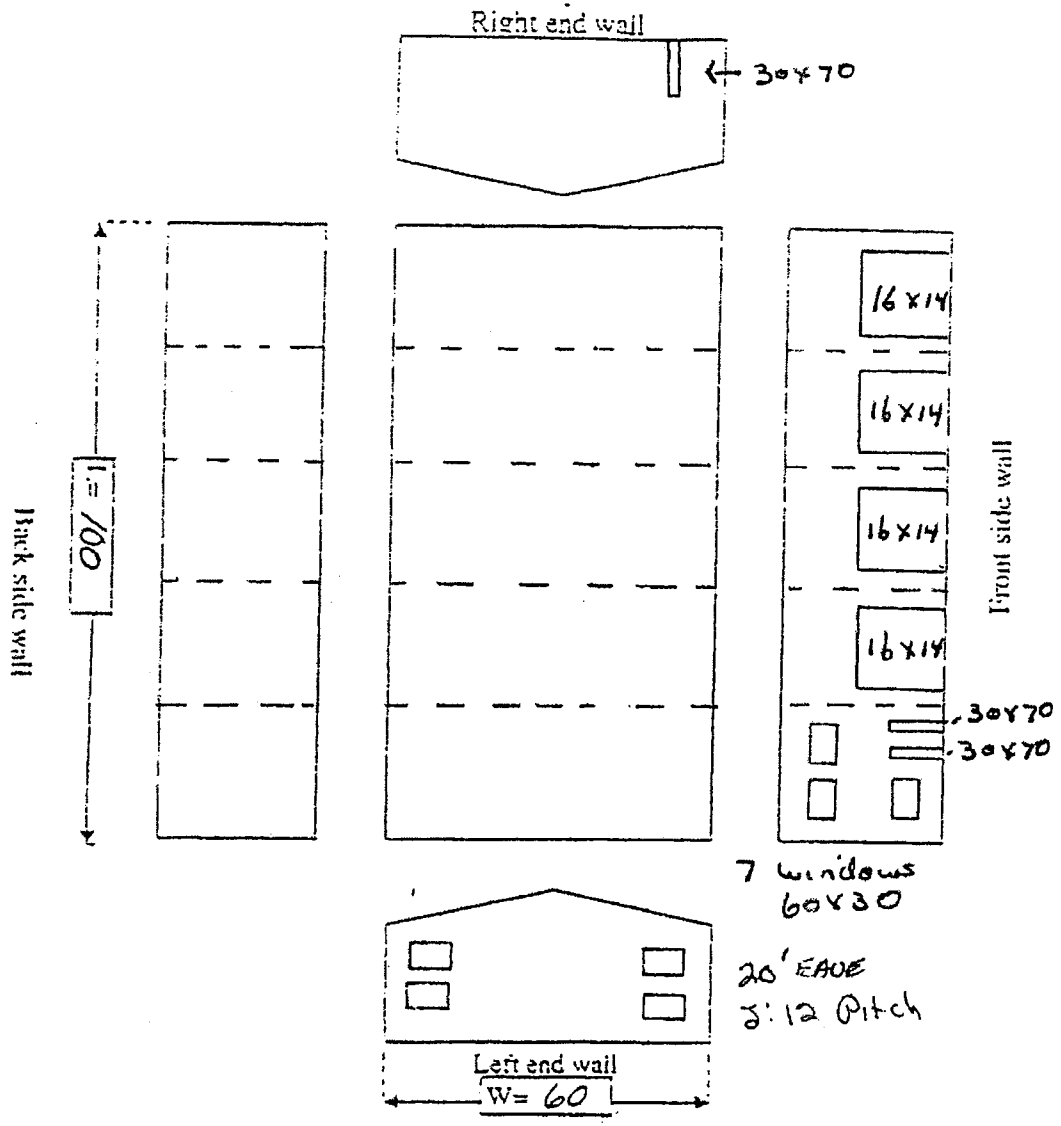

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EXHIBIT

Floor Plan/Elevation