Promoting the wise use of land
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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

MEETING DATE August 4, 2006 LOCAL EFFECTIVE DATE August 18, 2006 APPROX FINAL EFFECTIVE DATE September 8, 2006	CONTACT/PHONE Ryan Hostetter (805) 788-2008	APPLICANT Debra Johnson	FILE NO. DRC2005-00159

SUBJECT
Request by Debra Johnson for a Minor Use Permit/Coastal Development Permit to construct a new two story, approximately 2496 square foot, residence. The project will result in the disturbance of approximately 5,000 square feet of a 5,000 square foot parcel. The proposed project is within the Residential Single Family land use category and is located on a vacant lot that is located on the south side of 1st street in between Pacific Ave. and South Ocean in the community of Cayucos. The site is in the Estero planning area.

RECOMMENDED ACTION
Approve Minor Use Permit / Coastal Development Permit DRC2005-00159 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.

ENVIRONMENTAL DETERMINATION
A Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303, (ED06-008) was issued on July 7, 2006.

LAND USE CATEGORY	COMBINING DESIGNATIONS	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Residential Single Family	Small Scale Neighborhood Local Coastal Program Coastal Appealable Zone	064-123-014	2

PLANNING AREA STANDARDS:
Height Limits, Setbacks, Gross Structural Area, Deck Rail Height, Parking, and Driveway Width
Does the project meet applicable Planning Area Standards: Yes - see discussion

LAND USE ORDINANCE STANDARDS:
Local Coastal Program
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.

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
COUNTY GOVERNMENT CENTER ✦ SAN LUIS OBISPO ✦ CALIFORNIA 93408 ✦ (805) 781-5600 ✦ FAX: (805) 781-1242

EXISTING USES: Vacant lot	
SURROUNDING LAND USE CATEGORIES AND USES: *North:* Residential Single Family/Residential *South:* Residential Single Family/Residential	*East:* Commercial Retail/hotel *West:* Residential Single Family/Residential
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Cayucos Citizens Advisory Council (CCAC), Public Works, Cayucos Fire Protection District, Cayucos Sanitary District, Paso Robles Beach Water Assn, California Coastal Commission, RWQCB, and Kerry Brown (CCAC liaison)	
TOPOGRAPHY: Nearly level	VEGETATION: grasses
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Cayucos Sanitary District Fire Protection: Cayucos Fire Protection District	ACCEPTANCE DATE: June 29, 2006

DISCUSSION

PLANNING AREA STANDARDS: The site is located in the small scale neighborhood designation - Studio Drive Neighborhood.

DISCUSSION

Planning Area Standards: Small Scale Design Neighborhood

STANDARD/GUIDELINE	REQUIRED/ALLOWABLE	PROPOSED	STATUS
FRONT SETACKS			
GROUND FLOOR	15' MIN.	10'	**O.K.**
2ND FLOOR ADDITIONAL SETBACK	3' MIN. (OPEN-RAIL, UNCOVERED DECK O.K.)	3'	**O.K. WITH CONDITION TO REMOVE COVERED DECK ON UPPER FLOOR**
LOWER STORY WALL HEIGHT	12' MAX.	12'	**O.K.**
SIDE SETBACKS			
LOWER FLOOR	4' MIN.	4'	**O.K[2]**
UPPER STORY	2.5' MIN. ADDITIONAL (30% OF UPPER STORY SIDE WALL MAY ALIGN WITH LOWER FLOOR IN REAR 2/3 OF STRUCTURE)	2.5'	**O.K WITH CONDITION TO REMOVE COVERED DECK ON SIDE IN FRONT 70% OF HOME**
REAR SETBACK	10' MIN.	10'	**O.K**
HEIGHT	24' MAX. WITH 5:12 ROOF PITCH	24' WITH 5:12 ROOF PITCH	**O.K**
GSA	50%, NOT > 3,500 FT.^{2} UPPER FLOOR NOT GREATER THAN 60% OF LOWER FLOOR	2,500 FT.^{2} LOWER FLOOR 1,255 FT.^{2} UPPER FLOOR 757 FT.^{2}	**O.K-WITH REMOVAL OF CARPORT AS CONDITIONED**

UPPER FLOOR DECK RAIL HEIGHT	36"	36"	**O.K**
PARKING	1 10X20' MIN. ENCLOSED SPACE, 1 SPACE WITHIN FRONT SETBACK WITH 20' MIN. GARAGE SETBACK	TWO CAR GARAGE AND SINGLE CAR CARPORT	**O.K**
DRIEVEWAY WIDTH	18' MAX.	18' DRIVEWAY FOR GARAGE AND AN APPROX 11 FT DRIVEWAY (TURF BLOCK) FOR CARPORT	**O.K WITH REMOVAL OF SECOND DRIVEWAY**
GUIDELINES	MINIMIZE IMPACTS ON ADJ. RESIDENCES; ARCH. DETAILS TO REDUCE APPARENT MASS; LANDSCAPING TO REDUCE SCALE	COMPLIES	**O.K**

LAND USE ORDINANCE STANDARDS:
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 Program.

COASTAL PLAN POLICIES: The project is consistent with the Coastal Plan Policies as conditioned. The most relevant policies are discussed below.

Public Works:
Policy 1: New Development: The project is a new single family residence and the project has will serve from CSA 10 A and Cayucos Sanitary District as conditioned.
Coastal Watersheds:
Policy 7: Siting of new development: The proposed project is consistent with this policy because the residence will be located on slopes under 20% and it is not in an Environmentally Sensitive Habitat Area.
Policy 8: Timing of new construction: The proposed project is subject to CZLUO Section 23.05.036 and slope and erosion control measures will be in place if land clearing or grading is to occur during the rainy season.
Policy 9: Techniques for Minimizing Sedimentation: The proposed project is subject to CZLUO Section 23.05.036 and appropriate control measures will be used to minimize erosion and sedimentation.
Policy 10: Drainage Provisions: The drainage plan will ensure that drainage does not increase erosion.
Visual and Scenic Resources:
Policy 2: Site Selection for New Development: The proposed project is consistent with this policy because the public view of the ocean from Highway One is not being further limited.
Policy 6: Special Communities and Small-Scale Neighborhoods: The proposed project meets the community small scale neighborhood design standards and is therefore consistent with the character and intent of the Cayucos community Small Scale Design Neighborhood standards.
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.
Archaeology:
Policy 4: The project is conditioned in the event resources are unearthed during construction.

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

COMMUNITY ADVISORY GROUP COMMENTS: None received as of July 7, 2006
AGENCY REVIEW:
Public Works – Recommend approval
Cayucos Fire Protection District - no comment; conditioned for Fire Safety Plan
Cayucos Sanitary District – See will serve letter in file dated June 9, 2006
Paso Robles Beach Water Association – See will serve letter in file dated June 6, 2006
California Coastal Commission - No comment
RWQCB – no water quality issues

Staff report prepared by Ryan Hostetter and reviewed by Matt Janssen

EXHIBIT A - FINDINGS

CEQA Exemption

A. The project qualifies for a (Class 3) Categorical Exemption (ED06-008) was issued pursuant to CEQA Guidelines Section 15303 because this project is a single family residence in a single family zone.

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 on Studio Drive, a local road constructed to a level able to handle any additional traffic associated with the project.

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.

Small Scale Neighborhood

H. The proposed project meets the community small scale neighborhood design standards and is therefore consistent with the character and intent of the Cayucos community small scale design neighborhood.

I. Public view of the ocean from Highway One is not being further limited.

EXHIBIT B - CONDITIONS OF APPROVAL

Authorized Use

1. This approval authorizes the construction of a new two story, approximately 2,496 square foot, residence. The project will result in the disturbance of approximately 5,000 square feet of a 5,000 square foot parcel.

2. Site development shall be consistent with ***revised*** site plans, elevations, and floor plans which show the following:

    a. Removal of the proposed carport or reduce the gross structural area (GSA) of the home so that there is a maximum of 2,500 square feet of GSA.
    b. Remove all covered decks within the front and side setbacks.
    c. Removal of the second driveway. Maximum driveway width on the property is 18'.

Conditions required to be completed prior to issuance of construction permit

3. **Prior to issuance of construction permit**, the applicant shall submit a drainage and erosion and sedimentation control plan to Public Works for approval.

4. **Prior to issuance of construction permit**, the applicant shall submit a landscape plan incorporating native drought tolerant plants to Department of Planning and Building for approval.

Sanitary District Release

5. **Prior to issuance of a building permit,** the applicant shall obtain a signed release from the **Cayucos Sanitary District** to ensure that all of their concerns, requirements, fees, and design issues have been addressed. The applicant shall submit the signed release to development review staff prior to requesting building permit issuance.

Miscellaneous

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

Conditions required to be completed during construction

Height and Verification

7. **Prior to setting foundation forms** (and foundation inspection), the applicant's contractor shall call for a "building height point of measure verification" by setting a height point of measure stake and requesting a field verification by a county building inspector. Maximum height is 24 feet as measured from the center line of Studio Drive at midpoint between the two side property lines.

Conditions required to be completed prior to final inspection and occupancy

Landscaping

8. **Prior to final building inspection**, landscaping shall be installed per the approved landscape plan which uses drip irrigation and drought tolerant vegetation and pervious paving.

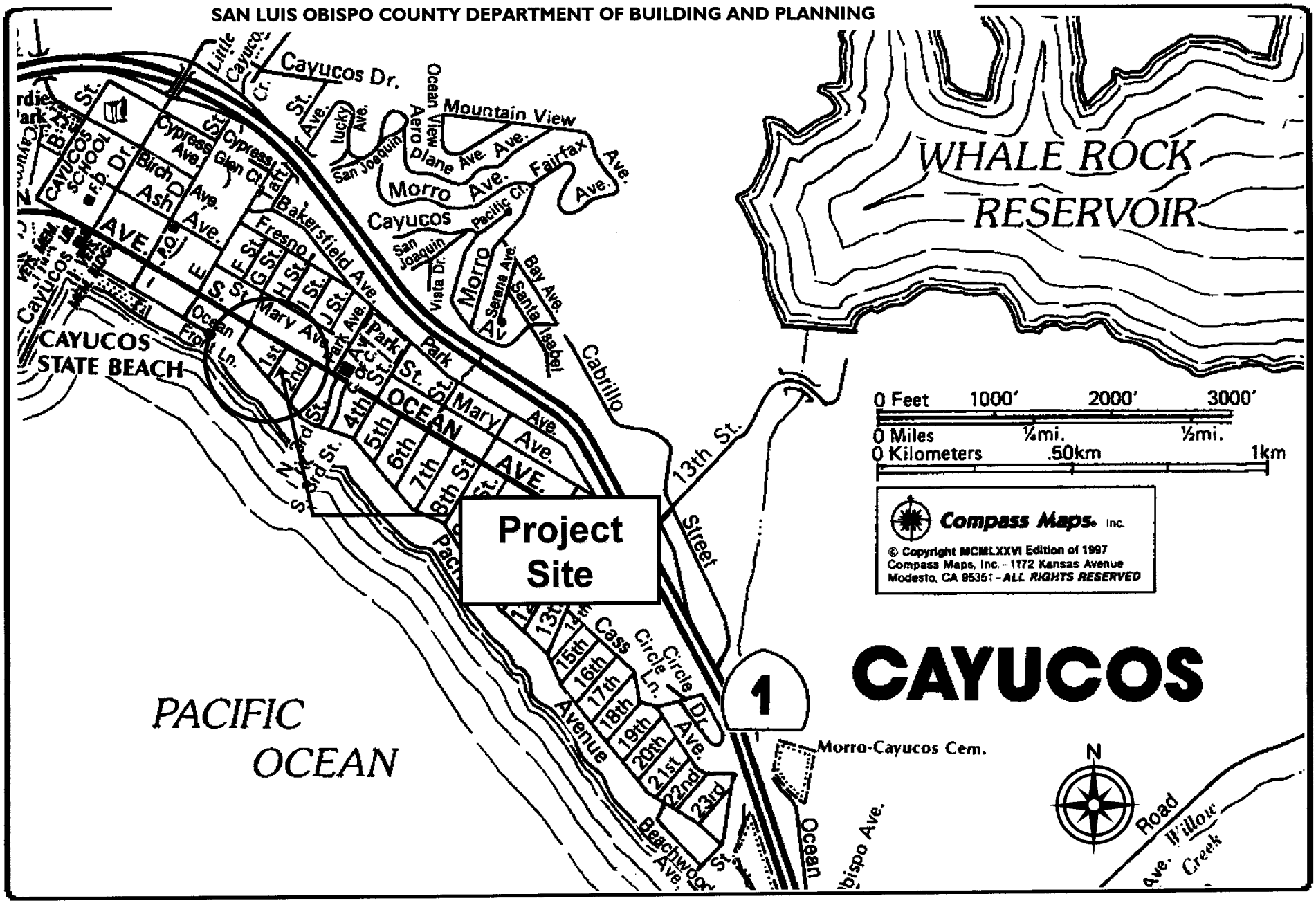
Fire Safety

9. **Prior to final inspection**, the applicant shall comply with all of the requirements of the Cayucos Fire Protection District.

10. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

11. This 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. This permit is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

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EXHIBIT

Cayucos Vicinity

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

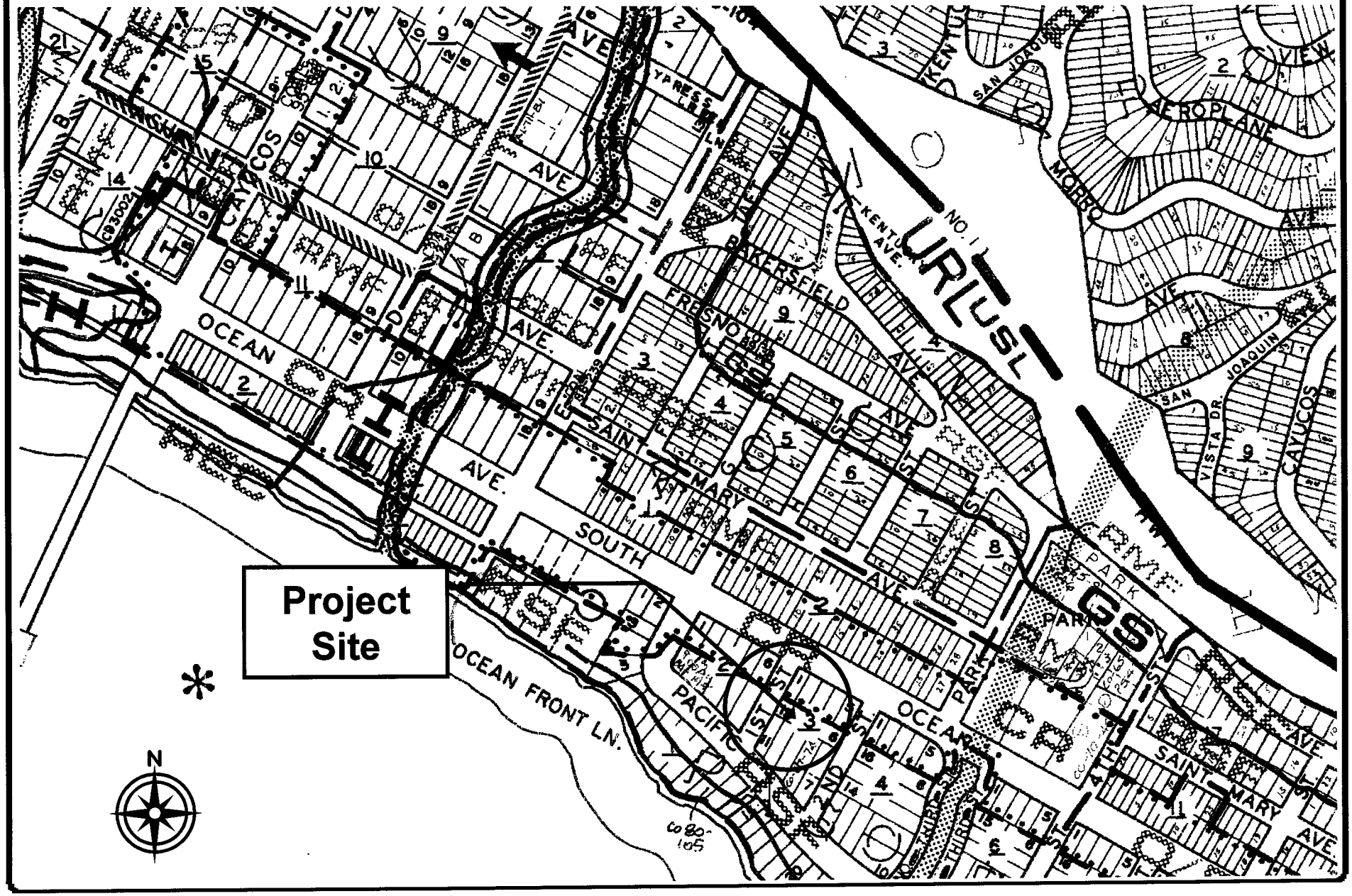

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EXHIBIT

Land Use Category

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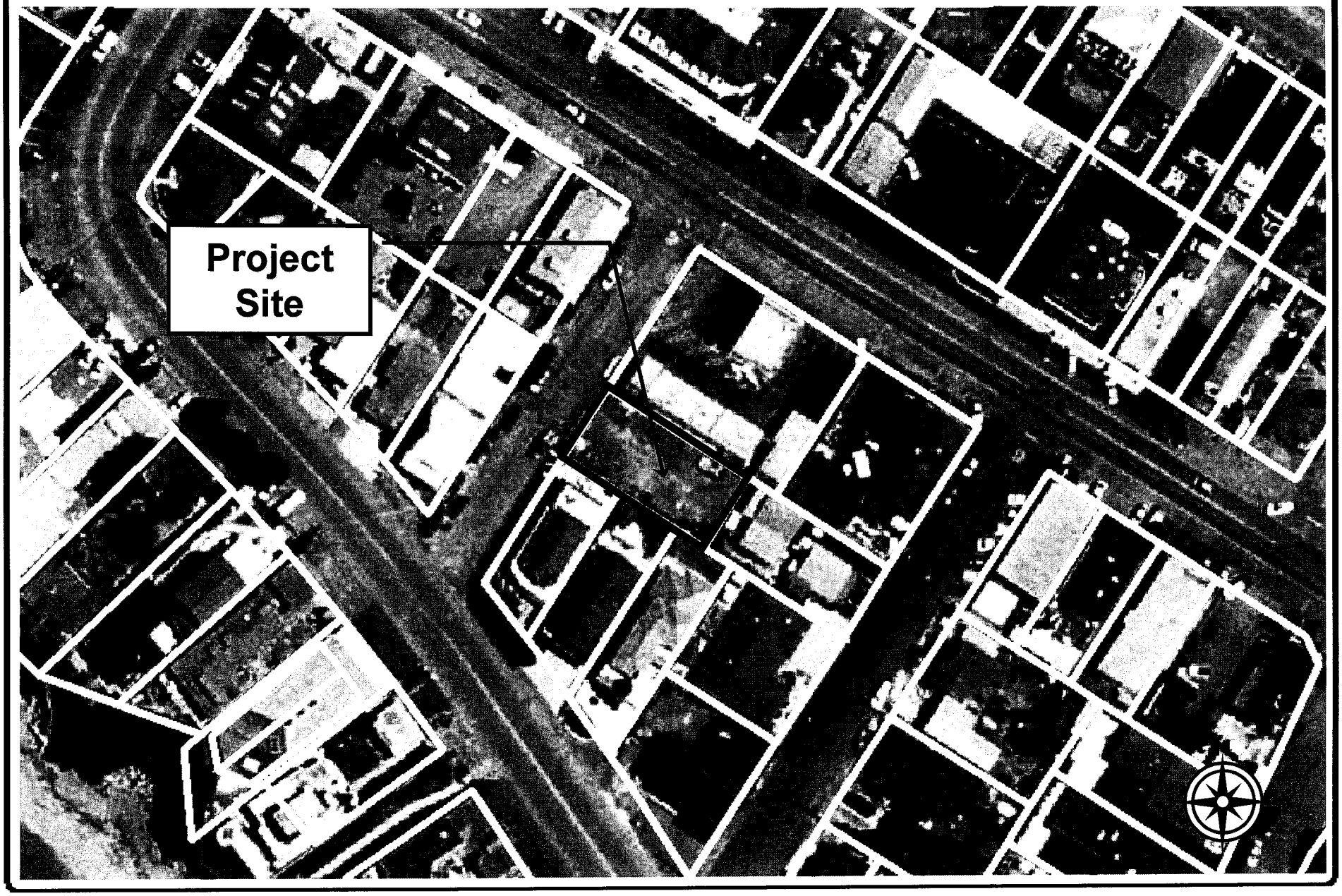

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EXHIBIT

Aerial Photo

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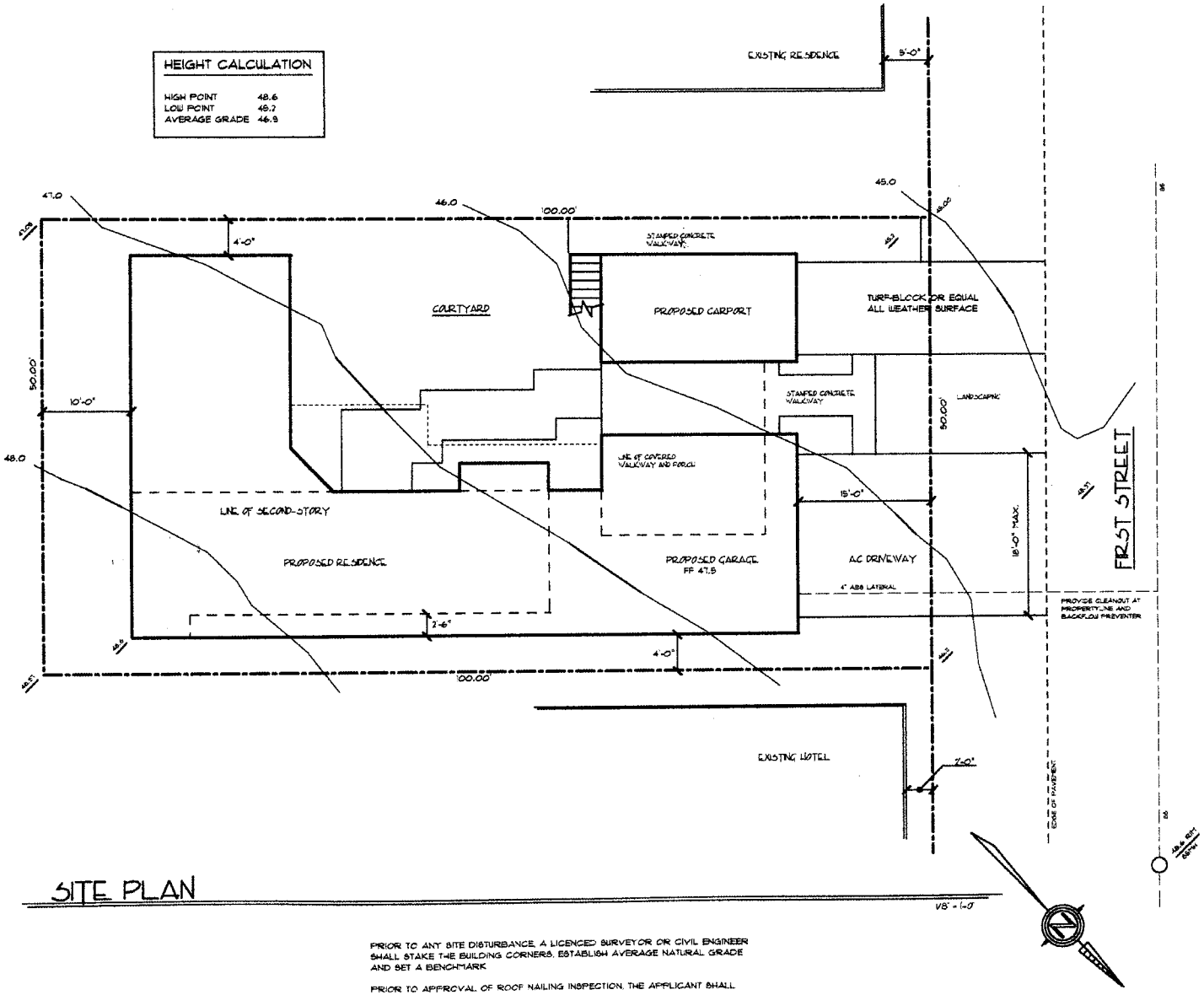

PRIOR TO ANY SITE DISTURBANCE, A LICENCED SURVEYOR OR CIVIL ENGINEER SHALL STAKE THE BUILDING CORNERS, ESTABLISH AVERAGE NATURAL GRADE AND SET A BENCHMARK

PRIOR TO APPROVAL OF ROOF NAILING INSPECTION, THE APPLICANT SHALL

PROJECT

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EXHIBIT

Site Plan

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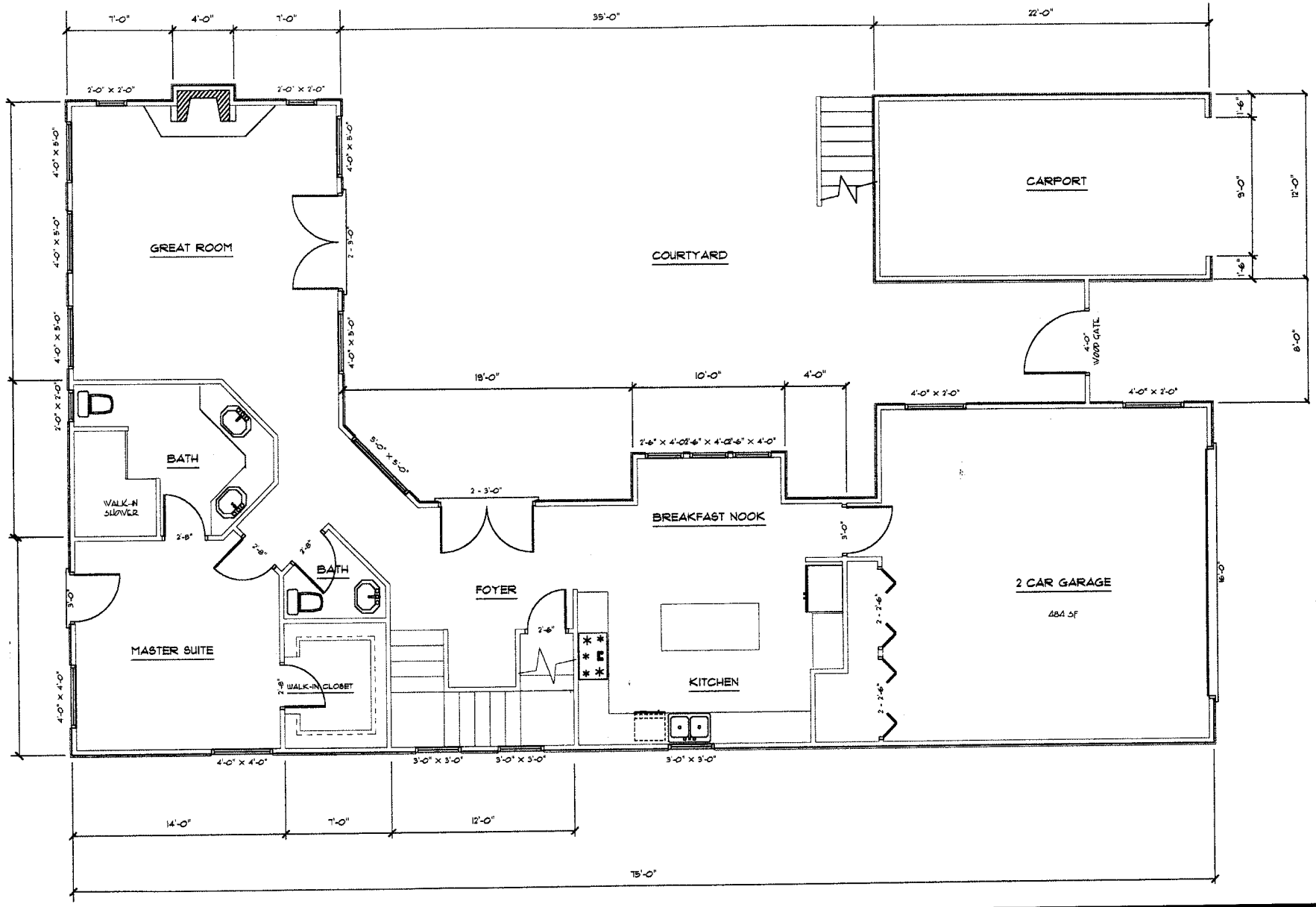

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EXHIBIT

Lower Floor Plan

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

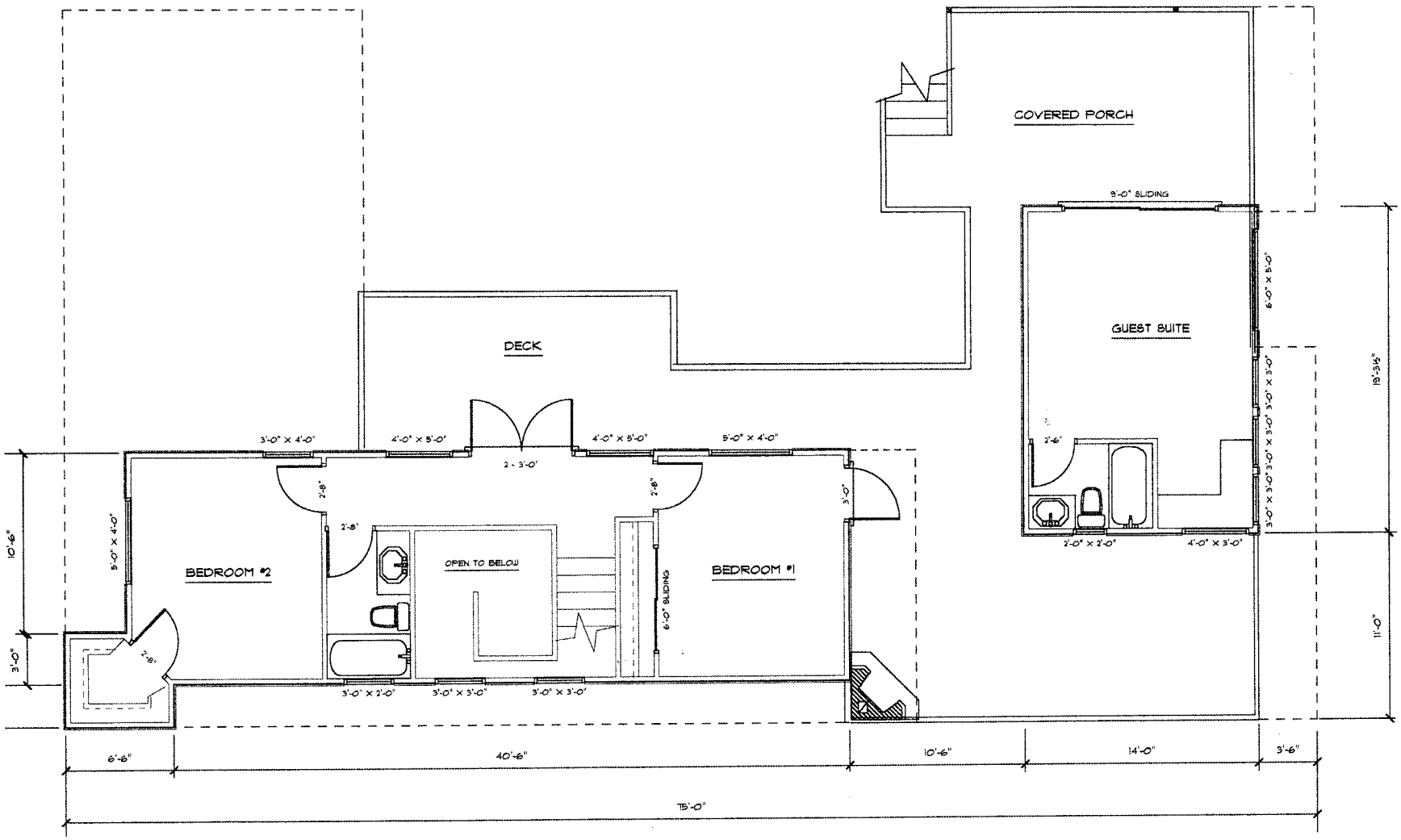

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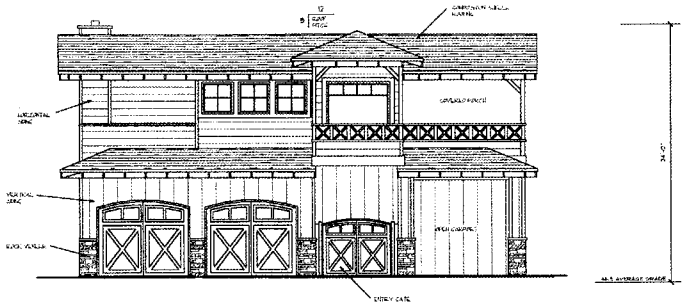
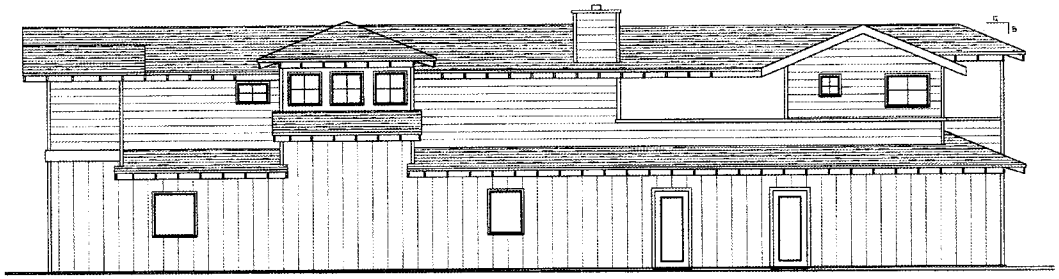
EXHIBIT

Upper Floor Plan

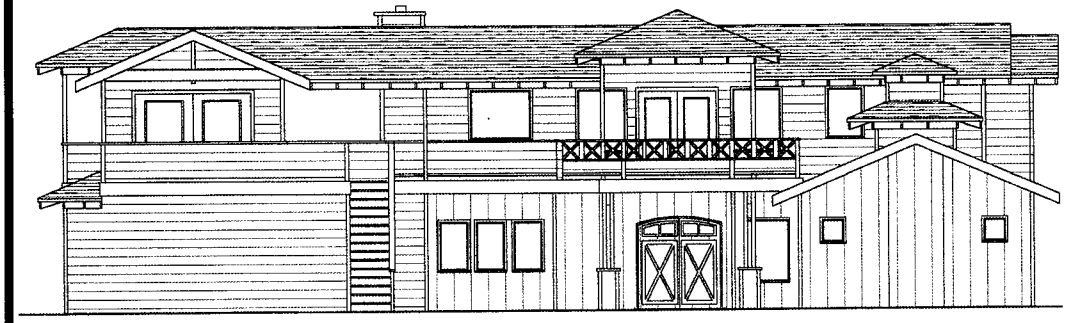
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



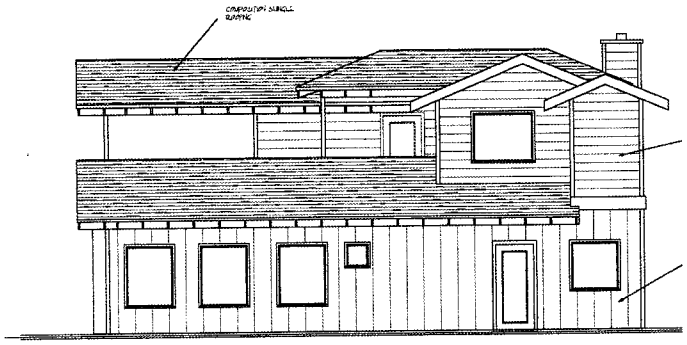
FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

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EXHIBIT

Elevations