

Rob Fitzroy 11/8/16

**SAN LUIS OBISPO PLANNING DEPARTMENT HEARING MINUTES FOR THE MEETING
OF
Friday, October 14, 2016**

Minutes of the Regular Meeting of the County Planning Department Hearings held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by **Rob Fitzroy, Hearing Officer.**

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.

Rob Fitzroy, Hearing Officer: opens meeting.

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Planning Department Hearing Officer on consent agenda items and matters other than hearing items may do so at this time, when recognized by the Hearing Officer. Presentations are limited to three minutes per individual.

Rob Fitzroy, Hearing Officer: opens and closes public comment with no one coming forward.

CONSENT AGENDA

2. Unless pulled from the consent agenda by the Planning Department Hearing Officer for separate action, the following items will be acted on collectively because individual public hearings were not requested or required pursuant to Land Use Ordinance Section 22.062.050B.4.b. or Coastal Zone Land Use Ordinance Sections 23.02.033b.(2)(ii) and 23.02.033b.(4)(ii):

3. August 5, 2016 PDH DRAFT Minutes

Thereafter, on motion of the hearing officer, the Planning and Building Department Minutes of August 5, 2016 are Received and Filed as recommended and are available on file at the office of the Planning and Building Department.

4. August 19, 2016 PDH DRAFT Minutes

Thereafter, on motion of the hearing officer, the Planning and Building Department Minutes of August 19, 2016 are Received and Filed as recommended and are available on file at the office of the Planning and Building Department.

5. A request by **DAVID FRIEDBERG and LYNNE SCHMITZ** for a Minor Use Permit (DRC2015-00109) to allow for the demolition of one unoccupied single family dwelling and construction of a 9,100 square-foot (sf) general retail store and related site infrastructure, including associated parking, landscaping, lighting, and storm drainage. The proposed project is within the Commercial Retail land

use category and is located at 972 K St., on the northeast corner of the intersection at 9th St., within the community of San Miguel. The site is within the Salinas River sub-area of the North County planning area. Also to be considered is the approval of the environmental determination. A mitigated negative declaration was issued on August 18, 2016.

County File Number: DRC2015-00109
Supervisorial District: 1
Project Manager: Kate Shea

Assessor Parcel Number: 021-322-004
Date Accepted: April 25, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by DAVID FRIEDBERG and LYNNE SCHMITZ for a Minor Use Permit (DRC2015-00109) is granted based on the Findings A. through F. in Exhibit A and subject to the Conditions 1 through 52 in Exhibit B. (Document Number: 2016-068_PDH)

6. A request by **PAMELA & RANDY BRINDLEY** for a Minor Use Permit/Coastal Development Permit (DRC2014-00155) to allow the construction of a 440 square foot second floor addition, a 250 square foot deck, and remodel of an existing single family residence; resulting in a 1,555 square foot two story single family residence. The project will result in site disturbance of the entire 2,640 square-foot parcel. The property is within the Residential Single Family land use category, within the Small Scale Design neighborhood, and is located at 51 Mannix Avenue, on the northeast corner of the intersection of Studio Drive and Mannix Avenue, in the community of Cayucos. The site is located in the Estero planning area. Also to be considered is the approval of the environmental document. The project is exempt under CEQA.

County File Number: DRC2014-00155
Supervisorial District: 2
Project Manager: Schani Siong

Assessor Parcel Number: 064-443-017
Date Accepted: April 8, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by PAMELA & RANDY BRINDLEY for a Minor Use Permit/Coastal Development Permit (DRC2014-00155) is granted based on the Findings A. through H. in Exhibit A and subject to the Conditions 1 through 32 in Exhibit B. (Document Number: 2016-069_PDH)

7. A request by **JOHN AND DAWN TURNER** for a Minor Use Permit (DRC2015-00140) to allow grading on slopes in excess of 20% for the construction of a 2,498 square foot, two-story, single family residence with a 675 square foot attached garage and approximately 563 square feet of deck area. The proposed project will result in the disturbance of approximately 5,084 square-feet of the 7,440 square foot vacant parcel. The proposed project is within the Residential Single Family land use category and is located at 2709 Santa Barbara Avenue, approximately 645 feet east of the Studio Drive and CA Highway 1 intersection, in the community of Cayucos. The site is in the Estero planning area. Also to be considered is approval of the environmental document. A Class 3 Categorical Exemption was issued for this project.

County File Number: DRC2015-00140
Supervisorial District: 2
Project Manager: Brandi Cummings

Assessor Parcel Number: 064-203-073
Date Accepted: August 9, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by JOHN AND DAWN TURNER for a Minor Use Permit (DRC2015-00140) is granted based on the Findings A. through G. in Exhibit A and subject to the Conditions 1 through 34 in Exhibit B. (Document Number: 2016-070_PDH)

8. A request by **DAN AND JUDE CLEMENT** for a Minor Use Permit/Coastal Development Permit (DRC2015-00119) to allow the following: conversion of an existing 416 square-foot garage to living space, an addition of 270 square feet of living area, a 500 square foot garage addition, a 228 square foot roof deck, and remodel of the existing residence. The proposed project will result in the permanent disturbance of 770 square-feet of the 10,000 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 1261 Pasadena Drive, approximately 364 feet southwest of the Pasadena Drive and Santa Ysabel Avenue intersection, in the community of Los Osos. The site is in the Estero planning area. Also to be considered is approval of the environmental document. A Class 1 Categorical Exemption was issued for this project.

County File Number: DRC2015-00119
Supervisorial District: 2
Project Manager: Brandi Cummings

Assessor Parcel Number: 038-732-003
Date Accepted: August 9, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by **DAN AND JUDE CLEMENT** for a Minor Use Permit/Coastal Development Permit (DRC2015-00119) is granted based on the Findings A. through G. in Exhibit A and subject to the Conditions 1 through 34 in Exhibit B. (Document Number: 2016-071_PDH)

9. A request by **CHAD AND LAUREN RAVA** for a Minor Use Permit (DRC2015-00148) to allow a wine production facility (maximum 10,000 cases of wine annually) and a public tasting room within two existing structures on an 80-acre site. The request includes a 9,928 square foot (sf) wine production facility in an existing 34,500 sf agriculture storage barn, an 830 sf tasting room to be located on the ground floor portion of an existing residence, and a 500 sf outdoor crush pad. The applicant is also requesting a modification to allow the wine production facility to be located 51 feet from the west side property line instead of 100 feet per ordinance requirement. The site was previously authorized for up to 25 Temporary Events per year (DRC2010-00086). The proposed project is within the Agriculture land use category and is located at 6785 Creston Road, approximately 4.5 miles east of the City of Paso Robles. The site is in the North County planning area of the El Pomar-Estrella sub area. Also to be considered is the approval of the environmental document. A Class 1 categorical exemption was issued for this project.

County File Number: DRC2015-00148
Supervisorial District: 5
Project Manager: Cindy Chambers

Assessor Parcel Number: 035-341-023 & 24
Date Accepted: July 29, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by **CHAD AND LAUREN RAVA** for a Minor Use Permit (DRC2015-00148) is granted based on the Findings A. through G. in Exhibit A and subject to the Conditions 1 through 26 in Exhibit B. (Document Number: 2016-072_PDH)

HEARING ITEMS

10. A continued request by **FU-CHUAN TSAI (CHATHAM LANE, LLC)** for a Minor Use Permit / Coastal Development Permit (DRC2015-00130) to allow an existing 2,423 square-foot, 3-bedroom single family residence to be used as a residential vacation rental. The Minor Use Permit is requesting to modify the location standard for vacation rentals per Coastal Zone Land Use Ordinance Section 23.08.165(C)(1). The requested waiver would allow the proposed vacation rental to be located immediately adjacent to an existing vacation rental and within 50 feet of two other vacation rentals, which is closer than the location requirement allows for. The proposed project will result in no site disturbance on a 3,050 square-foot parcel. The proposed project is within the Residential Single

Family land use category and is located at 201 Chatham Lane, on the northeast corner of the Chatham Lane and Moonstone Beach Drive intersection, within the community of Cambria. The site is in the North Coast planning area. Also to be considered is approval of the environmental determination. The project is exempt under CEQA. This item was continued from August 19, 2016.

County File Number: DRC2015-00130
Supervisorial District: 2
Project Manager: Airlin M. Singewald

Assessor Parcel Number: 022-014-039
Date Accepted: July 1, 2016
Recommendation: Denial

Rob Fitzroy, Hearing Officer: states the applicant has requested this item to be Continued to a new Hearing Date of March 10, 2017.

Thereafter, on motion of the hearing officer, the continued request by FU-CHUAN TSAI (CHATHAM LANE, LLC) for a Minor Use Permit / Coastal Development Permit (DRC2015-00130) is Continued to the New Hearing date of March 10, 2017.

11. A continued request by **GREENGATE FARMS SLO LLC and GREEN GATE FARMS EDNA VALLEY, LLC.** for a Minor Use Permit (DRC2012-00078) to allow Temporary Events on a 210 acre site. The Temporary Event program will include: 25 events with up to 500 people; 50 events with up to 300 people; and 50 activities with up to 200 people. Multiple Temporary Events may occur on a single day and the number of Temporary Events per year shall not exceed 125. The proposed project is located within the Agriculture land use category, on the east side of Edna Road (SR 227) at the intersection of Corbett Canyon Road. The project site is approximately 3.6 miles south of the City of San Luis Obispo in the South County planning area (San Luis Obispo Sub Area South). Also to be considered is the approval of the Mitigated Negative Declaration that was issued on July 28, 2016.

County File Number: DRC2012-00078
Supervisorial District: 3
Project Manager: Holly Phipps

APN(s): 044-161-010, 044-161-009,
044-233-010
Date Accepted: March 4, 2016
Recommendation: Approval

Holly Phipps, Project Manager: presents staff report via power point. Stated that pages 14-16 are duplicate Findings and Conditions and need to be deleted.

Jamie Kirk, Agent: presents presentation via power point.

Rob Fitzroy, Hearing Officer: opens public comment.

Karen Merriam, Sierra Club: submits letter today and sent additional information previous to hearing for the record. States concern with the size of the project and other event centers near the proposed project.

Lea Brooks, Bike SLO County: questions why only a Negative Declaration was required and why wasn't the County Bicyclist Committee asked to review this project.

Rob Fitzroy, Hearing Officer: closes public comment.

Rob Fitzroy, Hearing Officer: request to start with the safety issues and requirements that the applicant will need to comply with regarding sprinklers and things like that.

Mike Salas, County Fire: discusses concern with the fire safety plan and fire sprinklers.

Holly Phipps, Project Manager: comments on the noise issues, also discusses the surrounding

properties with events.

Glenn Marshall, Public Works: speaks to the traffic issues and commutative development.

Rob Fitzroy, questions the transportation management plan with Mr. Marshall responding.

Discusses revising condition with Mr. Marshall and Ms. Kirk.

Karen Nall, Hearing Officer: responds to revising condition.

Rob Fitzroy, Hearing Officer: requests to discuss the Noise issues with Ms. Phipps responding. Reviewing Conditions 36, 31, 55 -58, 59 and 50.

Jamie Kirk, Agent: states that the non-profits are exempt, offers to adjust Condition to read "the non-profits are also required to adhere to the Conditions of Approval for the activities on the site".

Rob Fitzroy, Hearing Officer: questions if it is an option to include the non-profit events as part of the 125 events with Jamie Kirk responding.

Jamie Kirk, Agent: states for the record, that in the traffic analysis, when they were doing traffic counts they were doing "real" traffic counts. The traffic we were capturing are alot of those activities, while the County might not have a permit for them, we were capturing them in the days and the times we were taking those trips.

Rob Fitzroy, Hearing Officer: reviews Ag, Historic, Noise, Traffic, Mitigation Measures and Safety. And reviews the Conditions Approval, suggesting an additional Condition regarding an Annual Compliance of the Conditions.

Jamie Kirk, Agent states the applicant would be open to adding the additional conditions.

Rob Fitzroy, Hearing Officer: starts review the conditions. Holly Phipps: states revising Condition 31 and adding new Condition 32, reads revision into record and renumbering, 36 revised. Also, revised Condition 1 reads revision in to record. Discussion on Condition 2.

Jamie Kirk, Agent: Confirms the Octagon Barn was approved in 2012 as a library, museum and allowed temporary events. Also, states there was no time limit for the Octagon Barn.

Rob Fitzroy, Hearing Officer: suggests modifying Condition 2 with Ms. Phipps reading revision into the record.

Rob Fitzroy, Hearing Officer: presents closing statement.

Thereafter, on motion of the hearing officer, the request by GREENGATE FARMS SLO LLC and GREEN GATE FARMS EDNA VALLEY, LLC. for a Minor Use Permit (DRC2012-00078) is granted based on the Finding A. through G. in Exhibit A and subject to the Revised Conditions 1 through 61 in Exhibit B; Revised Condition 1 to read " This approval authorizes Temporary Events on a 210 acre project site within areas A, B, C and D shown on the approved site plan. The Temporary Events program may include: 25 events with up to 500 people; 50 events with up to 300 people and 50 events with up to 200 people. Multiple Temporary Events may occur on a single day (per attached Transportation Demand Management Plan dated September 1, 2015); the number of Temporary Events (including all non-profit events)per year shall not exceed 125."; Revised Condition 2 to read "This authorization, once vested, shall remain valid for a period of 20 years from its effective date.run in perpetuity." with renumbering as

needed; Revised Condition 32 to read "Prior to occupancy or final inspection and prior to initiation of public events, the applicant shall submit to the county a copy of a formal rental agreement for groups making use of the event site. The rental agreement shall include the disclaimer that outdoor amplified music will not exceed the following prescribe noise standards: at the property line. Noise levels at the project property line shall not exceed an hourly average of 50 dB, with a maximum level of 70 dB, and a maximum impulsive noise level of 65 dB. From 10 p.m. to 7 a.m. (nighttime), noise levels at the property line shall not exceed an hourly average of 45 dB, with a maximum level of 65 dB, and an impulsive noise level of 60 dB. The rental agreement shall identify an on-site manager to be present during all events who will have a basic sound level meter to verify conformance with standards and to correct problem situations."; Adding New Condition 33 to read "Prior to hosting any Temporary Events authorized by this land use permit, the applicant shall submit for review and approval to the County Planning Department a Condition Compliance Monitoring Plan (CCMP). The Condition Compliance Monitor shall oversee and monitor compliance with County Conditions of Approval and mitigated Negative Declaration measures. The Condition Compliance Monitor shall assist the County in condition compliance and mitigation monitoring for all applicable construction and operational aspects of the project. The CCMP may be modified with review and approval based on compliance. The CCMP plan shall include the following as a minimum. a. List of personnel that will need to be involved in monitoring activities; b. Description of how the monitoring shall occur; c. Clear identification of what portions of the project (e.g. areas of site, types of activities); d. Description of frequency of monitoring (e.g. full time, part time, spot checking, during certain activities); e. Description of monitoring reporting procedures; f. Description of actions to be implemented to assure compliance." with renumbering as needed; and Revising Condition 38 to read "For the life of the project, the applicant shall designate an employee to serve as a noise monitor. For events that include outdoor amplified music, the noise monitor shall monitor noise levels, on an hourly basis, with a sound level meter at the property lines to ensure that the noise levels do not exceed those the following prescribed in the County Land Use Ordinance: Noise levels at the project property line shall not exceed an hourly average of 50 dB, with a maximum level of 70 dB, and a maximum impulsive noise level of 65 dB. From 10 p.m. to 7 a.m. (nighttime), noise levels at the property line shall not exceed an hourly average of 45 dB, with a maximum level of 65 dB, and an impulsive noise level of 60 dB. The noise monitor shall be available by telephone to respond to any noise complaints and take corrective measures to ensure compliance with the County Land Use Ordinance. The applicant and successors in interest shall provide a telephone number to reach the designated noise monitor to the County and any neighbor who requests it. The telephone number provided shall allow the County and/or neighbor to reach the noise monitor during all events." (Document Number: 2016-073_PDH)

ADJOURNMENT

Next Scheduled Meeting: October 21, 2016, in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

**Nicole Retana, Secretary
Planning Department Hearings**

Minutes will be approved at the November 18, 2016, Planning Department Hearings Meeting.

TOPOGRAPHY: Gentle to moderate slopes	VEGETATION: Grasses, forbs, oak trees
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: On-site septic system Fire Protection: Cal Fire	ACCEPTANCE DATE: July 13, 2016

PROJECT DESCRIPTION

The applicant requests a Minor Use Permit to allow the construction of a 5,464 square foot, 34-foot tall detached canopy structure over an existing outdoor winery work area, and a 655 square foot partially covered raised deck. The proposed project also includes the enclosure of two existing utility pads to create a new 430 square foot electrical/trash enclosure, and a 165 square foot compressor utility shed. The applicant also requests a modification to allow the proposed covered deck to be located 41 feet from the east property line and the proposed canopy structure to be located 82 feet from the east property line instead of the required 100 feet, which is the main reason for the MUP (see Modifications discussion below).

PROJECT HISTORY

The previous land use permit (D010060P) authorized construction of a winery processing facility, tasting room and associated office and storage areas of approximately 25,500 square feet including: an approximate 18,118 square foot processing facility, 3,257 square foot tasting room and office facility, and a 16 space parking area. Subsequent building permits allowed for the construction of a 1,418 square foot tasting room/office and 7,864 square foot processing area, and a 3,698 covered porch. Because the building permit only included 7,864 square feet of processing area, and the use permit authorized 18,118 square feet of processing, there is a remainder of 10,254 square feet of possible processing area.

A substantial conformance determination for the use permit (D010060P) was approved on April 6, 2015 for an approximate 10 percent expansion of the approved processing square footage allowing for an approximate total of 12,050 square feet for an underground vault. However, to date there has been no building permit issued for the expansion. No Special Events were authorized with the use permit, but the applicant does participate in industry-wide events such as winemaker dinners and/or open houses during the established event weekend. Guest parking for these events is provided in the open area around the existing winery facility.

PROJECT ANALYSIS

Ordinance Compliance:

The project is subject to Land Use Ordinance section 22.30.070.D.2, Wineries. Section 22.30.070 sets forth standards for winery development including but not limited to access, setbacks, parking, design, screening, height, lighting and tasting rooms.

<u>Standard</u>	<u>Allowed / Required</u>	<u>Proposed</u>	<u>In Compliance</u>
Minimum Site Area	None	Approximately 15 acres	Yes
Access location	Wineries with tasting rooms and retail sales, the principle access driveway shall be located within 1 mile of arterial or collector road.	The principle access driveway is located off Highway 46, which is a designated arterial road.	Yes

<u>Standard</u>	<u>Allowed / Required</u>	<u>Proposed</u>	<u>In Compliance</u>
Setbacks from property lines: Front, Side, Rear (Section 22.30.070.D.2 for Wineries)	<ul style="list-style-type: none"> • 100 feet from property line • 200 feet from nearest residence 	40 foot east side setback* / no residence within 200 feet	No (see discussion under modifications)
Height	35 feet	34 feet	Yes
Lighting	Lighting fixtures are required to be shielded	Project conditioned to meet this requirement	Yes, as conditioned
Signs (Section 22.20)	<ul style="list-style-type: none"> • One monument sign • Maximum of aggregate area of 100 sf of signing per site • Maximum area of 40 sf • Maximum height of 5 ft 	No additional signs proposed with this permit	Yes
Design Standards	Agricultural or residential in nature	Exterior agrarian design	Yes
Screening	If visible from the public road wineries shall be screened.	Project is an open air canopy structure with no sides, eliminating any bulky appearance. Existing oak trees will screen the utility sheds that face HWY 46.	Yes
Liquid waste disposal	<ul style="list-style-type: none"> • Winery wastewater - standards set through RWQCB • Domestic wastewater - leach lines shall be located at least 100 feet from any private well 	<ul style="list-style-type: none"> • Winery is currently enrolled in the RWQCB General Waste Discharge Permit system 	Yes
Solid waste disposal	Pomace may be used as fertilizer or soil amendment	Pomace is composted on site	Yes
Parking (Section 22.18)	16 spaces (per previous use permit)	None (there are 16 existing spaces)	Yes

NOTE: *Setbacks may be modified through Minor Use Permit Approval (see discussion under modifications).

MODIFICATIONS:

The applicant is requesting a modification to the setback requirement of 100 feet. This setback is maintained to the front, rear, and west side of the property. Due to the narrow width of the parcel, the setback is unable to be maintained on the east side of the property with the proposed project. The applicant requests the proposed covered deck to be located 41 feet from the east property line and the proposed canopy structure to be located 82 feet from the east property line.

A modification to these standards can be approved pursuant to LUO Section 22.30.070.D.2 if one of the following findings can be made:

1. there is no feasible way to meet the required setbacks without creating environmental impacts or impacting prime agricultural land (SCS Class I, II and III); or
2. the property fronts an arterial or collector street; or
3. the setbacks are not practical or feasible due to existing topographic conditions or existing on-site vegetation; or
4. a legally constructed existing structure that was built prior to 1980 and it can be clearly demonstrated that the structure was intended for a legitimate agricultural or residential use.

The proposed canopy structure will be located on the eastern portion of the property along the east side of the existing facility. The utility sheds are located on the southeast corner of the existing facility. The structures will be located within previous disturbed areas on existing pads and are at least 400 feet away from the nearest neighboring residence. The proposed deck is on the east side of the facility and setback 40 feet from the property line. The proposed canopy structure area is used during harvest for receiving fruit. The area is currently fully exposed to the sun, creating a poor environment for staging and processing the harvest fruit. Each of the proposed structures, including the raised deck, will protect existing equipment from sun exposure.

The narrow portion of the canopy structure faces south to minimize visual impacts from Highway 46, and the utility sheds are screened by existing oak trees from those traveling on Highway 46 and those entering the tasting facility. Traveling westbound, views of the canopy structure will be restricted to distant rooftops only, which overlap the existing facilities roofline. Traveling eastbound, views of the proposed canopy structure will be mostly screened by existing large oak trees. The proposed canopy structure will not appear in the primary cone of vision for travelers on the road in either direction, and the proposed raised deck cannot be viewed from either direction.

Staff recommends approval of the modification pursuant to Land Use Ordinance section 22.30.070.D.2.d(1) that allows modification to these standards where the property fronts an arterial or collector street. The modification can be justified because the property fronts Highway 46, which is designated as an arterial street (see Exhibit A for Modification finding).

PLANNING AREA STANDARDS:

There are no planning area standards applicable to this project.

COMMUNITY ADVISORY GROUP COMMENTS:

Templeton Area Advisory Group – No comments received.

AGENCY REVIEW:

Public Works – Recommend approval with stock conditions, per referral response dated July 15, 2016.

Agricultural Commissioner – Less than significant impacts to agricultural resources, per referral response dated July 29, 2016.

Cal Fire – No comments received.

LEGAL LOT STATUS:

The existing lot was legally created by a parcel map at a time when that was a legal method of creating lots.

Staff report prepared by Cody Scheel and reviewed by James Caruso.

**EXHIBIT A – FINDINGS
DRC2015-00145 STOLLER**

Environmental Determination

- A. Consider and rely on the Negative Declaration (ED01-350) that was previously adopted on June 6, 2003 in accordance with the applicable provisions of the California Environmental Quality Act. The previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.

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 22 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 existing wine production facility with a tasting room and the proposed project improvements do 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 existing winery and proposed improvements will not conflict with the surrounding lands and uses.
- F. The proposed winery will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project because the project is located on Highway 46, an arterial road constructed to handle any additional traffic associated with this project.

Modifications

- G. A modification of Land Use Ordinance Section 22.30.070.D.2.d(1) requiring a 100 foot setback to allow the proposed covered deck to be located 41 feet from the east property line and the proposed canopy structure to be located 82 feet from the east property line can be justified because the requirements may be modified through a Minor Use Permit and the property fronts Highway 46, which is designated as an arterial street. A location on an arterial street is one of the findings that can justify this medication.

**EXHIBIT B - CONDITIONS OF APPROVAL
DRC2015-00145 STOLLER**

Approved Development

1. This approval authorizes:
 - a. The construction of a 655 square foot partially covered deck, two utility sheds of 430 and 165 square feet each, and a 5,464 square foot, 34-foot tall detached canopy structure.
 - b. A setback modification to allow the partially covered deck to be located 41 feet from the east property line and the canopy structure to be located 82 feet from the east property line.

Conditions to be completed at the time of application for construction permits or prior to issuance of construction permits

Development

2. All development shall be consistent with the previously adopted Negative Declaration (ED01-350) and the associated mitigation measures.
3. All development shall be consistent with the approved site plan, floor plans, and elevations.

Drainage

4. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance.
5. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.

Exterior Lighting

6. **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.

Fire Safety

7. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.

Fees

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

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

Fire Safety

9. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CAL FIRE of all required fire/life safety measures.

Exterior Lighting

10. **Prior to occupancy or final inspection**, any lighting located or installed on the outside of the proposed improvements 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.

Planning and Building Inspection

11. **Prior to occupancy of any structure**, 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)

Fees

12. In accordance with Title 13.01 of the County Code, the applicant is responsible for paying to the Department of Public Works

Time Limits

13. 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 22.64.070 or the land use permit is considered valid and in force. This land use permit is considered to be valid and in force once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

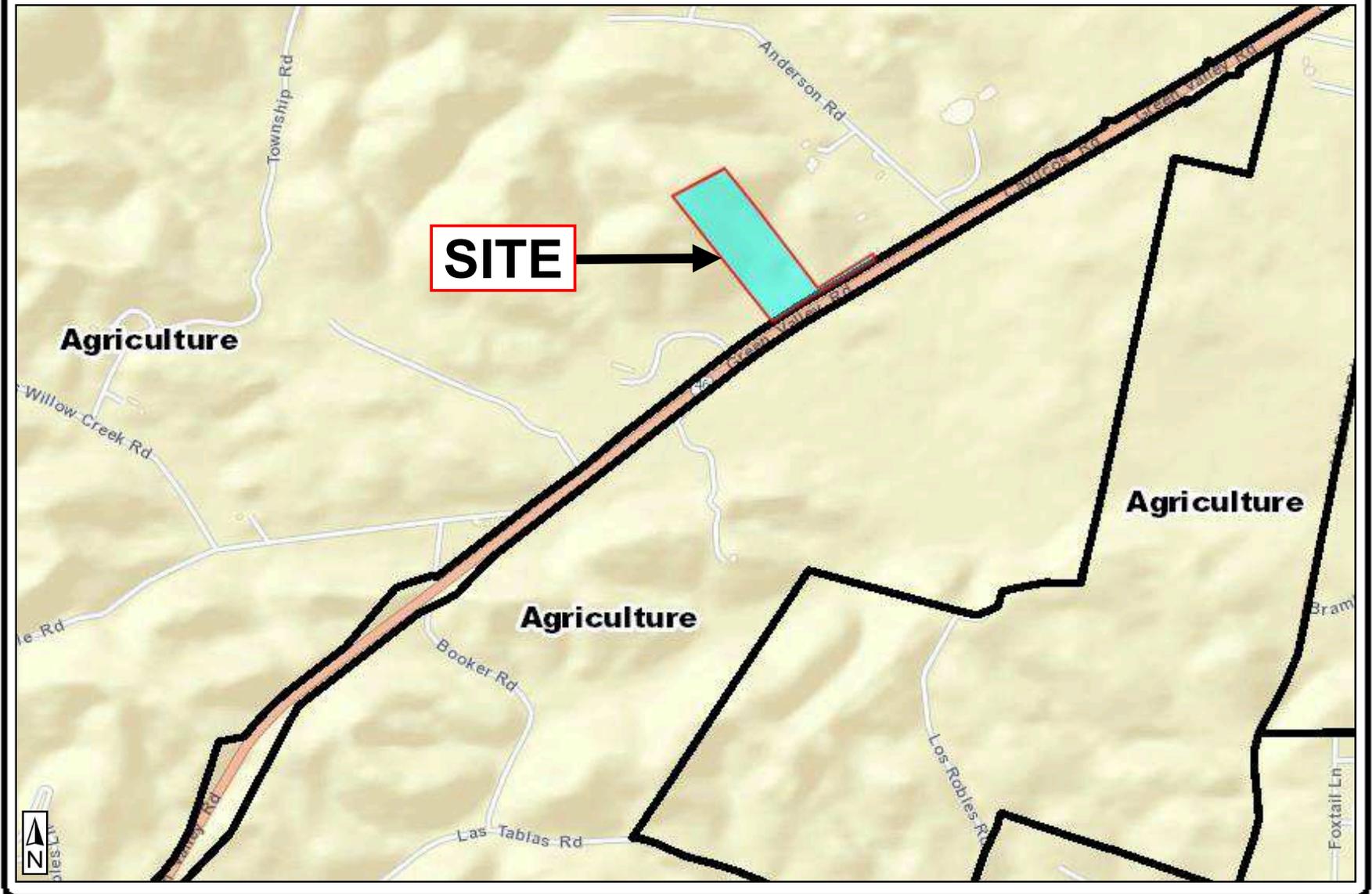
14. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.



PROJECT
Stoller Minor Use Permit DRC2015-00145



EXHIBIT
Vicinity Map



PROJECT
Stoller Minor Use Permit DRC2015-00145



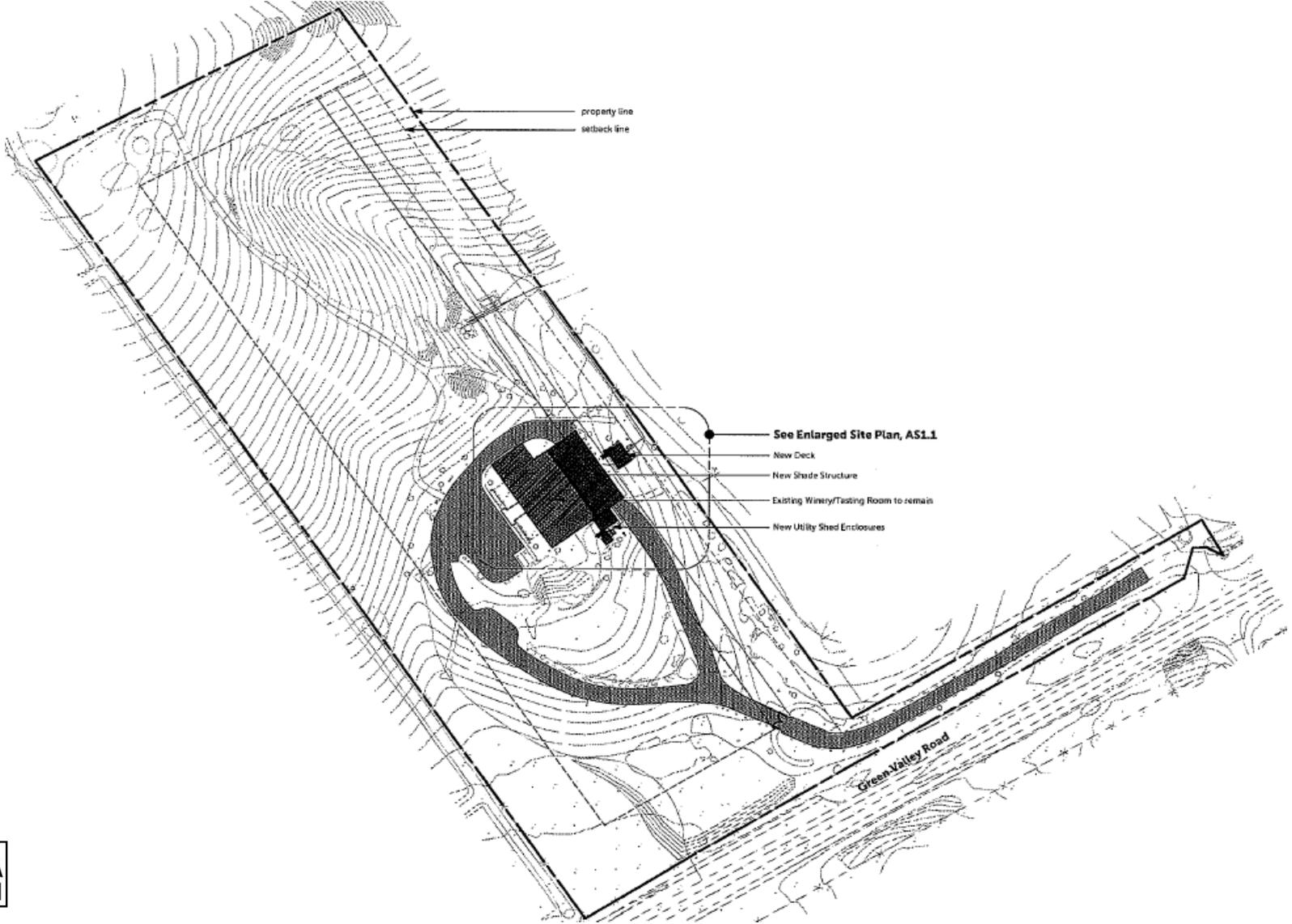
EXHIBIT
Land Use Category Map



PROJECT
Stoller Minor Use Permit DRC2015-00145



EXHIBIT
Aerial Photo



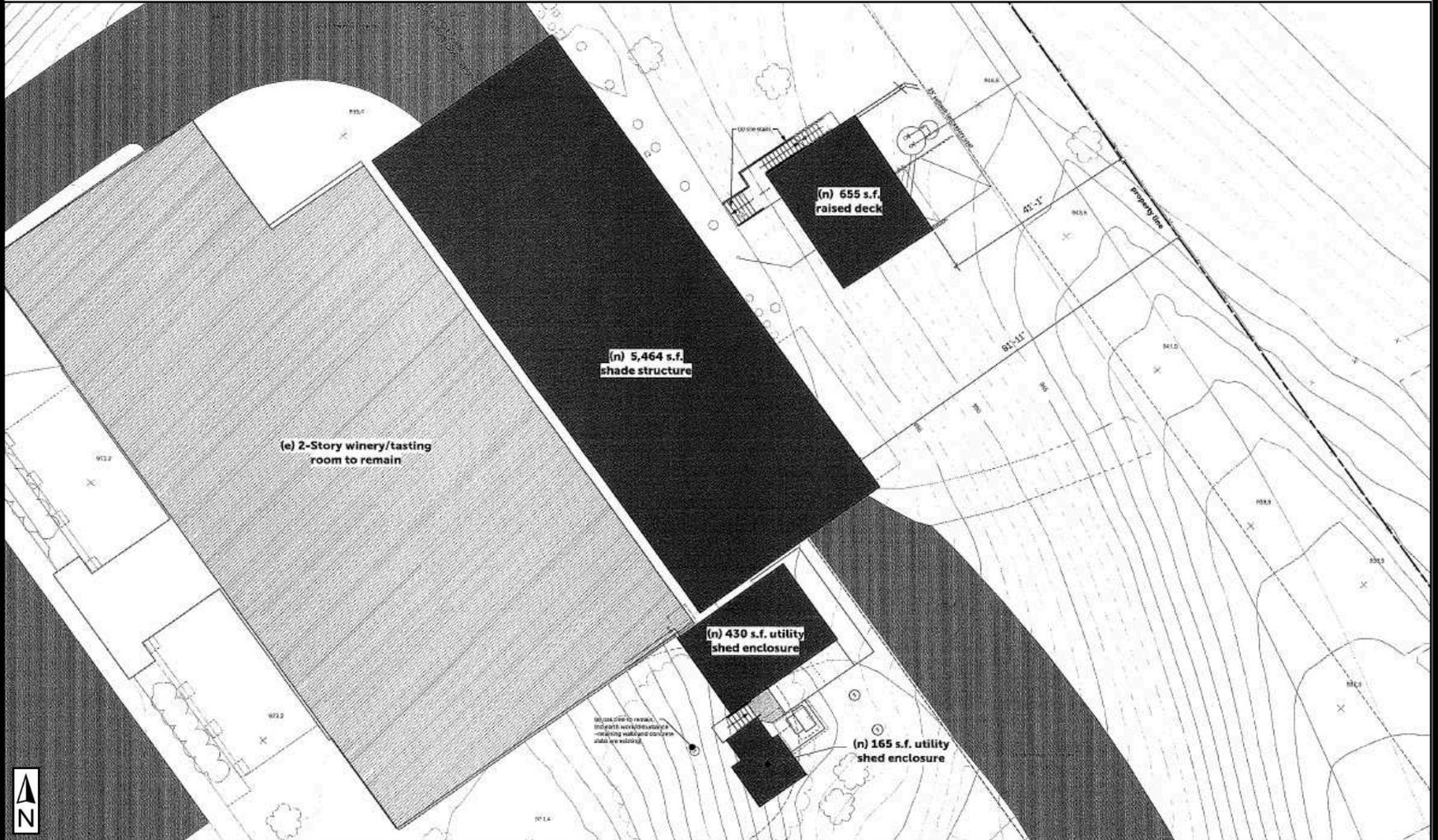
PROJECT

Stoller Minor Use Permit DRC2015-00145



EXHIBIT

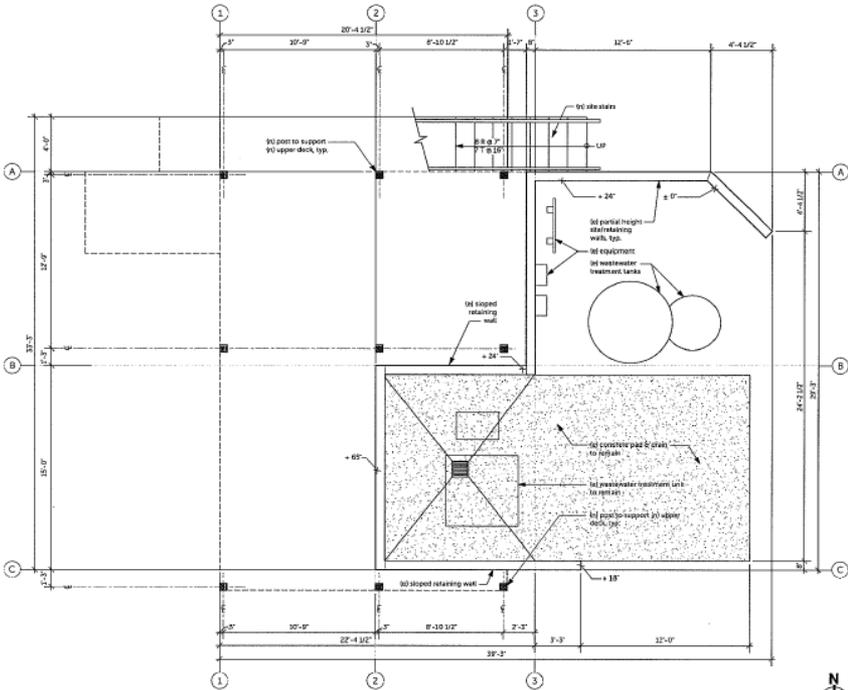
Overall Site Plan



PROJECT
Stoller Minor Use Permit DRC2015-00145

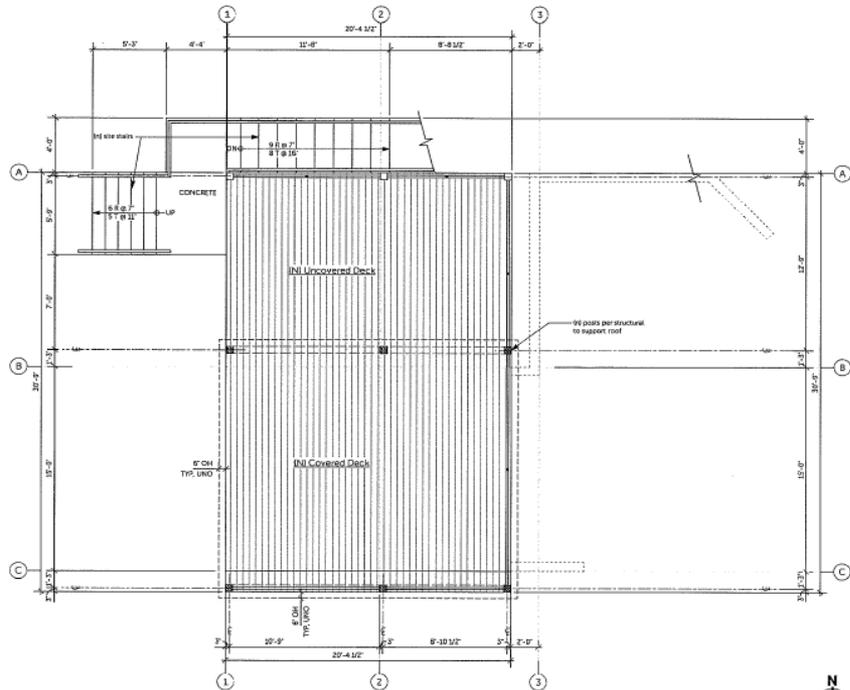


EXHIBIT
Enlarged Site Plan



1 EXISTING PLAN/PROPOSED DECK - LOWER FLOOR PLAN

Scale: 1/4" = 1'-0"



2 PROPOSED DECK - UPPER FLOOR PLAN

Scale: 1/4" = 1'-0"

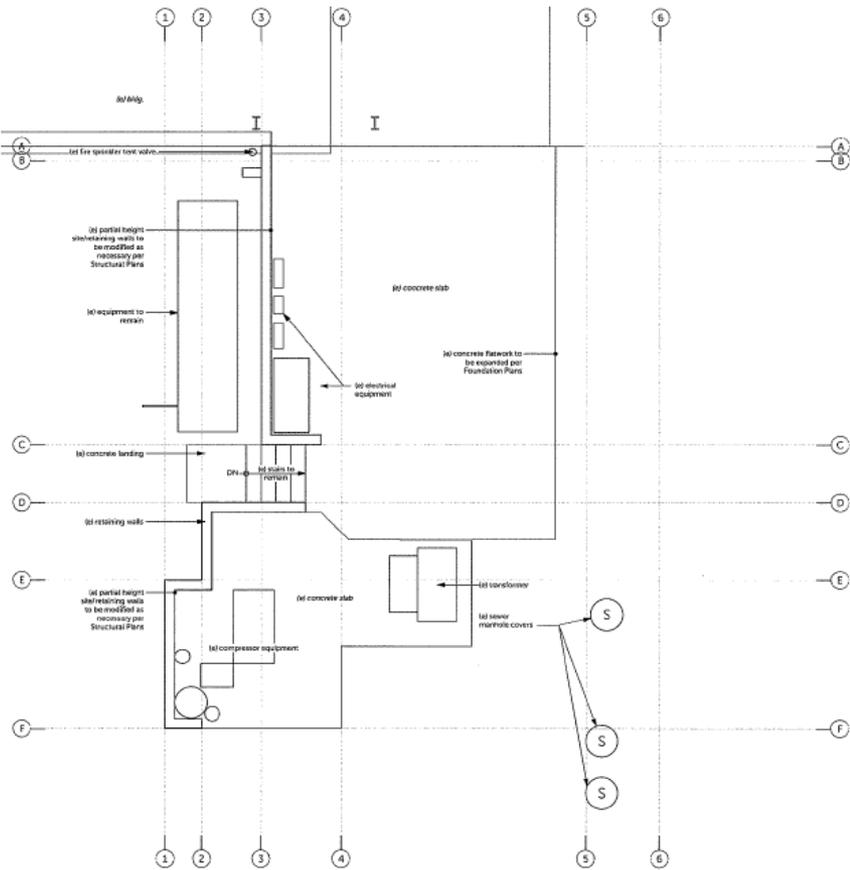
PROJECT

Stoller Minor Use Permit DRC2015-00145



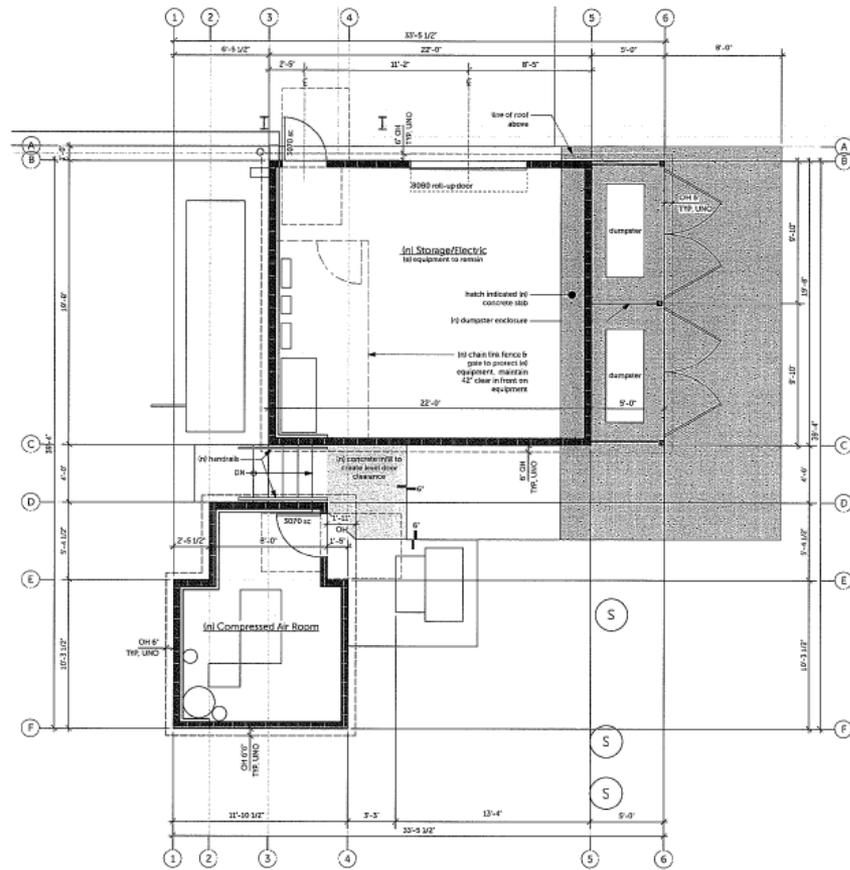
EXHIBIT

Proposed Deck – Floor Plans



2 UTILITY SHED - EXISTING/DEMO FLOOR PLAN

Scale: 1/4" = 1'-0"



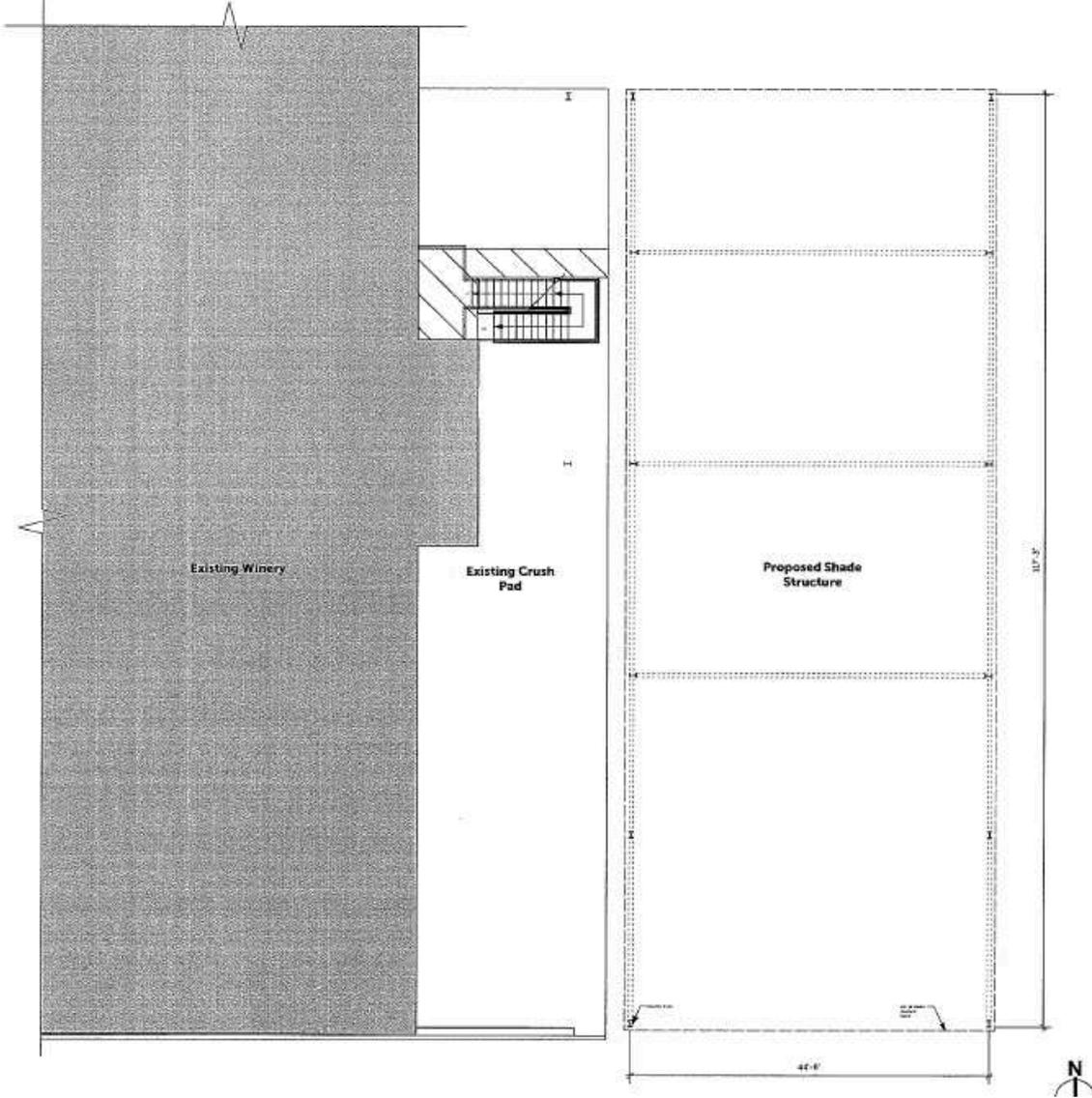
1 UTILITY SHED - PROPOSED FLOOR PLAN

Scale: 1/4" = 1'-0"

PROJECT
Stoller Minor Use Permit DRC2015-00145



EXHIBIT
Proposed Utility Sheds – Floor Plans



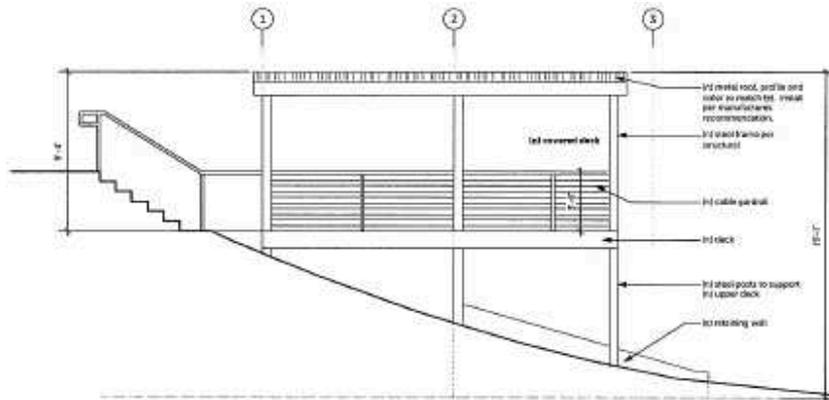
PROJECT

Stoller Minor Use Permit DRC2015-00145



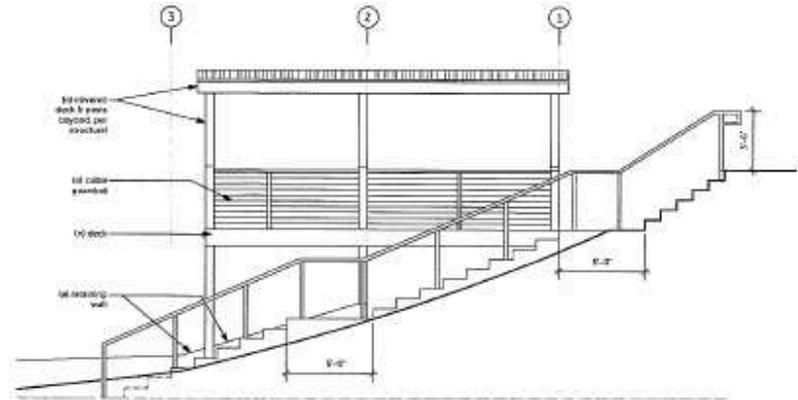
EXHIBIT

Proposed Canopy / Shade Structure – Floor Plans



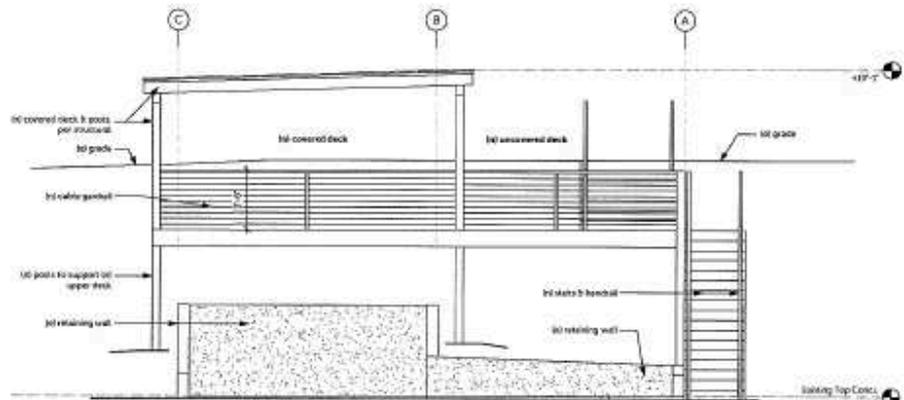
1 SOUTH ELEVATION

Scale: 1/4" = 1'-0"



2 NORTH ELEVATION

Scale: 1/4" = 1'-0"



3 EAST ELEVATION

Scale: 1/4" = 1'-0"

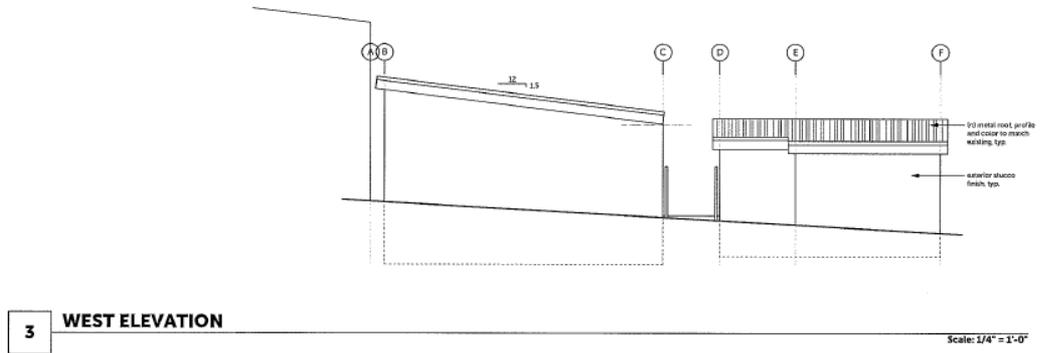
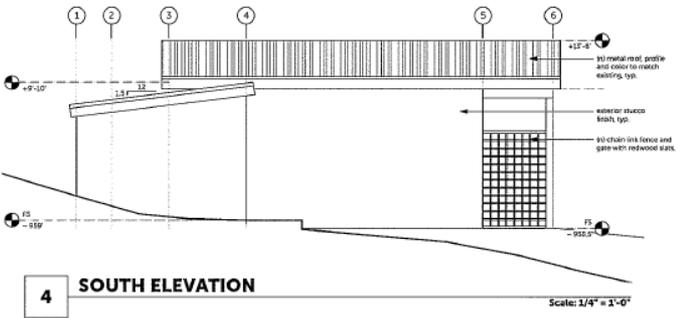
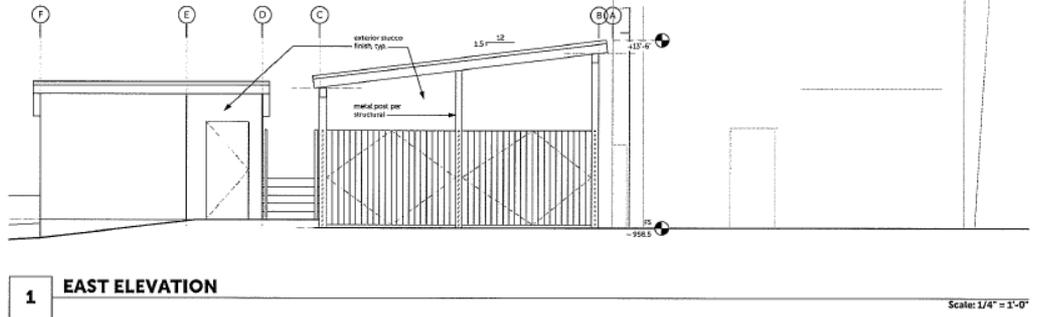
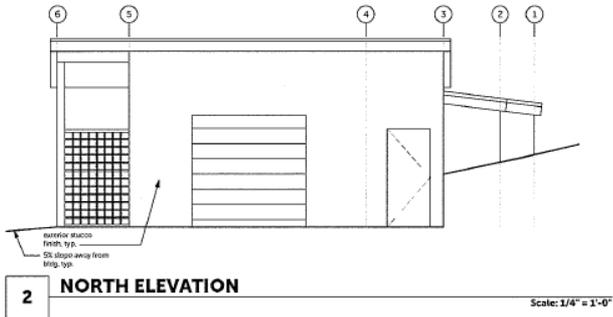
PROJECT

Stoller Minor Use Permit DRC2015-00145



EXHIBIT

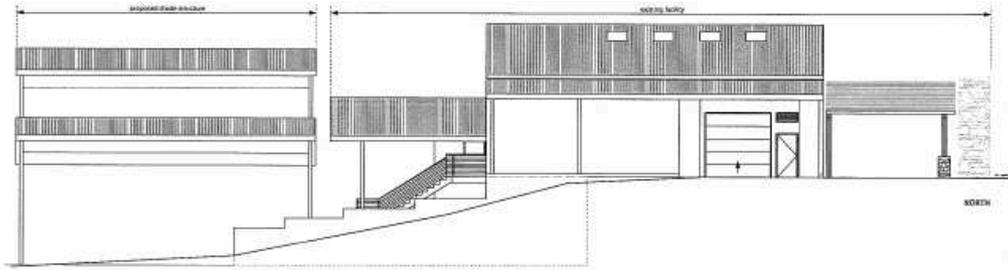
Proposed Deck – Elevations



PROJECT
Stoller Minor Use Permit DRC2015-00145

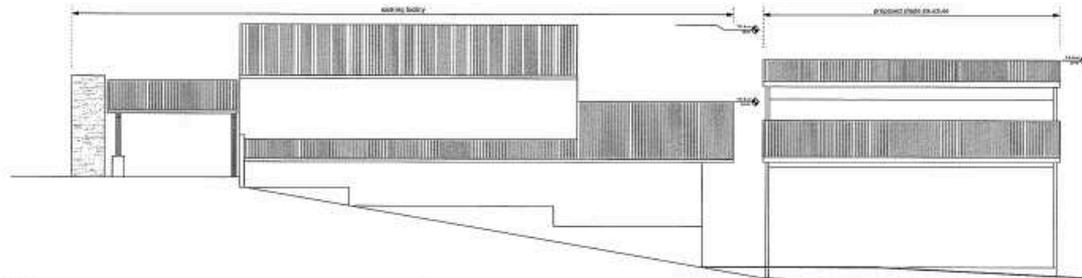


EXHIBIT
Proposed Utility Sheds – Elevations



1 NORTH ELEVATION

Scale: 1/8" = 1'-0"



2 SOUTH ELEVATION

Scale: 1/8" = 1'-0"



3 EAST ELEVATION

Scale: 1/8" = 1'-0"

PROJECT
Stoller Minor Use Permit DRC2015-00145



EXHIBIT
– Elevations



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Wade Horton, Director



County Government Center, Room 206 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us

Date: 7/15/2016
To: Cody Scheel, Project Planner
From: Tim Tomlinson, Development Services
Subject: **Public Works Comments on DRC2015-00145 Stoller MUP, Green Valley Rd., Paso Robles, APN 040-111-024**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

- A. The proposed project is within the Templeton B Road Fee Area and this structure defines a work area. Payment of Road Improvement Fees is required prior to building permit issuance.
- B. The proposed project is within a drainage review area. Drainage plan is required and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52.110 of the Land Use Ordinance prior to future submittal of development permits.

Recommended Project Conditions of Approval:

Fees

- 1. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the Templeton B Road Impact Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of application for building permits.

Drainage

- ✓2. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance.

3. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.



COUNTY OF SAN LUIS OBISPO
Department of Agriculture/Weights and Measures

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401 - 4556
MARTIN SETTEVENDEMIE

(805) 781-5910

AGRICULTURAL COMMISSIONER/SEALER
www.slocounty.ca.gov/agcomm

FAX: (805) 781-1035
AgCommSLO@co.slo.ca.us

DATE: July 29, 2016
TO: Cody Scheel, Project Manager
FROM: Lynda L. Auchinachie, Agriculture Department
SUBJECT: Stoller Minor Use Permit DRC2015-00145 (1887)

The Agriculture Department's review finds that the proposed Stoller minor use permit for an open air shade structure over existing work areas would have less than significant impacts to agricultural resources or operations and is consistent with policies to support local agricultural production. Comments and recommendations are based on policies in the San Luis Obispo County Agriculture Element, Conservation and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating to the extent feasible the negative impacts of development to agriculture.

If you have questions, please call 781-5914.

Project Description and Agricultural Setting

The project site is located at 7986 N. River Road, north of Paso Robles. The approximately 40-acre site is located within the Agriculture land use category and is developed with a wine grape vineyard and a residence. The project site is located over the Paso Robles groundwater basin and is under Williamson Act contract. Agricultural uses in the area primarily consist of wine grape vineyards and alfalfa hay production.

The proposal consists of the development of a 2,490 square foot winery facility for production and case storage.

Consistent with Agriculture Element AGP 6, the proposal is beneficial to the local agricultural industry and the facilities are sited adjacent to existing roads and are compatible with future agricultural activities.

Impacts to Agricultural Resources

The proposed development would result in the development of a 2,490 square foot winery production facility. Impacts to agricultural resources will be less than significant; however, the Department recommends the following conditions to maximize the availability of water for agricultural production:

- Incorporate best management practices for water conservation purposes throughout winery facility.
- Maximize the use of pervious and semi-pervious areas in order to promote groundwater recharge, minimize erosion and sedimentation, and protect farmland for agricultural use.



CONSISTENCY WITH PREVIOUS NEGATIVE DECLARATION

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
 976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
Promoting the Wise Use of Land • Helping to Build Great Communities

DATE: October 27, 2016
TO: Stoller Minor Use Permit DRC2015-00145 / Applicant: Craig Stoller, PO Box 391, Paso Robles, CA 93447, (661) 363-8463, craig@sridge.net
FROM: County of San Luis Obispo Planning & Building Department
SUBJECT: Environmental Determination for Stoller Minor Use Permit DRC2015-00145 (ED16-086)

The Negative Declaration prepared and issued for the previously reviewed Robak Minor Use Permit / D010060P / ED01-350 (see attached), is still adequate. Therefore, no new environmental determination is necessary.

ADDITIONAL INFORMATION

Additional information pertaining to this environmental determination may be obtained by contacting the Department of Planning and Building - Environmental Division, County Government Center, Room 200, San Luis Obispo, CA 93408-2040, (805) 781-5600.

STATEMENT OF FINDINGS

The Environmental Coordinator, after review of the previously-prepared Negative Declaration, finds that: there are no substantial changes proposed for the project which would require substantial revisions of the previous Negative Declaration; no substantial changes have occurred with respect to the circumstance under which the project is undertaken; and, no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted. Therefore, use of the previously-prepared Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) is proposed.

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as Lead Agency Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
 976 Osos St., Room 200, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature	Title	Date	Public Agency
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COUNTY OF SAN LUIS OBISPO

(ENDORSED) FOR OFFICIAL USE ONLY (ss)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED01-350

JUN 25 2003 DATE: April 4, 2003

PROJECT/ENTITLEMENT: Robak Minor Use Permit; D010060P JULIE L. RODEWALD COUNTY CLERK

BY CHERIE AISPURO DEPUTY CLERK

APPLICANT NAME: Thomas and Charlotte Robak

ADDRESS: P.O. Box 14207 San Luis Obispo, CA 93406

CONTACT PERSON: Rachel Dumas, Compli LLC

Telephone: 805/ 239-4502

PROPOSED USES/INTENT: A request to allow for a winery consisting of 1) grading and construction of an approximate 18,118 square foot processing facility, 2) an approximate 3,257 square foot tasting room and office facility, 3) a 16 space parking lot, and 4) related site improvements, which will result in the disturbance of approximately 77,000 square feet of an approximate 15.42 acre parcel

LOCATION: North side of Highway 46, 0.3 mile west of Anderson Road, approximately 2.0 miles west of the City of Paso Robles

LEAD AGENCY: County of San Luis Obispo, Department of Planning & Building County Government Center Room 310 San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: U.S. Army Corps of Engineers California Department of Fish and Game Regional Water Quality Control Board

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on April 18, 2003 (Circle one) 20-DAY 30-DAY PUBLIC REVIEW PERIOD begins at time of notice publication.

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County Planning Dept Head as Lead Agency [] Responsible Agency approved/denied the above described project on 6-6-03, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo, County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Signature: Steven McMaster Title: Env Spec Date: 6-6-03 Public Agency: County of San Luis Obispo

CALIFORNIA DEPARTMENT OF FISH AND GAME CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

PROJECT TITLE & NUMBER: Robak Minor Use Permit; D010060P

Project Applicant

Name:	<u>Thomas and Charlotte Robak</u>
Address:	<u>P.O. Box 14207</u>
City, State, Zip Code:	<u>San Luis Obispo, CA 93406</u>
Telephone #:	<u>(805) 441-9530</u>

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- () The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- (X) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- () The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____
- () Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: _____

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: - Proposal by Thomas and Charlotte Robak for a Minor Use Permit to allow for the construction of an approximately 21,275 square-foot winery consisting of an approximately 18,118-square foot wine processing building, 3,157-square foot visitor's center (tasting room and administration building), sixteen-space parking lot, above-ground water storage tank, access road, standard leach field, wastewater ponds, landscaping, grading, and related site improvements. The project is located on the north side of Highway 46, 0.3 mile west of Anderson Road, approximately 2.0 miles west of the City of Paso Robles, in the Adelaida (Rural) planning area.

ASSESSOR PARCEL NUMBER(S): 040-111-024

SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: Adelaida

LAND USE CATEGORY: Agriculture

COMBINING DESIGNATION(S): None applicable

EXISTING USES: Undeveloped; cattle grazing

TOPOGRAPHY: Gently to moderately sloping

VEGETATION: Grasses; forbs; white oak; coast live oak

PARCEL SIZE: 15.42 acres

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture/ Dry farmed grains; livestock grazing

East: Agriculture/ Anderson Road; Dry farmed grains; vineyards; wineries

South: Agriculture/ Highway 46; dry farmed grains; livestock grazing

West: Agriculture/ Dry farmed grains; livestock grazing

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Introduce a use within a scenic view open to the public?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Change the visual character of an area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create glare or night lighting which may affect surrounding areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Impact unique geological or physical features?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project property is located 0.3 mile west of Anderson Road on the north side of Highway 46 (refer to Figures 1 through 3). The surrounding area consists of gently rolling to moderately steep hillsides vegetated with grassland and oak woodlands. Development in the vicinity of the project site varies from livestock grazing, smaller-scale vineyards, wineries, agriculture accessory structures, and scattered single-family residences. The applicant is proposing to grade for and construct a wine processing building, visitor's center, above-ground water tank, parking lot, access road, and wastewater treatment leach field and pond (refer to Figures 4 through 7). The wine processing building and visitor's center would be constructed on an existing ridgeline currently vegetated by seven coast live oaks (*Quercus agrifolia*), one white oak (*Quercus alba*), and a toyon (*Heteromeles arbutifolia*) cluster. The proposed water tank would be constructed approximately 180.0 feet northwest of the proposed building sites adjacent to six coast live oaks, four white oaks, and one toyon cluster. The proposed access road approach would extend northwest from Highway 46 and continue west up the hillside towards the building sites. Near the base of the existing hill, the proposed road would branch in two. One branch would lead to a parking lot on the west side of the proposed structures and the second branch would lead to the rear (east side) of the wine processing building. Approximately 20,000 cubic yards of cut and fill are proposed to be moved for construction of the building and water tank pads, access road, and wastewater treatment facilities.

As proposed, the winery and associated developments would be visible as seen from an approximately one-mile stretch along Highway 46. A *Visual Impact Assessment of the Proposed Braveheart Winery* (Robert G. Carr; December 2002) was prepared to analyze the visibility of the proposed project, identify potential impacts to visual resources, and determine appropriate measures to mitigate visual impacts to a level of insignificance.

The *Visual Impact Assessment* determined that the quality of the existing visual environment is high. The Highway 46 corridor between Highway 101 and Highway 1 is recognized as a route which defines the rural beauty of the central coast; this section of Highway 46 is listed in the San Luis Obispo County General Plan as a scenic corridor candidate and is identified by the State of California as being eligible for State Scenic Highway designation. These listings do not require special protective measures regarding scenic resources; however, they do provide a basis for establishing a baseline for the aesthetic quality of an area and an indication of community values and sensitivity regarding the visual character. As seen from Highway 46, the project parcel and site contributes to the visual character and high quality of this dramatic rural landscape. The landform of the proposed building site is part of a panoramic scenic backdrop and for a brief portion of Highway 46, the project site defines the horizon line to the north and northeast.

Based on the *Visual Impact Assessment*, the proposed buildings, water tank, access road, and cut and fill slopes would be seen for 0.9 mile (55 seconds) from the eastbound travel lane of Highway 46 within the primary cone of vision. The project site is shielded from the westbound travel lane of Highway 46 by existing landforms with the exception of a 0.2 mile stretch (4.0 seconds). During this stretch, a portion of the proposed buildings would be seen beyond an existing ridge.

Impacts. Based on the *Visual Impact Assessment*, significant visual impacts would occur as a result of the proposed project including the following:

Above-Ground Structures. The proposed project would be clearly visible along the majority of the Highway 46 view corridor, with only a few instances where existing roadside trees obstruct the view. For an approximately 0.2 mile section of the corridor in the eastbound viewing direction, the winery and tasting room structures would silhouette above the existing ridgeline. For the remainder of the viewing corridor, the proposed buildings would appear below the ridge and would be noticed primarily by their color and amount of visual contrast with the surrounding landscape. The existing coast live and white oak trees adjacent to the proposed building and watertank sites are proposed to remain and would screen portions of the proposed buildings and provide increased opportunity for the project to visually blend with the setting. Trimming and any impacts to these oak trees resulting in mortality would significantly affect this natural existing visual screen and increase exposure of the proposed winery, visitor's center, and watertank.

Depending on the specific location and size, the proposed water tank has the potential to silhouette against the skyline. The color and reflectivity of the tank would affect how well it would visually blend with its setting. The existing coast live oaks, white oaks, and toyon cluster adjacent to the proposed water tank site would provide partial screening or backdrop for the tank.

Access Road. The proposed access road would be a highly visible project element. The proposed road alignment up the hillside would increase the proposed project's noticeability as seen from Highway 46. The paved surface of the road would visually contrast with the adjacent landcover and would increase the developed appearance of the proposed project.

Cut and Fill. The large cut and fill slopes proposed with the project are potentially visible throughout the Highway 46 viewing corridor. Due to the engineered appearance of the earthwork and the light-colored soil material native to the site, the slopes are expected to be noticeable and contrast with the natural landform and landcover.

Night Lighting. Due to the proposed project's proximity to Highway 46 and raised elevation, the potential exists for night lighting to be seen from moderate distances. The combination of bright interior and exterior lights, large windows, and wall openings would result in a highly visible illumination as seen from Highway 46. Unshielded light sources or bright lights reflected on south and west facing exterior walls would result in impacts as seen from the highway viewing corridor. Lights on tall posts associated with the access road, parking area, winery facility would be highly visible. The effect of lighting on the project site would contribute to the cumulative impact of night sky illumination in the area.

Mitigation/Conclusion. The *Visual Impact Assessment* presents measures designed to mitigate visual impacts resulting from the proposed project to a level of insignificance. These measures include: 1) lowering the height of the tasting room to reduce silhouetting; 2) planting of trees to disguise building forms; 3) allowing structures to blend with the surroundings; 4) creating a visual transition from the natural adjacent ground plane to the structures; 5) planting of shrubs and vineyard to screen visibility of the access road; 6) use of dark muted exterior colors to reduce contrast and reflectivity; and 7) reduction of interior and exterior illumination by limiting light direction, placement and surface reflectivity (refer to Figure 8 for recommended planting areas).

Upon review of the *Visual Impact Assessment*, the applicant revised the design of the visitor's center by lowering the height of the structure below the distant ridgeline. A preliminary landscape plan was prepared and submitted, as shown in Figures 9 and 10; however, the plan does not adequately incorporate the mitigation measures listed in the *Visual Impact Assessment* report. The applicant has agreed to submit revised landscape plans and incorporate all mitigation measures listed in the *Visual Impact Assessment* report and Exhibit B (Mitigation Monitoring Plan) of this document. The applicant has also agreed to protect existing oak trees by installing construction fencing during proposed grading and construction activities and avoiding disturbance of the oak trees during operation of the winery and visitor's center.

2. AGRICULTURAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project is located in the Agriculture land use category. Agricultural uses on the parcel and in the surrounding areas consist primarily of livestock grazing, dry farmed grains, and vineyards. The proposed project was referred to Mr. John Warrick with the County of San Luis Obispo Agricultural Commissioner's Office. There is an area of prime agricultural soils located in the southwest corner of the parcel; the applicant is proposing to plant vineyards in this area. In response to the referral, Mr. Warrick determined that the proposed project meets the intent of the San Luis Obispo County *Agriculture and Open Space Element*, would not affect prime farmland, and would not conflict with existing zoning and agricultural land uses (November 5, 2001). The applicant's original proposed project included a request for six special events per year. In response to the original request for special events, Mr. Warrick determined that the proposed special events would not meet the building setback and acreage requirements stated in County of San Luis Obispo Land Use Ordinance Section 22.08.042 (Ag Processing Uses). The applicant removed the proposed special events from the project description; therefore, the currently proposed project would comply with all applicable County agriculture policies and ordinances.

Mitigation/Conclusion. Due to the limited size of the proposed revised project and Mr. Warrick's response, no impacts to agricultural resources is anticipated.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. In San Luis Obispo County, ozone and PM10 are the pollutants of main concern, since exceedances of state health-based standards for those are experienced here in most years. For this reason, in 1989 the State Air Resources Board designated our county as a non-attainment area for both the state ozone and PM10 standards. Based on the latest APCD Annual Air Quality Report (2001), state and federal ozone standards were not exceeded at any of the permanent ambient air monitoring stations. State and federal ozone standards were exceeded at three special study sites associated with the Central California Ozone Study (CCOS). Countywide, exceedances of the state PM10 (fugitive dust) standard of 50 ug/m3 occurred on 15 out of 60 different sample days in 2000. Both the Paso Robles and Atascadero monitoring stations recorded two state PM10 exceedances this year while the Ralco Way station on the Nipomo Mesa recorded fifteen exceedance days with a maximum value of 110.5 ug/m3. There were no exceedances of the national air quality standard for PM10 in the county in 2000.

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 47% of the pollutants responsible for ozone formation. Dust, or particulate matter less than ten microns (PM 10), can be emitted directly from a source, and can also be formed in the atmosphere through chemical transformation of gaseous pollutants. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants sometimes contribute towards this chemical transformation into PM10.

As proposed, the project will result in the disturbance of approximately 70,000 square feet of material (19,935 cubic yards of cut and fill). This will result in both short-term vehicle emissions (which helps create ozone) and the creation of dust during construction. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will generate less than 10lbs/day of emissions; therefore no mitigation for vehicle emissions is required.

Mitigation/Conclusion. Based on the size of the proposed project, there is sufficient ground disturbance to warrant construction dust control and air quality mitigation. To mitigate these potential impacts, the applicant has agreed to comply with APCD's standard construction dust control measures such watering disturbed soils, vehicle and equipment speed limitations, and revegetation of disturbed soils. Upon implementation of these measures, air quality impacts will be reduced to less than significant levels.

4. BIOLOGICAL RESOURCES - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Vegetation. Two clusters of coast live oak (*Quercus agrifolia*) and white oak (*Quercus alba*) are located on the project parcel. The wine processing building and visitor's center would be constructed on an existing ridgeline currently vegetated by seven coast live oaks and one white oak, and the proposed water tank would be constructed adjacent to six coast live oaks and four white oaks. The applicant is not proposing the removal of any oak trees.

Drainages. One seasonally intermittent drainage and one ephemeral drainage are located on the project property. Both drainages flow into unnamed tributaries that eventually drain into the Salinas River, located over two miles east of the project site. No riparian vegetation is present within either drainage; however, both show evidence of a defined bed and bank. The seasonally intermittent drainage is located approximately 100.0 feet southwest of Anderson Road and flows southeast under Highway 46 through an existing 24.0-inch diameter culvert constructed by Caltrans. The second drainage flows along the northeastern property boundary of the project parcel, cuts west, and fans out in the southern portion of the project property. During rain events, storm water is carried within this drainage and flows east to converge with the drainage near Anderson Road and heads southeast under Highway 46 to eventually drain into the Salinas River.

The applicant is proposing to construct two 24.0-inch diameter high density polyethylene culverts to facilitate flow within the seasonally intermittent drainage under the proposed access road, approximately 180.0 feet northwest of the proposed access road approach. The applicant is proposing to construct the northern branch of the access road within the current location of the ephemeral drainage and realign the drainage to flow adjacent to the proposed road. Two culverts are proposed under the "Y" intersection in the access road to carry storm water flow in a direction similar to the existing drainage pattern (refer to Figure 11).

Impact.

Vegetation. Grading activities and construction of the proposed wine processing building, visitor's center, and water tank would impact the root zones of thirteen coast live oak and five white oak trees.

Drainages. Construction of culverts within the seasonally intermittent and ephemeral drainages, realignment of the ephemeral drainage, and site disturbance activities adjacent to both drainages during rain events would result in a temporary increase in turbidity, and sedimentation, mechanical fuels, or oils polluting unnamed tributaries to the Salinas River and the Salinas River. Inadequate stabilization of the realigned drainage would result in substantial erosion and subsequent sediment discharge into unnamed tributaries to the Salinas River, and the Salinas River. Additional sedimentation and pollutants may enter the creek during grading activities, installation of the wastewater pond, and construction of the winery and visitor's center facilities.

Mitigation/Conclusion.

Vegetation. To mitigate impacts to the eighteen coast live and white oak trees, the applicant has agreed to incorporate mitigation measures into the project. In addition to the protective fencing required for aesthetic resources mitigation (refer to Section 1 of this document), the applicant shall replace within the parcel the eighteen impacted oak trees with one-gallon or larger container coast live and white oak specimens at the replacement ratio of 2-to-1. Therefore, the applicant will be required to plant, protect and successfully maintain twenty-six new coast live and ten new white oak trees. The applicant has agreed to retain a qualified individual to monitor the new trees on an annual basis for no less than three years. The retained individual shall submit monitoring reports to the County of San Luis Obispo Department of Planning and Building/Division of Environmental and Resource Management for review and approval.

Drainages. To mitigate for impacts to unnamed tributaries and the Salinas River, the applicant has agreed to implement preventative measures prior to site disturbance, protective mitigation measures during construction and restorative mitigation measures subsequent to construction. The proposed drainage realignment, all culvert installations, and site disturbance activities within 100.0 feet of either drainage shall only be allowed between May 15 and October 15 (outside of the rainy season) unless erosion, sedimentation, and pollution prevention measures are fully in place.

To minimize the potential for sediment and pollutant discharge degrading unnamed tributaries to the Salinas River during all site disturbance, grading, and construction activities, a drainage protection plan incorporating Best Management and Pollution Prevention Practices will be prepared and submitted to the County of San Luis Obispo for approval. The protection plan shall incorporate a sedimentation and erosion control plan and describe the location and type of fencing to protect drainage areas outside of grading limits from incidental disturbance. To mitigate for proposed disturbance of both drainages during culvert installation and the proposed realignment of the ephemeral drainage, the applicant shall prepare and implement a restoration plan. The seasonally intermittent drainage shall be restored with native riparian vegetation at a 2:1 ratio, and the entire realignment of the ephemeral drainage within the project parcel shall be stabilized and restored with native vegetation appropriate for the site. Implementation of the drainage protection and restoration plans would improve the existing drainage and minimize sediment and pollutant discharge degrading unnamed tributaries to the Salinas River. Detailed mitigation measures are listed in Exhibit B (Mitigation Monitoring Plan).

Implementation of the above measures will reduce potential biological resources impacts to a level of insignificance.

5. CULTURAL RESOURCES -

Will the project:

- a) *Disturb pre-historic resources?*
- b) *Disturb historic resources?*
- c) *Disturb paleontological resources?*
- d) *Other _____*

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project is located in an area historically occupied by the Obispeño Chumash and Southern Salinan. The project is not located in an area that would be considered culturally sensitive due to a lack of physical features typically associated with prehistoric occupation, and no recorded sites are located in the immediate area. No evidence of cultural materials were noted on-site and no impacts are anticipated. No structures are present and no paleontological resources are known to exist in the area. Impacts to historic or paleontological resources is not expected.

6. GEOLOGY AND SOILS -*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Geology. The topography of the project site ranges from gently to moderately sloping. The project parcel is located outside of the Geologic Study Area designation. The landslide risk is considered moderate and the liquefaction potential during a ground-shaking event is considered low to moderate. No active faulting is known to exist on or near the subject property. There is no evidence that measures above what will already be required by ordinance or code are needed.

Drainage. One seasonally intermittent drainage and one ephemeral drainage are located on the project property, as described in Section 4 (Biological Resources). The applicant is proposing to construct the northern branch of the access road within the current location of the ephemeral drainage and realign the drainage to flow adjacent to the proposed road. Two 24.0-inch diameter culverts are proposed under the proposed access road to facilitate flow of the seasonally intermittent drainage, and two culverts are proposed under the "Y" intersection in the access road to carry storm water flow in a direction similar to the existing drainage pattern. Other drainage improvements proposed for the site include four drainage

culverts and installation of rip-rap flow dissipaters under and adjacent to the proposed access road alignments. The area proposed for development is outside of the 100-year Flood Hazard designation. As described in the Natural Resource Conservation Service Soil Survey, these soils are very poorly to not well drained.

Sedimentation and Erosion. The soil types on the project site consist of Gazos shaly clay loam and Lockwood shaly loam. As described in the Natural Resource Conservation Service Soil Survey, the soil surface is considered highly erodible and has a moderate shrink-swell characteristic. Project grading may create exposed graded areas subject to increased soil erosion and down-gradient sedimentation. Approximately 70,000 square feet of area are proposed for site disturbance.

Impact.

Drainage. The applicant has submitted a grading and drainage plan incorporating the use of culverts and rip-rap flow dissipaters to manage drainage on the project site, as shown in Figures 11 through 13. The proposed plan is designed to maintain the existing flow rate and direction of offsite drainage. Implementation of the proposed plan and the requirements of County Land Use Ordinance, Sec. 22.05.040 (Drainage Plan) are required.

Sedimentation and Erosion. Erosion of graded areas and discharge of sediment down gradient will likely result, if adequate temporary and permanent measures are not taken before, during and after vegetation removal and grading. If not properly mitigated, these impacts both on the project site and within surrounding areas may be significant.

Mitigation/Conclusion. To mitigate for potential sedimentation and erosion impacts, the applicant has agreed to submit a sedimentation and erosion control plan incorporated into a drainage protection plan to the County of San Luis Obispo for review and approval. The plan shall address temporary (during site disturbance, grading, and construction) and final (post-construction) methods for stabilizing soil and minimizing soil loss from the proposed project site. Due to the amount of grading proposed (over 1.0 acre), a Storm Water Pollution Prevention Plan (SWPPP) is required by the State Water Quality Control Board. Based on the implementation of an approved sedimentation and erosion control plan, SWPPP, and County standard requirements, geological, drainage, and sedimentation/erosion impacts will be reduced to less than significant levels.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

f) **Other** _____

Setting/Impact. The proposed project is located in an area of predominantly agricultural uses. There are no known hazardous waste sites or pipelines underlying or in the vicinity of the project area and the project does not propose the use of hazardous materials. The proposed project is located within an area of high fire hazard and is subject to regulations enforced by the California Department of Forestry/County Fire Department.

Mitigation/Conclusion. The California Department of Forestry/County Fire Department prepared a Fire Safety Plan (Gilbert Portillo, September 6, 2001) to address potential fire safety concerns. The applicant shall implement the Fire Safety Plan and operate the winery in full compliance with all requirements.

8. NOISE - Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

a) **Expose people to noise levels which exceed the County Noise Element thresholds?**

b) **Generate increases in the ambient noise levels for adjoining areas?**

c) **Expose people to severe noise or vibration?**

d) **Other** _____

Setting. The proposed project site is located adjacent to Highway 46. The proposed visitor's center would be located approximately 200.0 feet northwest of Highway 46. The topography between the highway and the site consists of gently to moderately sloping hillsides. The *Noise Element of the San Luis Obispo County General Plan* (May 5, 1992) was consulted to evaluate the potential exposure to traffic noise from Highway 46. The noise contour maps indicated that the proposed wine processing building and visitor's center are located outside of the 60 Ldn (average day and night noise level) noise contour. According to the *Noise Element*, the future noise exposure is acceptable and does not require mitigation. The applicant is not proposing any special events.

The proposed project will not generate or be exposed to significant stationary or transportation-related noise sources; therefore no significant noise impacts would occur as a result of the proposed project.

9. POPULATION/HOUSING - Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

a) **Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?**

b) **Displace existing housing or people, requiring construction of replacement housing elsewhere?**

9. POPULATION/HOUSING -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project is not anticipated to induce growth, create the need for new housing, or use a substantial amount of fuel or energy to construct and maintain. The proposed winery facility does not displace existing housing or people. Therefore, no significant population and housing impacts are expected to occur.

10. PUBLIC SERVICES/UTILITIES -

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project site is served by the County Sheriffs Department, and California Department of Forestry/San Luis Obispo County Fire Department as the primary emergency responders. The nearest CDF County Fire station is located in the City of Paso Robles, approximately five miles from the project site. The nearest Sheriff station is located in the community of Templeton, approximately four miles from the project site. The project site is located within and served by the Paso Robles Joint Unified School District. This proposed project, along with numerous others in the area would have a cumulative effect on police and fire protection, and schools. Public facility and school fee programs have been adopted to address this impact and would reduce the cumulative impact to a level of insignificance. No significant project-specific impacts to utilities or public services were identified.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

11. RECREATION - Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

c) *Other* _____

Setting/Impact. The County Trails Plan does not show a future trail being considered on the subject property. The project is not proposed in a location that will affect any trail, park or other recreational resource. No impacts to recreational resources would occur as a result of the proposed project.

12. TRANSPORTATION/ CIRCULATION - Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

a) *Increase vehicle trips to local or areawide circulation system?*

b) *Reduce existing "Levels of Service" on public roadway(s)?*

c) *Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?*

d) *Provide for adequate emergency access?*

e) *Result in inadequate parking capacity?*

f) *Result in inadequate internal traffic circulation?*

g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?*

h) *Result in a change in air traffic patterns that may result in substantial safety risks?*

i) *Other* _____

Setting/Impact. The proposed winery and visitor's center would be accessed from an access driveway proposed parallel to Highway 46 before extending northwest to the proposed winery buildings. Three existing wineries are currently accessed by Anderson Road, which intersects with Highway 46 approximately 750.0 feet east of the proposed access road approach. The anticipated number of trips generated by the proposed winery would be twenty during the harvest season. The proposed visitor's center (tasting room) is expected to generate up to thirty trips per day during a peak summer weekend. The applicant is proposing a sixteen-space parking lot and an overflow parking area to accommodate employees and visitors. Referrals were sent to County Public Works and the California Department of Transportation (Caltrans).

Public Works did not identify any significant traffic safety or circulation impacts. Caltrans responded with concerns pertaining to travelers turning left onto Anderson Road from Highway 46. Caltrans recommends that a left turn channelization lane be installed on Highway 46 to facilitate traffic flow. The applicant is not proposing any special events and the proposed winery and visitor's center would not generate a significant number of trips that would result in a project specific traffic safety impact or a

degradation of the level of service on Highway 46; however, the additional trips would contribute to cumulative traffic congestion in the vicinity of the project area.

Mitigation/Conclusion. To mitigate for the proposed project's contribution to the cumulative traffic congestion impact at the Anderson Road and Highway 46 intersection, the applicant would be required to submit funds to "Templeton Area Road Improvement Fee" and "Highway 46 Fee" programs. These fees are utilized to improve roads, intersections, and levels of service of circulation systems in the Templeton area, including the project area. No other traffic-related mitigation measures are necessary.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Adversely affect community wastewater service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil types mapped for the site are Gazos shaly clay loam and Lockwood shaly loam. The applicant is proposing to construct wastewater treatment systems within the Gazos shaly clay loam. Based on information provided by the applicant, the average domestic wastewater flow per day with a maximum of two full time employees and an average of 30 visitors per day is 250 gallons/day (November 19, 2001). Domestic wastewater will be treated in a septic tank and leach field.

The winery processing operation is anticipated to generate up to 1,000 gallons/day during peak day crush flow. The applicant is proposing a separate system to treat and manage winery process wastewater; this system includes initial screening, a 148.0-cubic yard storage and evaporation pond, surface aerator treatment, irrigation disposal, and solids management.

Impacts. Based on the NRCS Soil Survey, the main limitation(s) of this soil for wastewater effluent include: steep slopes, poor filtering characteristics, and shallow depth to bedrock.

Steep Slopes. This characteristic indicates that portions of the soil unit may contain slopes steep enough to result in potential daylighting of wastewater effluent.

Slow Percolation. This characteristic indicates that fluids may percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate needs to be between 30 and 120 minutes per inch.

Shallow Depth to Bedrock. This characteristic is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth's surface.

The proposed project was referred to the San Luis Obispo County Department of Environmental Health. In addition to final approval of septic system leach field and wastewater pond design by the County

Department of Environmental Health, the applicant is required to apply for the Regional Water Quality Control Board "Form 200" Application/Report of Waste Discharge General Information Form for NPDES Permits and Waste Discharge Requirements.

Mitigation/Conclusion. To mitigate for potential wastewater impacts resulting from adverse soil characteristics, the applicant has agreed to submit additional information including a slope analysis, percolation tests, and soil borings data verifying that a standard leach field would adequately serve the proposed project. If a standard system is not adequate, the applicant shall submit plans for an engineered system designed to mitigate for the soil limitations and conform with the Basin Plan requirements. Prior to construction of the wastewater pond, the applicant shall be required to submit plans for the review and approval of the County Department of Public Works and Regional Water Quality Control Board (RWQCB) and obtain a wastewater discharge permit from the RWQCB. Implementation of these measures and permit conditions would reduce wastewater impacts to a level of insignificance.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Water Usage. Water would be provided for by an on-site well for the proposed project. The water source is the Paso Robles groundwater basin. The *Annual Resource Summary Report (2002)* states that there is no recommended level of severity for this basin; therefore projected water demand would not exceed water supply. The applicant estimates that the maximum water supply demand during peak flow would be approximately 1,135 gallons per day. The applicant plans to re-use tertiary treated wastewater for irrigation purposes, eventually returning a portion of the processed water to the groundwater table. Based on the existing available water source and number of tributaries and creeks in the vicinity of the proposed project, no impacts to water supply are anticipated.

Surface Water. One seasonally intermittent drainage and one ephemeral drainage are located on the project parcel within the area proposed for disturbance. The topography of the site ranges from gently to moderately sloping. Drainage, erosion, sedimentation, and pollution discharge control measures are required for the proposed project and will provide sufficient measures to adequately protect surface water quality (refer to Sections 4 and 6 of this document). No additional measures are considered necessary and potential water quality impacts are either insignificant or will be reduced to less than significant levels.

Mitigation/Conclusion. To assure that adequate water will be available for the proposed development, the project will be subject to County's Title 19 (Building and Construction Ordinance, Sec. 19.20.238), which states that no grading or building permit shall be issued until either the water purveyor provides a written statement that potable water service will be provided (community systems), or an on-site well is installed, tested and certified to meet minimum capacity requirements and Health Department approval. These measures, along with the previously discussed sedimentation and erosion control measures (refer to Sections 4 and 6) would adequately mitigate impacts to water quality to a level of insignificance.

15. LAND USE -	Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a)	<i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	<i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Adelaida Area Plan). The project was found to be consistent with these documents. Referrals were sent to several agencies to review for various policy consistencies including the County of San Luis Obispo Departments of Environmental Health, Public Works, Agricultural Commissioner, and Fire Department/California Department of Forestry, Templeton Advisory Group, and the California Department of Transportation. These agencies did not indicate any inconsistencies with existing policies or plans. The applicant will obtain all required permits and approvals from County Fire, Environmental Health, and the Regional Water Quality Control Board prior to construction or operation.

The surrounding uses are as follows: North - dry farmed grains, livestock grazing; East - Anderson Road, dry farmed grains, vineyards, wineries; South - Highway 46, dry farmed grains, livestock grazing; and, West - dry farmed grains, livestock grazing. The proposed project is compatible with these surrounding uses because the applicant is proposing a winery and vineyards. No inconsistencies were identified and therefore no additional measures above what will already be required were determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels,</i>				

threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)

c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.slocoplanbldg.com" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

\\Fileserver\file server1\Projects\Directory\2002\02-809 Robak Winery\Reports\Negative Declaration\Robak Checklist.wpd

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an "X") and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	Attached
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input checked="" type="checkbox"/>	CA Department of Transportation	Attached
<input type="checkbox"/>	_____ Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Templeton Advisory Group	Attached

* "No comment" or "No concerns"-type responses are usually not attached

The following checked ("✓") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Adelaida Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> _____ Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for San Luis Obispo County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin - Region 3)
<input checked="" type="checkbox"/> Safety Element	<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

In addition, the following project-specific information and/or reference materials have been considered as a part of the Initial Study:

Carr, Robert C. December 2002. *Visual Impact Assessment of the Proposed Braveheart Winery.*

Exhibit B - Mitigation Summary Table

Aesthetics

- V-1 Prior to issuance of construction permits, the applicant shall submit architectural elevations to the Department of Planning and Building for review and approval. The elevations shall show exterior finish materials and colors, as follows:
- 1) Exterior wall and trim colors of structures shall be limited to dark muted earth-tones. Exterior colors shall be no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building.
 - 2) Roof colors of structures shall be limited to deep earth tones, deep muted greens, browns and grays and no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building.
 - 3) No reflective coatings shall be used on windows facing the south, southwest or toward Highway 46.
- V-2 Prior to issuance of construction permits, the applicant shall submit revised landscape plans to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The plans shall include native evergreen plants along the access road and in the vicinity of the proposed winery and tasting room, within the areas shown on the Mitigation Concept Map of the Visual Impact Assessment prepared by Robert G. Carr (December 2002). No palm trees or Italian cypress shall be included in the plans. The landscape plan shall be prepared by a professional qualified in the successful design of native plantings. Additional planting may occur outside of the identified mitigation planting areas.
- 1) Locations identified as "Tree Planting Areas" shall include native evergreen trees capable of growing to a minimum height of 30 feet tall and shall include at least 50 percent coast live oak (*Quercus agrifolia*) species. The maximum number of trees possible shall be planted within the area shown on the Mitigation Concept Map, planted at between 10 and 20-foot on-center spacing. Trees shall be planted from a minimum 15-gallon container size.
 - 2) Locations identified as "Shrub Planting Areas" shall include native evergreen shrubs which are capable of growing to a minimum height of 4 feet. Shrubs shall be planted to create a solid visual screen as seen from Highway 46 and planted from a minimum five-gallon container size.
 - 3) Plants within the mitigation planting areas shall be installed in random-appearing patterns. Mitigation trees and shrubs shall be maintained until fully established. Mitigation trees and shrubs which die shall be replaced.
- V-4 Prior to issuance of construction permits, the applicant shall submit a bond to the County of San Luis Obispo for an amount determined by the County to be sufficient to cover the estimated cost of planting and establishing the equivalent of the total number of trees and shrubs included in the Mitigation Concept Plan, as shown on the Landscape Plan. The bond shall be held for a minimum of five years to ensure the successful establishment and maintenance of the mitigation planting.

- V-5 Prior to final occupancy, the Landscape Plan shall be implemented, and the applicant shall provide a letter or other sufficient evidence to the County of San Luis Obispo Environmental Coordinator for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the mitigation planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for five years. At the end of the five- year monitoring period, the monitoring report shall be submitted to the County Environmental Coordinator for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant.
- V-6 Prior to issuance of construction permits, the applicant shall submit site plans to the Department of Planning and Building for review and approval. The plans shall show vineyards planted at locations indicated on the Mitigation Concept Map of the Visual Impact Assessment prepared by Robert G. Carr (December 2002) to help screen the access road from views from Highway 46. Vineyards may also be planted outside of the areas shown on the Mitigation Concept Map.
- V-7 Prior to issuance of grading permit, the applicant shall submit revised grading plans to the Department of Planning and Building for review and approval. The plans shall include slope-rounding and contour grading for all slopes to create a more natural appearing landform.
- V-8 Prior to issuance of construction permits, the applicant shall submit a site plan and architectural elevations of the water tank to the Department of Planning and Building for review and approval. The elevations shall show location, form, dimensions, exterior finish materials and colors, as follows:
- 1) The water tank shall be located as shown on the Mitigation Concept Map of the Visual Impact Assessment prepared by Robert G. Carr (December 2002).
 - 2) Maximum height of the water tank shall be 15 feet above natural grade.
 - 3) The water tank color shall be either black or deep muted green, brown or gray and no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building.
 - 4) Cut and fill slopes required to install the water tank shall not exceed 2.0 feet in height.
 - 5) The water tank shall not silhouette above trees into the skyline.
- V-9 Prior to issuance of construction permits, the applicant shall submit an exterior lighting plan for review and approval by the Department of Planning and Building which includes the following:
- 1) Direct views of all exterior lighting sources shall be shielded from view from Highway 46.
 - 2) Exterior lighting shall be designed to not focus illumination onto exterior walls.
 - 3) Any security lighting installed on the property shall be equipped with motion detectors to prevent the illumination from remaining on.

- 4) "White" colored light shall not be used for exterior lighting.
- 5) If access road lighting is proposed, the luminaires shall be a shielded "bollard-type" and shall be a maximum of 3 feet above the ground.

- V-10 Winery related materials stored out of doors shall be screened by solid fencing and shall not be higher than the associated solid fence screening, unless the storage area is not visible from Highway 46.
- V-11 Prior to issuance of grading permit, the applicant shall install protective fencing under the driplines of the existing coast live and white oak trees located adjacent the proposed building and watertank locations. The protective fencing shall be at least 4.0 feet high, bright, and shall remain in place until final inspection.
- V-12 During operation of the development, no site disturbance, including but not limited to, placement of benches, planting of grass, watering, or paths shall be allowed within the driplines of the seven coast live oak trees and one white oak tree located within 60.0 feet of the proposed winery facility and visitor's center.

Air Quality

AQ-1 Prior to issuance of grading permit, the following measures shall be shown on the grading and building plans. The measure shall be implemented during grading and construction activities. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

- 1) Reduce the amount of disturbed area where possible;
- 2) Use water trucks or sprinkler systems in sufficient quantity to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- 3) All dirt stockpile areas should be sprayed daily as needed;
- 4) Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities;
- 5) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating native grass seed and watered until vegetation is established;
- 6) All disturbed soil areas not subject to revegetation must be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD;
- 7) All roadways, driveways, sidewalks, etc to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;

- 8) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- 9) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
- 10) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and
- 11) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Biological Resources

- BR-1 Prior to final inspection, the applicant shall replace, at a 2:1 ratio, the thirteen (13) coast live (*Quercus agrifolia*) and five (5) white oak (*Quercus alba*) trees which will be impacted as a result of grading, for a total of twenty-six (26) coast live and ten (10) white oak trees.

Replacement trees shall be from in-kind one-gallon or larger container sizes. All newly planted oak trees shall be maintained until successfully established. This shall include caging from animals (e.g., deer and rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used. All trees shall be tagged and numbered for future monitoring.

Once trees have been planted and prior to final inspection of grading permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryperson, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

- BR-2 Prior to issuance of grading permit, to promote the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/contractor, nurseryperson) to monitor the new trees until successfully established, on an annual basis, for no less than three years. The first report shall be submitted to the Department of Planning and Building one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the newly planted vegetation is successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report and approved by the Department of Planning and Building.

- BR-3 Prior to issuance of grading and construction permits, the applicant shall submit a drainage protection and restoration plan prepared by a qualified biologist. Drainage restoration areas shall be located on the project parcel and shall equate or exceed the area impacted by the proposed drainage realignment and culvert installations. The entire realigned segment of the ephemeral drainage shall be restored. A compatible native seed mix and cuttings of site appropriate species shall be used to revegetate the disturbed areas.

- BR-4 Prior to final occupancy and when all plant restoration work has been completed, the applicant shall notify the Department of Planning and Building for a verification inspection.

- BR-5 Prior to issuance of grading and construction permits, the "project limits" shall be clearly delineated on all construction plans, along with locations of sturdy, high-visibility fencing to be installed in the field to protect drainage areas not to be disturbed, unless otherwise determined by the resource agencies. No construction (including storage of materials) shall occur outside of the "project limits".
- BR-6 During the rainy season (October 15 through May 15), project grading and construction activities shall not occur within 100.0 feet of either drainage unless erosion, sedimentation and pollution prevention measures are fully in place.
- BR-7 Prior to issuance of grading permits, the applicant shall apply for and submit copies of permits from the following agencies (or paperwork received by the appropriate jurisdiction stating that a permit is not required):
- 1) U.S. Army Corps of Engineers;
 - 2) California Department of Fish and Game; and,
 - 3) Regional Water Quality Control Board.

Geology and Soils

- GS-1 Prior to issuance of grading permit, the applicant shall submit a drainage, sedimentation and erosion control plan prepared and signed by a Registered Civil Engineer. The plan shall meet the requirements of Land Use Ordinance (LUO) 22.05.034 and 22.05.082(a) and shall be approved by the Division of Environmental and Resource Management in consultation with the Public Works Department. The plan shall be incorporated into the drainage protection and restoration plan.
- GS-2 Prior to issuance of grading permit, the applicant shall prepare a Best Management and Pollution Prevention Practices Plan for the review and approval of the Environmental Coordinator in consultation with the California Department of Fish and Game, Regional Water Quality Control Board, and U.S. Army Corps of Engineers (if required by these resource agencies). This Plan shall be integrated with the required drainage protection plan and shall outline proposed BMPs to control erosion and prevent sedimentation from entering the creeks and tributaries, methods to prevent accidental spills, and a proposed clean-up plan.
- GS-3 Prior to issuance of grading and building permits, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit to the State Water Quality Control Board (SWQCB). The applicant shall provide proof of SWQCB Storm Water Permit or documentation from the SWQCB stating that a permit is not necessary.

Wastewater

- WW-1 Prior to issuance of a building permit, a registered civil engineer familiar with wastewater systems, shall prepare an analysis that shows the location of the leach lines will have no potential for daylighting of effluent.
- WW-2 Prior to issuance of a building permit, the applicant shall submit one of the following:
- 1) A soils report showing that the percolation tests resulted in rates adequate for a standard septic leach field system; or,

- 2) Plans for an engineered septic system of an acceptable design to the Department of Public Works and Regional Water Quality Control Board.

- WW-3 Prior to building permit issuance and leach line installation, soil borings shall be taken to verify that adequate separation exists. If adequate separation is not achieved, an engineered system shall be designed and installed to conform to Basin Plan requirements.
- WW-4 All wash water shall be controlled such that it cannot enter any stream or other surface water body. Winery process liquid waste generated by future winery operations must be discharged to an approved septic system or other wastewater system approved by the Regional Water Quality Control Board, with no such waste material discharged to the ground surface or otherwise allowed to any stream or other surface water body.
- WW-5 Solid winery waste (pomace), if any, generated by the winery operation shall be composted on-site and disced into the vineyard, or transported off-site and disposed of in a manner that will not result in the degradation of surface or groundwater.
- WW-6 Liquid waste generated by the winery operations must be discharged to a separate wastewater system designed by a civil engineer with expertise in the design of winery wastewater systems and approved by the County Building Official or Regional Water Quality Control Board. Such system shall not create offensive odors or materially impair the quality of groundwater for domestic or agricultural use.
- 1) Prior to discharge of winery wastewater in excess of 2,500 gallons per day, the applicant shall obtain approval and/or permits from the Regional Water Quality Control Board. In no case shall winery wastewater be discharged into a stream or other surface water.
- WW-7 Prior to operation of the winery and the tasting room, the applicant shall obtain the appropriate Health Department permits. The Health Department will require the following information:
- 1) Anticipated amount of wastewater discharge from production and domestic waste;
 - 2) The location of water well(s) in relation to wastewater discharge area(s);
 - 3) Operational plans for pomace and solid waste disposal; and
 - 4) A vector control plan addressing insect and rodent control.
- WW-8 Solid waste by the winery shall be transported off-site for disposal in a manner that will not result in the degradation of any surface or groundwater.
- WW-9 Prior to issuance of building permits, the applicant shall submit copies of wastewater discharge permits or approvals from the Regional Water Quality Control Board.

**DEVELOPER'S STATEMENT FOR THE
ROBAK MINOR USE PERMIT; D010060P**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

AESTHETICS

V-1 Prior to issuance of construction permits, the applicant shall submit architectural elevations to the Department of Planning and Building for review and approval. The elevations shall show exterior finish materials and colors, as follows:

- 1) Exterior wall and trim colors of structures shall be limited to dark muted earth-tones. Exterior colors shall be no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building.
- 2) Roof colors of structures shall be limited to deep earth tones, deep muted greens, browns and grays and no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building.
- 3) No reflective coatings shall be used on widows facing the south, southwest or toward Highway 46.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management shall review and approve the proposed colors and materials presented on the elevations, and shall verify compliance with the approved plans.

V-2 Prior to issuance of construction permits, the applicant shall submit revised landscape plans to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The plans shall include native evergreen plants along the access road and in the vicinity of the proposed winery and tasting room, within the areas shown on the Mitigation Concept Map of the *Visual Impact Assessment* prepared by Robert G. Carr (December 2002). No palm trees or Italian cypress shall be included in the plans. The landscape plan shall be prepared by a professional qualified in the successful design of native plantings. Additional planting may occur outside of the identified mitigation planting areas.

- 1) Locations identified as "Tree Planting Areas" shall include native evergreen trees capable of growing to a minimum height of 30 feet tall and shall include at least 50 percent coast live oak (*Quercus agrifolia*) species. The maximum number of trees possible shall be planted within the area shown on the Mitigation Concept Map, planted at between 10 and 20-foot on-center spacing. Trees shall be planted from a minimum 15-gallon container size.
- 2) Locations identified as "Shrub Planting Areas" shall include native evergreen shrubs which are capable of growing to a minimum height of 4 feet. Shrubs shall be planted to create a solid visual screen as seen from Highway 46 and planted from a minimum five-gallon container size.
- 3) Plants within the mitigation planting areas shall be installed in random-appearing patterns. Mitigation trees and shrubs shall be maintained until fully established. Mitigation trees and shrubs which die shall be replaced.

<p>Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management shall review and approve the proposed landscape plan, and shall verify compliance with the approved plans.</p>
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- V-4** **Prior to issuance of construction permits**, the applicant shall submit a bond to the County of San Luis Obispo for an amount determined by the County to be sufficient to cover the estimated cost of planting and establishing the equivalent of the total number of trees and shrubs included in the Mitigation Concept Plan, as shown on the Landscape Plan. The bond shall be held for a minimum of five years to ensure the successful establishment and maintenance of the mitigation planting.

<p>Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management shall verify receipt of landscaping bond.</p>

- V-5** **Prior to final occupancy**, the Landscape Plan shall be implemented, and the applicant shall provide a letter or other sufficient evidence to the County of San Luis Obispo Environmental Coordinator for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the mitigation planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for five years. At the end of the five-year monitoring period, the monitoring report shall be submitted to the County Environmental Coordinator for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant.

<p>Monitoring: The Division of Environmental and Resource Management shall verify receipt of contract letter and final monitoring report submitted by a County approved landscape architect, nurseryperson, or other qualified individual.</p>

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V-6 **Prior to issuance of construction permits**, the applicant shall submit site plans to the Department of Planning and Building for review and approval. The plans shall show vineyards planted at locations indicated on the Mitigation Concept Map of the *Visual Impact Assessment* prepared by Robert G. Carr (December 2002) to help screen the access road from views from Highway 46. Vineyards may also be planted outside of the areas shown on the Mitigation Concept Map.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management shall verify and approve required elements on plans.

V-7 **Prior to issuance of grading permit**, the applicant shall submit revised grading plans to the Department of Planning and Building for review and approval. The plans shall include slope-rounding and contour grading for all slopes to create a more natural appearing landform.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management shall verify and approve required elements on plans.

V-8 **Prior to issuance of construction permits**, the applicant shall submit a site plan and architectural elevations of the water tank to the Department of Planning and Building for review and approval. The elevations shall show location, form, dimensions, exterior finish materials and colors, as follows:

- 1) The water tank shall be located as shown on the Mitigation Concept Map of the *Visual Impact Assessment* prepared by Robert G. Carr (December 2002).
- 2) Maximum height of the water tank shall be 15 feet above natural grade.
- 3) The water tank color shall be either black or deep muted green, brown or gray and no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building.
- 4) Cut and fill slopes required to install the water tank shall not exceed 2.0 feet in height.
- 5) The water tank shall not silhouette above trees into the skyline.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management shall verify and approve required elements on site plan and elevations.

V-9 **Prior to issuance of construction permits**, the applicant shall submit an exterior lighting plan for review and approval by the Department of Planning and Building which includes the following:

- 1) Direct views of all exterior lighting sources shall be shielded from view from Highway 46.

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- 2) Exterior lighting shall be designed to not focus illumination onto exterior walls.
- 3) Any security lighting installed on the property shall be equipped with motion detectors to prevent the illumination from remaining on.
- 4) "White" colored light shall not be used for exterior lighting.
- 5) If access road lighting is proposed, the luminaires shall be a shielded "bollard-type" and shall be a maximum of 3 feet above the ground.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management shall verify and approve required elements on lighting plan.

- V-10** Winery related materials stored out of doors shall be screened by solid fencing and shall not be higher than the associated solid fence screening, unless the storage area is not visible from Highway 46.

Monitoring: The Department of Planning and Building shall enforce compliance.

- V-11** **Prior to issuance of grading permit**, the applicant shall install protective fencing under the driplines of the existing coast live and white oak trees located adjacent the proposed building and watertank locations. The protective fencing shall be at least 4.0 feet high, bright, and shall remain in place until final inspection.

Monitoring: The Department of Planning and Building shall enforce compliance.

- V-12** **During operation of the development**, no site disturbance, including but not limited to, placement of benches, planting of grass, watering, or paths shall be allowed within the driplines of the seven coast live oak trees and one white oak tree located within 60.0 feet of the proposed winery facility and visitor's center.

Monitoring: The Department of Planning and Building shall enforce compliance.

AIR QUALITY

- AQ-1** **Prior to issuance of grading permit**, the following measures shall be shown on the grading and building plans. The measure shall be implemented during grading and construction activities. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

- 1) Reduce the amount of disturbed area where possible;

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- 2) Use water trucks or sprinkler systems in sufficient quantity to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- 3) All dirt stockpile areas should be sprayed daily as needed;
- 4) Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities;
- 5) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating native grass seed and watered until vegetation is established;
- 6) All disturbed soil areas not subject to revegetation must be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD;
- 7) All roadways, driveways, sidewalks, etc to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- 8) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- 9) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
- 10) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and,
- 11) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Monitoring: Compliance will be verified by the Department of Planning and Building, in consultation with the APCD.

BIOLOGICAL RESOURCES

BR-1 **Prior to final inspection**, the applicant shall replace, at a 2:1 ratio, the thirteen (13) coast live (*Quercus agrifolia*) and five (5) white oak (*Quercus alba*) trees which will be impacted as a result of grading, for a total of twenty-six (26) coast live and ten (10) white oak trees.

Replacement trees shall be from in-kind one-gallon or larger container sizes. All newly planted oak trees shall be maintained until successfully established. This shall include caging from animals (e.g., deer and rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used. All trees shall be tagged and numbered for future monitoring.

Environmental Determination: ED01-350Date: March 25, 2003

Once trees have been planted and prior to final inspection of grading permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryperson, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management, shall verify compliance. The Department of Planning and Building shall verify receipt of the letter stating the completion of planting and protection measures.

- BR-2** **Prior to issuance of grading permit,** to promote the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/contractor, nurseryperson) to monitor the new trees until successfully established, on an annual basis, for no less than three years. The first report shall be submitted to the Department of Planning and Building one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the success criteria have been achieved or the newly planted vegetation is successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report and approved by the Department of Planning and Building.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management, shall verify compliance. The Department of Planning and Building shall verify receipt of the monitoring reports.

- BR-3** **Prior to issuance of grading and construction permits,** the applicant shall submit a drainage protection and restoration plan prepared by a qualified biologist. Drainage restoration areas shall be located on the project parcel and shall equate or exceed the area impacted by the proposed drainage realignment and culvert installations. The entire realigned segment of the ephemeral drainage shall be restored. A compatible native seed mix and cuttings of site appropriate species shall be used to revegetate the disturbed areas.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management, California Department of Fish and Game, Regional Water Quality Control Board, and U.S. Army Corps of Engineers, shall verify compliance.

- BR-4** **Prior to final occupancy and when all plant restoration work has been completed,** the applicant shall notify the Department of Planning and Building for a verification inspection.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management shall perform the verification inspection and enforce compliance.

Environmental Determination: ED01-350Date: March 25, 2003

- BR-5** Prior to issuance of grading and construction permits, the "project limits" shall be clearly delineated on all construction plans, along with locations of sturdy, high-visibility fencing to be installed in the field to protect drainage areas not to be disturbed, unless otherwise determined by the resource agencies. No construction (including storage of materials) shall occur outside of the "project limits".

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Division of Environmental and Resource Management. The Department of Planning and Building shall verify inclusion of required elements on plans.

- BR-6** During the rainy season (October 15 through May 15), project grading and construction activities shall not occur within 100.0 feet of either drainage unless erosion, sedimentation and pollution prevention measures are fully in place.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Division of Environmental and Resource Management.

- BR-7** Prior to issuance of grading permits, the applicant shall apply for and submit copies of permits from the following agencies (or paperwork received by the appropriate jurisdiction stating that a permit is not required):

- 1) U.S. Army Corps of Engineers;
- 2) California Department of Fish and Game; and,
- 3) Regional Water Quality Control Board.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management, shall verify receipt of appropriate permits and/or paperwork.

GEOLOGY AND SOILS

- GS-1** Prior to issuance of grading permit, the applicant shall submit a drainage, sedimentation and erosion control plan prepared and signed by a Registered Civil Engineer. The plan shall meet the requirements of Land Use Ordinance (LUO) 22.05.034 and 22.05.082(a) and shall be approved by the Division of Environmental and Resource Management in consultation with the Public Works Department. The plan shall be incorporated into the drainage protection and restoration plan.

Monitoring: The Department of Planning and Building/Division of Environmental and Resource Management, in consultation with the Department of Public Works shall review and approve all required plans.

Environmental Determination: ED01-350Date: March 25, 2003

- GS-2** Prior to issuance of grading permit, the applicant shall prepare a Best Management and Pollution Prevention Practices Plan for the review and approval of the Environmental Coordinator in consultation with the California Department of Fish and Game, Regional Water Quality Control Board, and U.S. Army Corps of Engineers (if required by these resource agencies). This Plan shall be integrated with the required drainage protection plan and shall outline proposed BMPs to control erosion and prevent sedimentation from entering the creeks and tributaries, methods to prevent accidental spills, and a proposed clean-up plan.

Monitoring: The Department of Planning and Building/Division of Environmental and Resource Management, in consultation with the Department of Public Works shall review and approve all required plans.

- GS-3** Prior to issuance of grading and building permits, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit to the State Water Quality Control Board (SWQCB). The applicant shall provide proof of SWQCB Storm Water Permit or documentation from the SWQCB stating that a permit is not necessary.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management, shall verify receipt of appropriate permits and/or paperwork.

WASTEWATER

- WW-1** Prior to issuance of a building permit, a registered civil engineer familiar with wastewater systems, shall prepare an analysis that shows the location of the leach lines will have no potential for daylighting of effluent.

Monitoring: The Department of Planning and Building shall review and approve required analysis

- WW-2** Prior to issuance of a building permit, the applicant shall submit one of the following:

- 1) A soils report showing that the percolation tests resulted in rates adequate for a standard septic leach field system; or,
- 2) Plans for an engineered septic system of an acceptable design to the Department of Public Works and Regional Water Quality Control Board.

Monitoring: The Department of Planning and Building shall review and approve required tests and/or plans in consultation with the Department of Public Works and Regional Water Quality Control Board.

- WW-3** Prior to building permit issuance and leach line installation, soil borings shall be taken to verify that adequate separation exists. If adequate separation is not achieved, an engineered system shall be designed and installed to conform to Basin Plan requirements.

Environmental Determination: ED01-350Date: March 25, 2003

Monitoring: The Department of Planning and Building shall review and approve required analysis

- WW-4** All wash water shall be controlled such that it cannot enter any stream or other surface water body. Winery process liquid waste generated by future winery operations must be discharged to an approved septic system or other wastewater system approved by the Regional Water Quality Control Board, with no such waste material discharged to the ground surface or otherwise allowed to enter any stream or other surface water body.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Regional Water Quality Control Board.

- WW-5** Solid winery waste (pomace), if any, generated by the winery operation shall be composted on-site and disced into the vineyard, or transported off-site and disposed of in a manner that will not result in the degradation of surface or groundwater.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Regional Water Quality Control Board.

- WW-6** Liquid waste generated by the winery operations must be discharged to a separate wastewater system designed by a civil engineer with expertise in the design of winery wastewater systems and approved by the County Building Official or Regional Water Quality Control Board. Such system shall not create offensive odors or materially impair the quality of groundwater for domestic or agricultural use.

- 1) **Prior to discharge of winery wastewater in excess of 2,500 gallons per day, the applicant shall obtain approval and/or permits from the Regional Water Quality Control Board. In no case shall winery wastewater be discharged into a stream or other surface water.**

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Regional Water Quality Control Board.

- WW-7** **Prior to operation of the winery and the tasting room, the applicant shall obtain the appropriate Health Department permits. The Health Department will require the following information:**

- 1) Anticipated amount of wastewater discharge from production and domestic waste;
- 2) The location of water well(s) in relation to wastewater discharge area(s);
- 3) Operational plans for pomace and solid waste disposal; and
- 4) A vector control plan addressing insect and rodent control.

Environmental Determination: ED01-350

Date: March 25, 2003

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Department of Environmental Health.

WW-8 Solid waste by the winery shall be transported off-site for disposal in a manner that will not result in the degradation of any surface or groundwater.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Department of Environmental Health.

WW-9 Prior to final inspection, the applicant shall provide a copy of the Wastewater Discharge Permit issued by the Regional Water Quality Control Board allowing the installation of the proposed constructed wetlands wastewater treatment system.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Regional Water Quality Control Board.

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.


Signature of Owner(s)

3/25/03
Date

Tom ROBAK
Name (Print)



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

AUG 24 2001 COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PUBLIC WORKS

VICTOR HOLANDA, AICP DIRECTOR

BRYCE TINGLE, AICP ASSISTANT DIRECTOR

ELLEN CARROLL ENVIRONMENTAL COORDINATOR

FORREST WERMUTH CHIEF BUILDING OFFICIAL

THIS IS A NEW PROJECT REFERRAL

DATE: 8/24/01

FROM: Pub Works

FROM: North Coast Team Probak / DO100609 Project Name and Number

Development Review Section (Phone 781-5183)

PROJECT DESCRIPTION: Winery and Yachting area

Return this letter with your comments attached no later than: 9/7/01

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

YES (Please go on to Part II) NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

NO (Please go on to Part III) YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

Recommend approval - referral to Cal Trans? REALIGNED CREEK will require grading, erosion control plan & TEMPORARY road Fees and HWY 46 Fees will be due.

7 SEPT 2001 Date Goodwin Name 5252 Phone



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

SEP 11 2001

VICTOR HOLANDA, AICP DIRECTOR

Planning & Bldg

BRYCE TINGLE, AICP ASSISTANT DIRECTOR

ELLEN CARROLL ENVIRONMENTAL COORDINATOR

FORREST WERMUTH CHIEF BUILDING OFFICIAL

THIS IS A NEW PROJECT REFERRAL

DATE: 8/24/01

TO: Env Health

FROM: North Coast Winery / Polak / DO100609

Project Name and Number

Development Review Section (Phone 781-5183)

PROJECT DESCRIPTION: Winery and Tasting Room

Return this letter with your comments attached no later than: 9/7/01

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

YES (Please go on to Part II)

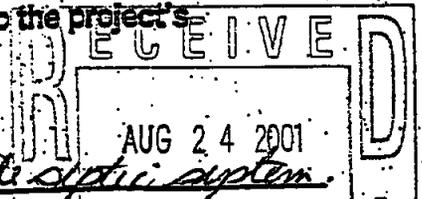
NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

NO (Please go on to Part III)

YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL



Provide stock conditions for individual wells and on-site septic system. Need to know number of employees, how many cases of wine produced, with wine tasting will food be prepared? social events? wine maker dinners? anticipated amount of wastewater discharge from production & domestic sources? What is proposed for

9-7-01 Laurie Sel...

5551 Phone

the pomace and solid waste disposal?



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556

RICHARD D. GREEK

AGRICULTURAL COMMISSIONER/SEALER

(805) 781-5910

FAX (805) 781-1035

AgCommSLO@co.slo.ca.us

November 5, 2001

TO: North County Team, Planning Department

FROM: John Warrick, Environmental Specialist

SUBJECT: Robak MUP/ D010060P

RECEIVED
NOV 08 2001
Planning & Bldg

Introduction

The following report responds to your request for comments on the Robak Minor Use Permit application for construction of Braveheart Winery, tasting room, and associated accessory use facilities in Paso Robles. Agriculture Department staff conducted a site evaluation including a review of applicable aerial photographs, digital site images, land use and ownership maps, and soils information.

The comments and recommendations in our report are based on current departmental policy and agricultural policies contained within the Agriculture and Open Space Element (A&OSE) of the County General Plan, and the newly amended sections of Title 22 of the Land Use Ordinance (LUO) Relating to Wineries and Related Uses. These policies are in place to conserve agricultural resources, protect public health, safety, and welfare, while mitigating negative impacts of development to agriculture.

The Agriculture Department also reviews development proposals for potential impacts to agricultural resource using criteria presented in the California Environmental Quality Act (CEQA).

Summary of Findings

1. **A&OSE Policy 8.** We find that the Robak Winery project meets the intent of A&OSE Policy 8 relating to Intensive Agricultural Facilities. Specifically, since the winery production is estimated at 15,000 cases annually, approximately 230-250 tons of grapes will be purchased from local growers in order to meet production goals. Thus, the proposed winery will support the objective of sustainability of the local wine grape industry by providing processing capability for grapes grown in San Luis Obispo County.

3. **Land Use Ordinance Title 22, Relating to Wineries and Related Uses.** The amended sections of Title 22 of the Land Use Ordinance (LUO) Relating to Wineries and Related Uses introduce a clear and specific description of the relationship of the Accessory Uses to the Agricultural Uses.

North County Team, Planning Department

November 5, 2001

Page 2

The LUO states that,

“Tasting rooms shall be clearly incidental, related and subordinate to the primary operation of the winery as a production facility.”

When we reviewed the proportions of the project site devoted to different land uses, and compared the size of the proposed facility footprints, we find that the accessory use facilities (the hospitality/tasting room) appear appropriate in size and scale to the winery production facility. Thus, we find that the project meets the requirement that accessory uses are “incidental, related and subordinate” to the winery production facility.

However, the project will not meet other requirements specified in the LUO unless a waiver is issued as part of the project’s Minor Use Permit. Based on the applicant’s stated plans for the size and scope of Special Events involving up to 80 guests, six (6) times per year, the project as designed does not meet the requirements for a 200 foot building setback from the parcel boundaries for the hospitality/tasting room. Likewise, the LUO requires that such scheduled public events necessitate a minimum 20 acre site area requirement. The 15.42 acre site does not meet this standard. However, the amended LUO does allow waivers to be requested and issued under the project permit issued by the Planning and Building Department. As designed, however, the project does not meet the intent of all applicable sections of Title 22 of the LUO.

4. California Environmental Quality Act (CEQA). Lastly, we find that the project as revised, does not create any potential impacts to agricultural resource using criteria presented in the California Environmental Quality Act (CEQA). Impacts of concern include pressure exerted by a project for (1.) conversion of “prime farmland”, (2.) conversion of unique farmland, or (3.), conversion of farmland of statewide importance to non-agricultural uses. CEQA also requires a project to be assessed for conflicts with existing zoning for agricultural uses, or Williamson Act contracts. No such potential impacts or conflicts were identified during our review..

Likewise, the Agriculture Department concludes that this project presents no incompatibility issues for adjacent agricultural or residential property owners. The location of the proposed winery along Highway 46 west, near three other operating wineries, and the presence of adequate distance buffers separating the project from nearby residences, suggest that project incompatibility with adjacent agriculture is unlikely.

Recommended Project Modifications or Mitigation

We find that, based on the size and scope of Special Events proposed, the Robak Braveheart Winery project does not meet the minimum 200 foot distance setback requirement from the property boundaries, or the minimum 20 acre site area requirement specified in Title 22 of the LUO Relating to Wineries and Related Uses. Otherwise, we did not identify any issues of project incompatibility with existing agriculture or any threats to agriculturally important resources such as soils.

Please call 781-5914 with questions about this project review..

**Robak Braveheart Winery
Land Use Project Review
Page 1**

rev 10/25/01

Project Specifics

Project Title/Project Type: Robak, Minor Use Permit (MUP) D010060P

Brief Project Description: Construction of a winery and tasting room on a 15.42 acre parcel along Highway 46 West, Paso Robles.

Project Address/Location: Highway 46, West, Paso Robles, adjacent to Grey Wolf Winery.

Landowner's Name: Thomas and Charlotte Robak

Applicant's Name: (if different from landowner):

Application Type: Minor Use Permit

APN Number(s): 040-111-024

Acreage(s): 15.42 acres

Current surrounding land uses for adjacent parcel(s).

North: Ag, dry farmed grains **South:** Ag, dry farmed grains, **East:** Ag, dry farmed grains,
West: Ag, dry farmed grains.

Winery Land Use Project Review
Page 2

A. Project Description

1. Project Objective:(i.e. construct winery and tasting room, etc. Include description of Project Phases):

Construction of a winery and tasting room on a 15.42 acre parcel located on Highway 46 west, in Paso Robles.

Phase I will consist of 7,500 square feet of new construction consisting of the new winery production facility, crush pad/ barrel wash area, and case goods storage. A 4,275 square foot hospitality/tasting room facility with outdoor patio and administrative office is also included in Phase I. A total of 17 parking spaces are planned for use by tasting room visitors and permanent staff. An additional 40 parking spaces are planned to accommodate up to 80 guests attending an estimated six (6) special events per year.

A future Phase II winery expansion will consist of an additional 2,500 square feet of the production facility and an additional 5,000 square feet of case goods and barrel storage. This expansion will bring the total winery production facility footprint to 17,000 square feet. No expansion of the hospitality/tasting room is proposed and no additional parking spaces are planned.

a. **Square footage of proposed buildings:** 16,775 sq ft. % of site

b. **Square footage of proposed paving:** 22,000 sq ft. % of site

c. **(Total area of structures) + (paving):** 38,775 sq ft. % of site

d. **(Total area of structures + paving in sq. ft.) =** X 100% = % of
site
(Total area of Project Parcel in sq. ft.)

2. Operational Details: (i.e. Estimated winery production, tasting room hours, gift shop, winemaker dinners, etc.):

a. **Winery Production:** 15,000 cases/year.

b. **Origin of Wine Grapes Processed:** Grapes will be purchased from off-site producers. On-site production will be limited to 5 acres of vineyard. On-site vineyard not yet planted.

Winery Land Use Project Review
Page 3.

c. Pomace Disposal Plans: A portion of the pomace will be returned to the 5 acre, on-site vineyard as a soil amendment. The remainder will be hauled off-site by a commercial composting firm.

d. Number of Special Events/Year: Six (6) special events per year with a maximum of 80 guests.

e. Estimated Number of Guests: Maximum of 80 guests per event.

f. Parking Requirement (Number of Spaces @ 200 sq. ft. each):

Staff:	4.5 spaces = 900 sq ft
Tasting Room/Hospitality:	12.5 spaces = 2500 sq ft
Special Events:	<u>40.0 spaces = 8000 sq ft</u>
Total:	57.0 spaces = 11400 sq ft

B. Site Description and Agricultural Setting

1. Number of Parcels involved and Acreage: 1 parcel; 15.42 acres.

2. Land Use Classification(s) of parcel(s) involved: Agriculture

3. Physical appearance and features of the site: N/A.

4. Soils Characterization and assessment of Capability Class(es): Approximately 60% of the soil on the property is Class VI *Gazos shaly clay loam (30 to 50% slopes)*. Most of the remaining soil is Class IV, *Gazos shaly clay loam (9 to 30 % slopes)* with a trace of the Class II *Lockwood shaly loam (0-2% slopes)* occurring on the level portion of the property adjacent to Highway 46. When irrigated, these soils are capable of supporting wine grapes.

5. Production Agriculture activities on or in the vicinity of the project site (include production statistics if available): The applicants propose planting an on-site 5 acre vineyard concurrent with winery development plan. Agricultural production on adjacent parcels consists of dry farmed grain and grain hay.

6. Land Use patterns on parcels adjacent to the project site: Agriculture.

Winery Land Use Project Review
Page 4

C. Project Consistency with County General Plan Policies/Ordinances

1. Conformance with A&OSE Policy 8 Guiding Ag Processing Facilities.

(a.) Is the winery an Ag Processing facility (an Intensive Agricultural Facility in the A&OSE) which supports commodity production, processing, packing, and transportation and helps to sustain the wine grape industry by providing local processing options for growers?

-Yes. The applicant estimates that the proposed Robak Winery will provide a production capacity of approximately 15,000 cases/year. When planted, the on-site vineyard will comprise approximately 5 acres. In order to meet the stated wine production objectives, the winery operators will be required to purchase grapes from other growers. Assuming average yields of juice per ton of grapes crushed, the applicants will purchase approximately 230-250 tons of grapes annually. The proposed winery, therefore, appears to support the objective of sustainability of the local wine grape industry by providing processing capability for grapes grown in San Luis Obispo.

We conclude, therefore, that the project is consistent with the intent of A&OSE Policy 8 for Intensive Agricultural Facilities.

2. Project Conformance with Land Use Ordinance (LUO) Relating to Wineries and Related Uses

a. Winery Tasting Rooms:

(1.) "Incidental and Secondary" Determination, (Section 22.08.042(d)(viii) of the LUO).

Per the LUO, "Tasting rooms shall be clearly incidental, related and subordinate to the primary operation of the winery as a production facility."

-The following project attributes were reviewed in making the determination:

- (1.) The proportions of the project site devoted to various land uses,
 - (2.) A comparisons of the proposed facility footprints (square feet of new construction),
- and,
- (3.) The proposed volume of retail sales compared to the proposed winery production.

-**Figures 1-3** depict the proportions of the project site proposed for various land uses. Following this comparison and the other project attributes listed above, we have determined that the hospitality/tasting room appears to be incidental, related and subordinate to the winery production facility.

-Special Events are allowed under the LUO but are subject to certain conditions unless a waiver of the requirements is approved under the conditions of the Minor Use Permit

(MUP). These requirements will be addressed later in this review.

(2.) Tasting Room Location.

Is the tasting room located within or no more than 200 feet from the winery facilities?

Yes.

(3.) Number of Tasting Rooms.

Is more than one tasting room proposed for the winery?

No. One tasting room is proposed.

b. Special Events*

(1.) Is the winery in a rural area and not planning public tours retail sales, special events*?

-If "Yes,

the minimum setback from property boundaries is 100 feet.

the minimum distance to existing residence outside of applicant's ownership = 200 feet.

No. See 2(b.) below.

(2.) Is the winery in a rural area and planning public tours, retail sales, and/or special events* involving 50 or more guests?

-If "Yes,"

the minimum setback from property boundaries is 200 feet.

the minimum distance to existing residence outside of applicant's ownership = 400 feet.

The applicants plans six (6) special events per year involving about 80 guests. Thus, 200 foot the setback from the property boundary and the 400 foot distance to existing residence outside of the applicant's ownership apply, unless it is waived under the Minor Use Permit (MUP).

(3.) Are six (6) or less Special Events for no more than 80 guests proposed per year?

Yes. The applicant proposes exactly six (6) special events per year with no more than 80 guests.

(4.) Permit Requirements apply based on the Special Events Planned.

Based on the number and size of the Special Events proposed, a Minor Use Permit is required.

(5.) Minimum Site Area Requirements based on the Special Events Planned.

A minimum 20 acre site area is required for winery facilities proposing Special Events as defined in LUO Section 22.08.042(2)(xi). The 15.42 acre project site does not meet this minimum site area requirement. The applicant has requested a waiver as part of the

Winery Land Use Project Review
Page 6.

Minor Use Permit to be issued for the project.

**(Special Events are defined as any of the following events when there is the possibility that 50 or individuals will attend: concerts (with or without amplified sound), weddings, advertised events, fund raisers, winemaker dinners, but not industry events).*

E. Potential Impacts to Agricultural Resources (required for CEQA review)

1. Agriculturally Productive Soils:

Based on a review of the NRCS maps, approximately 60% of the soil on the property is Class VI soil. The remaining soil is predominantly Class IV, with a trace of the Class II occurring along the southwest boundary. This small patch of "prime soil" will be planted in vineyard and, therefore, the project as designed will not result in any loss of prime agricultural soils or the undesirable conversion of agricultural soils to non-agricultural land use.

2. Agricultural Compatibility Impacts:

Wineries are defined in the A&OSE as Intensive Agricultural Facilities which support the wine grape industry by providing local processing options for growers. The Braveheart Winery will provide processing facilities for approximately 230-250 tons of grapes from off-site vineyards.

Wine tasting visitor traffic is projected at 30 visits per day during weekends during the summer with somewhat less visitor use during the week.

Six (6) special events per year involving a maximum of 80 guests are mentioned in the project application. There are no private residences within 400 feet of the proposed tasting room as is the requirement in the LUO. The nearest adjacent development is Grey Wolf Winery which appears to be approximately 850 feet to the east. Under existing conditions, the existing buffer should provide adequate separation from any noise generated by visitors or live music. In conformance with the LUO, the project application states that during Special Events, live music will conclude at 5 p.m. Along with noise, associated traffic flow and parking are not expected to be issues affecting the project's compatibility with adjacent Residential Suburban or Agricultural land uses.

Therefore, the Agriculture Department concludes that this project presents no incompatibility issues for adjacent agricultural or residential property owners.

3. Grape Pomace Disposal:

Following the grape crush, the applicant plans to use a portion of the grape pomace for a soil amendment through incorporation into the on-site vineyard. According to commercial

Winery Land Use Project Review
Page 7.

composting professionals, unprocessed grape pomace can be applied at 4-5 tons per acre in most soils without adverse effects. Factors such as pomace moisture content, air temperature, and the methods used to incorporate the material all affect the application rate. Over-application can result in nuisance odors and attraction of disease carrying insects (vectors). Pomace composted with green waste can be applied at up to 10 tons per acre. Since the objective is to apply the soil amendment at agronomic rates" (a rate that insures that the target crop utilizes the available nitrogen and which minimizes excess nitrogen passing below the root zone) over application should be avoided to protect resources such as groundwater.

Recommended Mitigation Measures:

Based on the above determination, the Agriculture Department finds that the Robak Braveheart Winery project, as proposed, meets the intent of Policy 8 in the County General Plan's Agriculture and Open Space Element.

However, the project will not meet certain requirements specified in the amended sections of Title 22 of the Land Use Ordinance (LUO) Relating to Wineries and Related Uses. Specifically, based on the applicant's stated plans for the size and scope of Special Events, involving up to 80 guests six (6) times per year, the project as designed does not meet the requirements for a 200 foot building setback for the hospitality/tasting room from the parcel boundaries, or the minimum 20 acre site area requirement.

CDF/SAN LUIS OBISPO COUNTY FIRE DEPARTMENT

Dan Turner, Chief

General Information 805/543-4244

FAX 805/543-4248

635 N. Santa Rosa • San Luis Obispo • California 93405

September 6, 2001

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SEP - 7 2001

Planning & Bldg

County of San Luis Obispo
Department of Planning/Building
Rosalind Rondash
County Government Center
San Luis Obispo, CA 93408

MINOR USE PLAN

Project Number: D010060P Name: Robak

The Department has reviewed the minor use plans submitted for the proposed winery and wine tasting project located on Hwy 46 West, Paso Robles. The property is located within the State Responsibility Zone.

THE OWNER OF THE PROJECT SHALL MEET THE MINIMUM FIRE AND LIFE SAFETY REQUIREMENTS OF THE UNIFORM FIRE CODE (1997 EDITION) WITH AMENDMENTS. THIS FIRE SAFETY PLAN SHALL REMAIN ON THE PROJECT SITE UNTIL FINAL INSPECTION.

THE FOLLOWING STANDARDS ARE REQUIRED.

FIRE SAFETY DURING CONSTRUCTION

- Commercial and industrial type projects shall have installed, prior to the start of construction, commercial water system and fire lanes.

FIRE EXTINGUISHING SYSTEM

- The proposed project is required to install a commercial fire/life safety sprinkler system.
- The automatic fire extinguishing system shall comply with National Fire Protection Association Pamphlet 13, 231, 20, and 22.
- The fire sprinkler system shall be designed as a minimum ordinary hazard group II.
- Plans shall be submitted for review and approval to the County Building Departments.
- Contractor to be licensed by the State of California [UFC 1003.1.1 amended/Title 19, Section 19.20.029 (a)].
- The fire sprinkler system shall be monitored by a licensed alarm company.

PORTABLE FIRE EXTINGUISHER(S)

- Portable fire extinguishers shall be installed and comply with the Uniform Fire Code (1997) Section 1002.1, Standard 10-1.
- The contractor shall be licensed by the State Fire Marshal.
- The minimum requirements will be determined during the building permit/fire safety plan process.



PROVIDING COOPERATIVE FIRE PROTECTION AND RESCUE SERVICES
TO THE CITIZENS OF SAN LUIS OBISPO COUNTY



Robak (D010060P)

Page 2

ROOF ACCESS

- The project shall provide vertical access to the roof from two points.
- Access can be provided by the use of landscaping or a fixed laddering system.
- Plans shall be submitted for approval to the County Fire Department.
- Presently the County Fire Department can provide a maximum 16 feet of vertical reach.

WATER STORAGE TANK

- A minimum of 30,000 gallons of water in storage shall be required.
- Emergency water tanks shall have a:
 1. automatic fill,
 2. sight gage,
 3. venting system,
 4. The minimum water main size shall not be less than six (6) inches.
 5. Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

WATER SUPPLY CONNECTION

- Several fire hydrants shall be required.
- Fire hydrants are to be located with a maximum normal spacing of 300 feet as measured along vehicular travel ways.
- The County Fire Department will assist in hydrant placement and approve distribution system when plans are submitted.
- Fire hydrants shall have two, 2½-inch outlets with National Standard Fire thread, and one 4 inch suction outlet with National Standard Fire thread.
- The Chief shall approve other uses not identified.
- Signing: Each hydrant shall be identified by blue reflective dot.

(a) On a non-skid surface, center of roadway, to the fire hydrant side.

ACCESS

- Access road width shall be 18 feet.
- The project shall provide a minimum 20-foot fire lanes for emergency vehicle access.
- All road and driveway surfaces shall be all weather.
- All surfaces shall be constructed to meet a load capacity of 20 tons.

ADDRESSING

- Legible address numbers shall be placed on all structures.
- Legible address numbers shall be located at the driveway entrance.

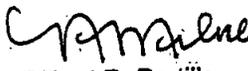
FINAL INSPECTION

- The project shall require final inspection. **Allow five (5) working days for final inspection.** When the safety requirements have been completed, call the Fire Prevention Secretary at **543-4244, ext.2220**, and arrange for a final inspection.

Robak (D010060P)
Page 3

If I can provide additional information or assistance, please call 543-4244, ext. 2123. Office hours 8:00 a.m. to 5:00 p.m., Tuesday through Friday.

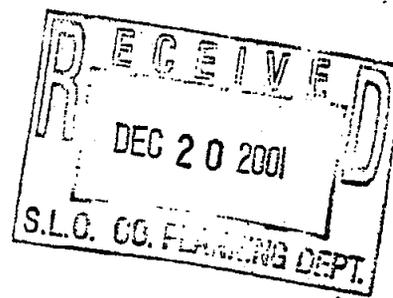
Sincerely,


for Gilbert R. Portillo
Fire Inspector

C: Mr. Thomas Robak, owner
Ms. Rachel Dumas, agent

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
 SAN LUIS OBISPO, CA 93401-5415
 TELEPHONE: (805) 549-3111
 TDD (805) 549-3259
<http://www.dot.ca.gov/dist05>



December 17, 2001

5-SLO-046-19.57
 Robak Winery/ #D010060P

ROZ

San Luis Obispo Department of Planning & Building
 Attn: North County Team
 County Government Center
 San Luis Obispo, Ca 93408

To Whom It May Concern:

Caltrans District 5 staff has reviewed the above-referenced document. The following comments were generated as a result of the review:

1. In the interest of safety for the traveling public in mind, the Department has for some time stated its concerns with the increase demand at non-grade separated intersections. This is especially true when the increase in demand is due to a local development decision or intensification of land use. In fact, at this location near State Route 1/Anderson Road, the Department has on earlier occasions expressed this concern (see attached letter dated 6-19-97). Therefore, District staff recommends that left turn channelization be installed at two lane conventional highway intersections where wineries are proposed that contain retail/hospitality components. However, District staff understands that it is ultimately within the County's purview to assign conditions of approval.

I hope this letter gives your agency a better understanding of Caltrans concerns with respect to this development. Should you have further questions about this letter please contact me at (805) 549-3683. Thank you for the opportunity to comment.

Sincerely,

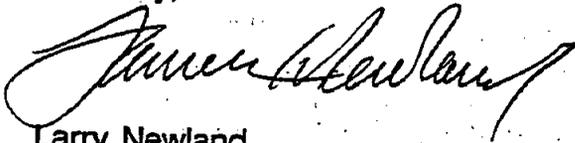
Larry Newland, AICP
 District 5
 Development Review Coordinator

Mr. Steven McMasters
June 19, 1997
Page 2

Please understand that because of our statutory responsibility to preserve the safety and operational integrity of all State Highways, Caltrans generally takes a conservative and cautious approach to reviewing development applications such as this. We want you to know however that this Department is sensitive to the economic limitations of individual project proponents. With that in mind, District staff does have, and is willing to use, some flexibility with respect to the design of improvements such as left turn channelization. Please know that we are willing to meet and confer with County staff, the applicant, and his or her representative to discuss design options that could be more economically feasible.

I hope this letter makes clear Caltrans position with respect to this development. If you have questions or comments or wish to arrange a meeting please contact me at (805) 549-3683. Thank you for the opportunity to comment.

Sincerely,



Larry Newland
District 5
Intergovernmental Review Coordinator

cc: Brian Douglas, Morro Group
SStrait, TGubbins, NSams, WP Heath, TL Rochite, SJ Chesebro

SLO-046-19-5.TS

**TEMPLETON AREA ADVISORY GROUP
P.O. BOX 1135
TEMPLETON, CA 93465**

February 20, 2002

North County Planning and Building Team
Attn: Rosalind Rondash

Subject: 16,775 SQ FT Winery & Tasting Room Hwy 46 West. Thomas and Charlotte Robak.

On November 15, 2001, TAAG reviewed the above project. Applicant requests setback variance and will be conducting special events.

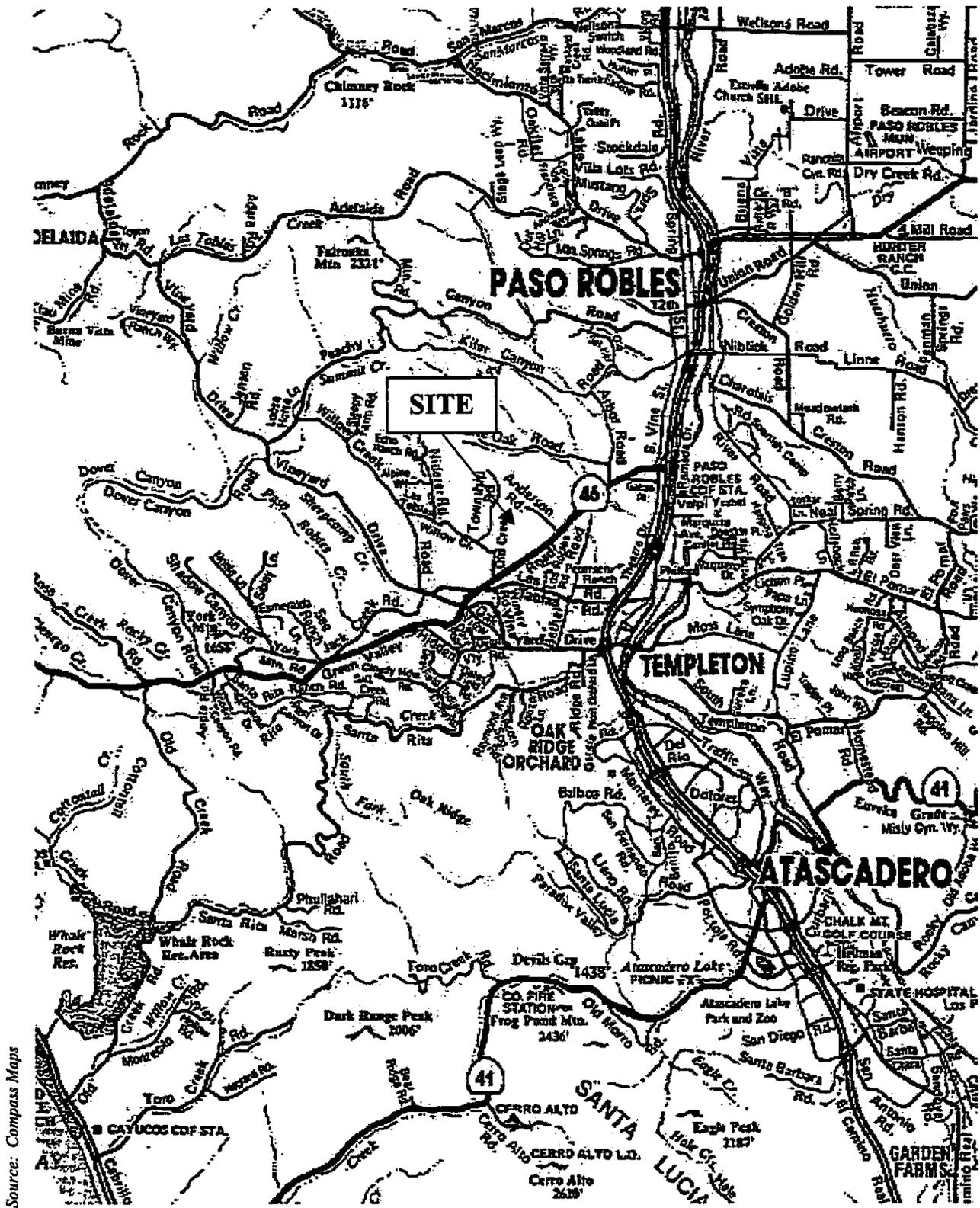
TAAG Action:

Action: Endorses request for setback variance and minor use permit, concerned about access on Route 46, requests minimum of 50 feet of driveway paving, concerned about site grading, recommended street-side landscaping to soften hard surfaces, comply with draft lighting standards and Templeton Design Plan, and requests to review as project continues. Passed 4-2

On January 17, 2002, TAAG again reviewed the project. Applicant informed TAAG they no longer intended to conduct special events and showed proposed site changes. Discussion included issues raised previously. No action required.

John Sargent
Chairman

JS:drj

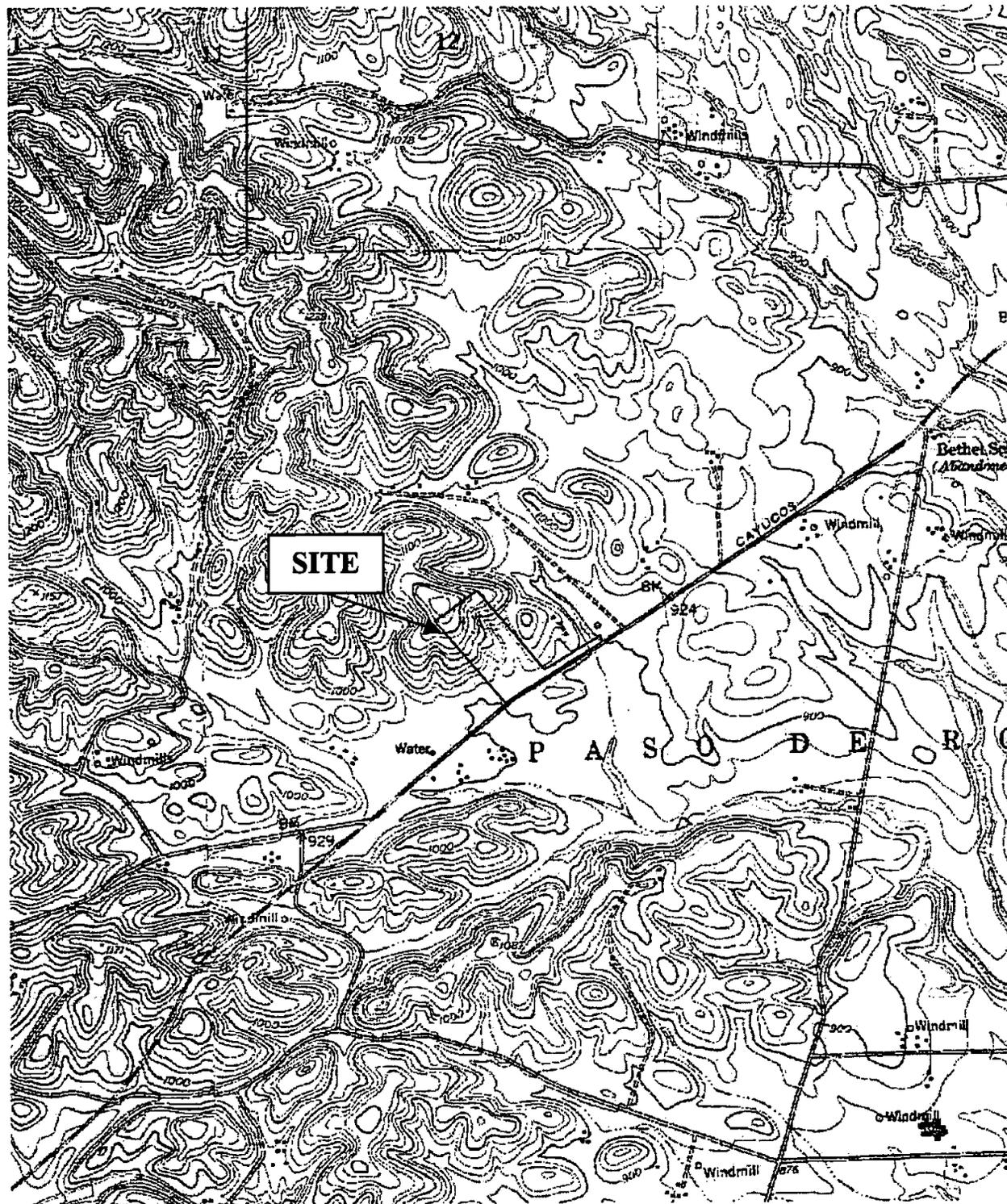


Source: Compass Maps



VICINITY MAP
FIGURE 1

Morro Group, Inc.

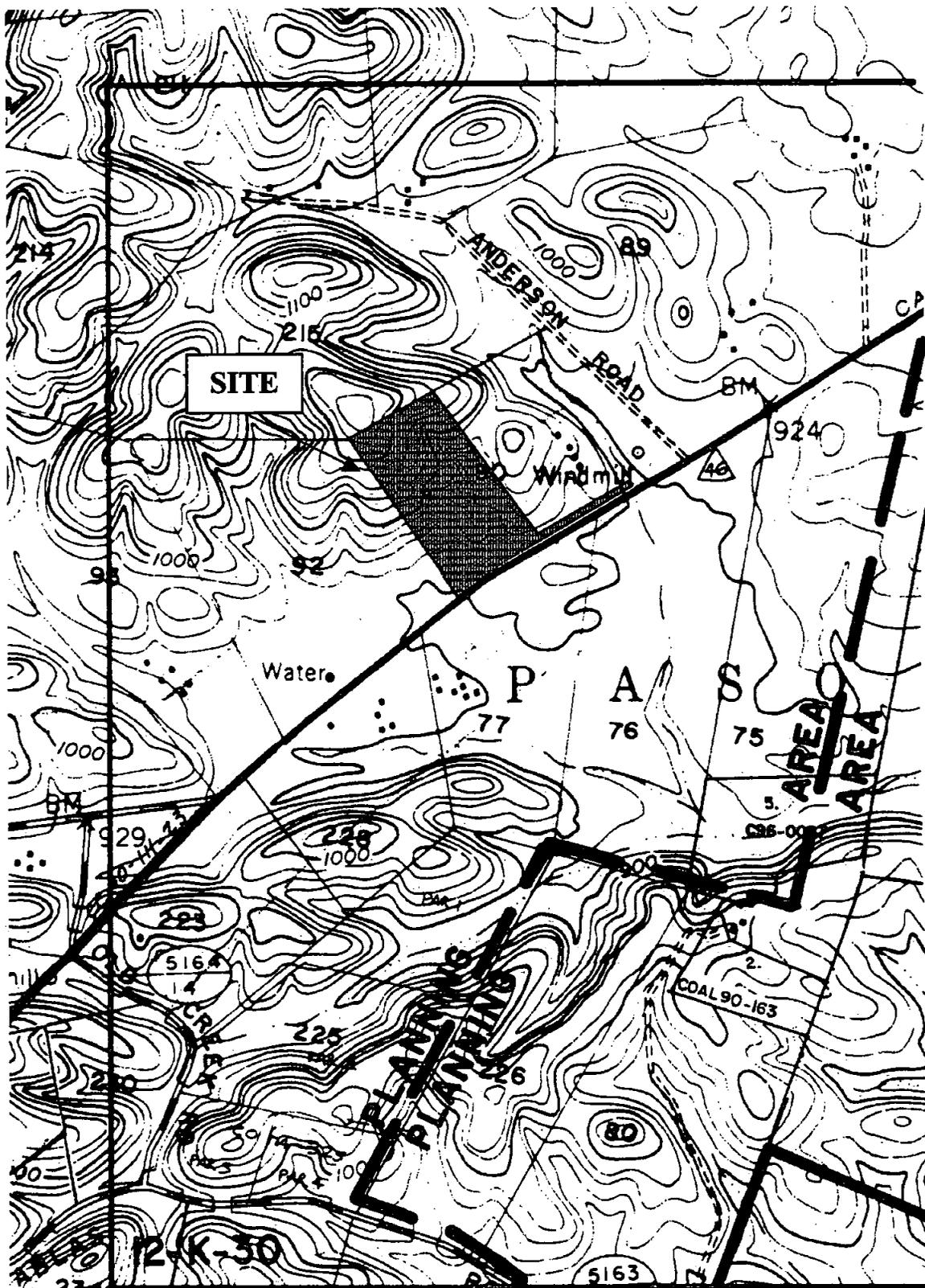


Source: USGS Quadrangle



NORTH
Not to Scale

LOCATION MAP
FIGURE 2

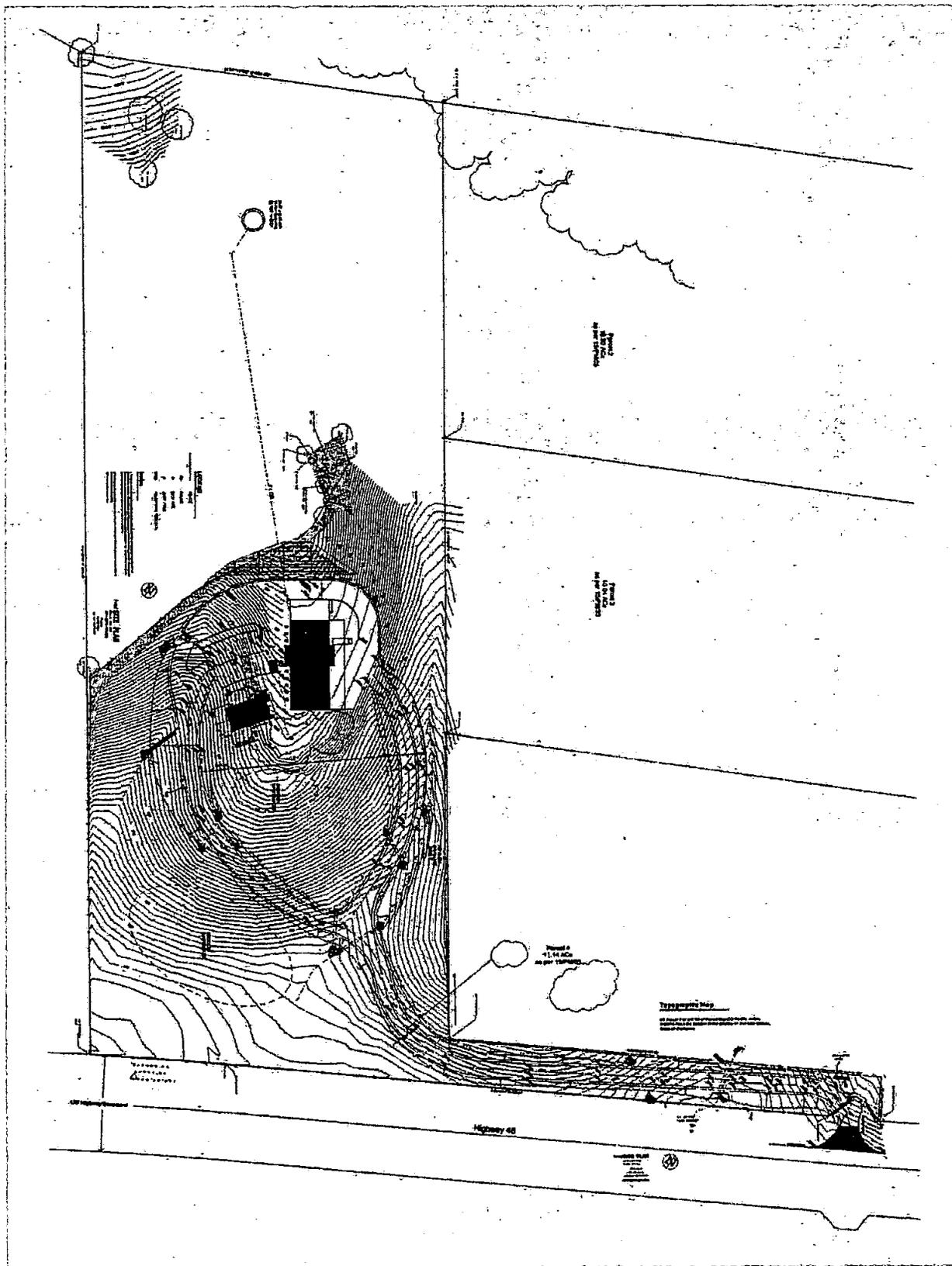


Source: County of San Luis Obispo



NORTH
Not to Scale

LAND USE CATEGORY
FIGURE 3



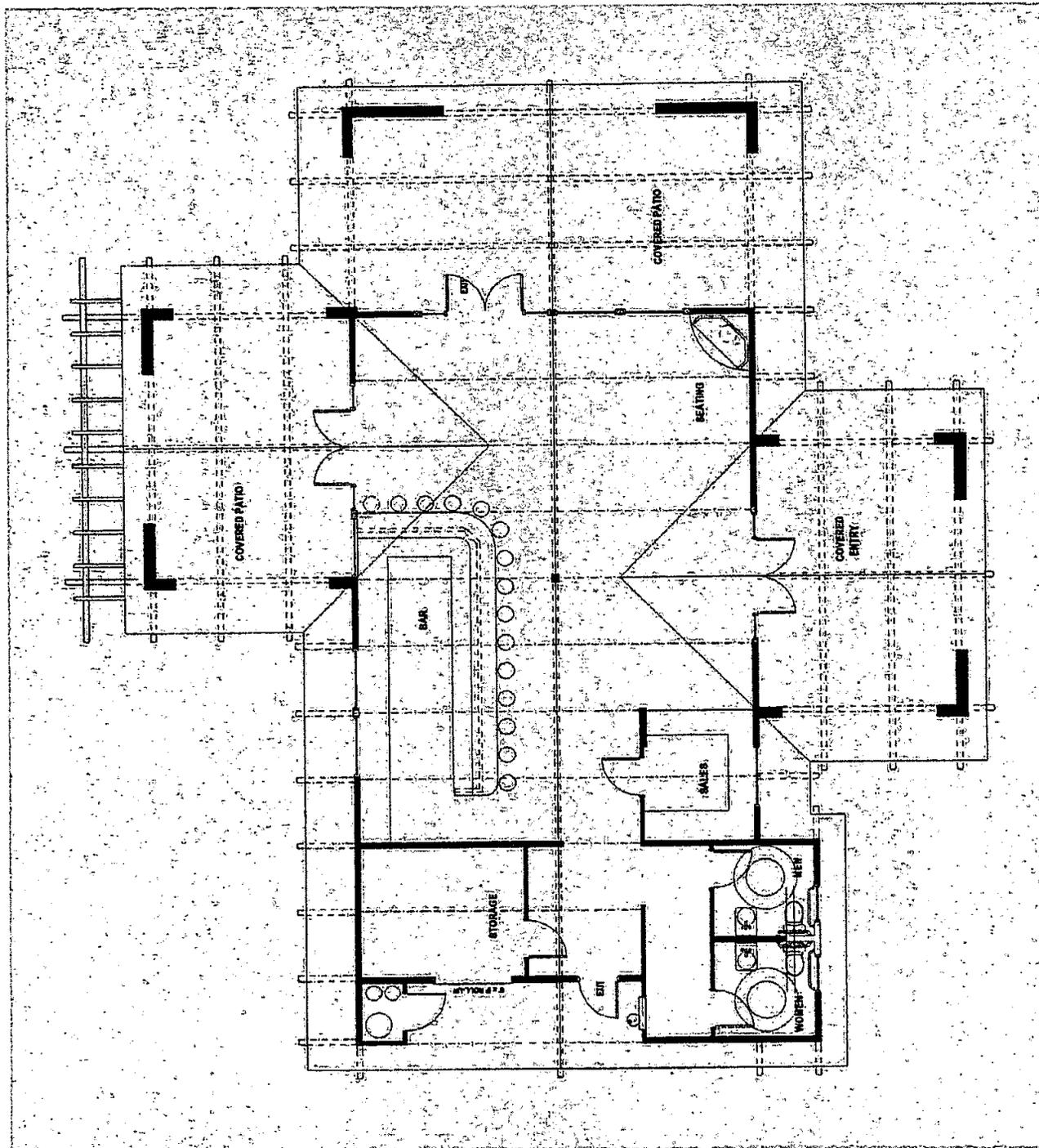
Source: D. Sawyer, Inc.; 2002



NORTH
Not to Scale

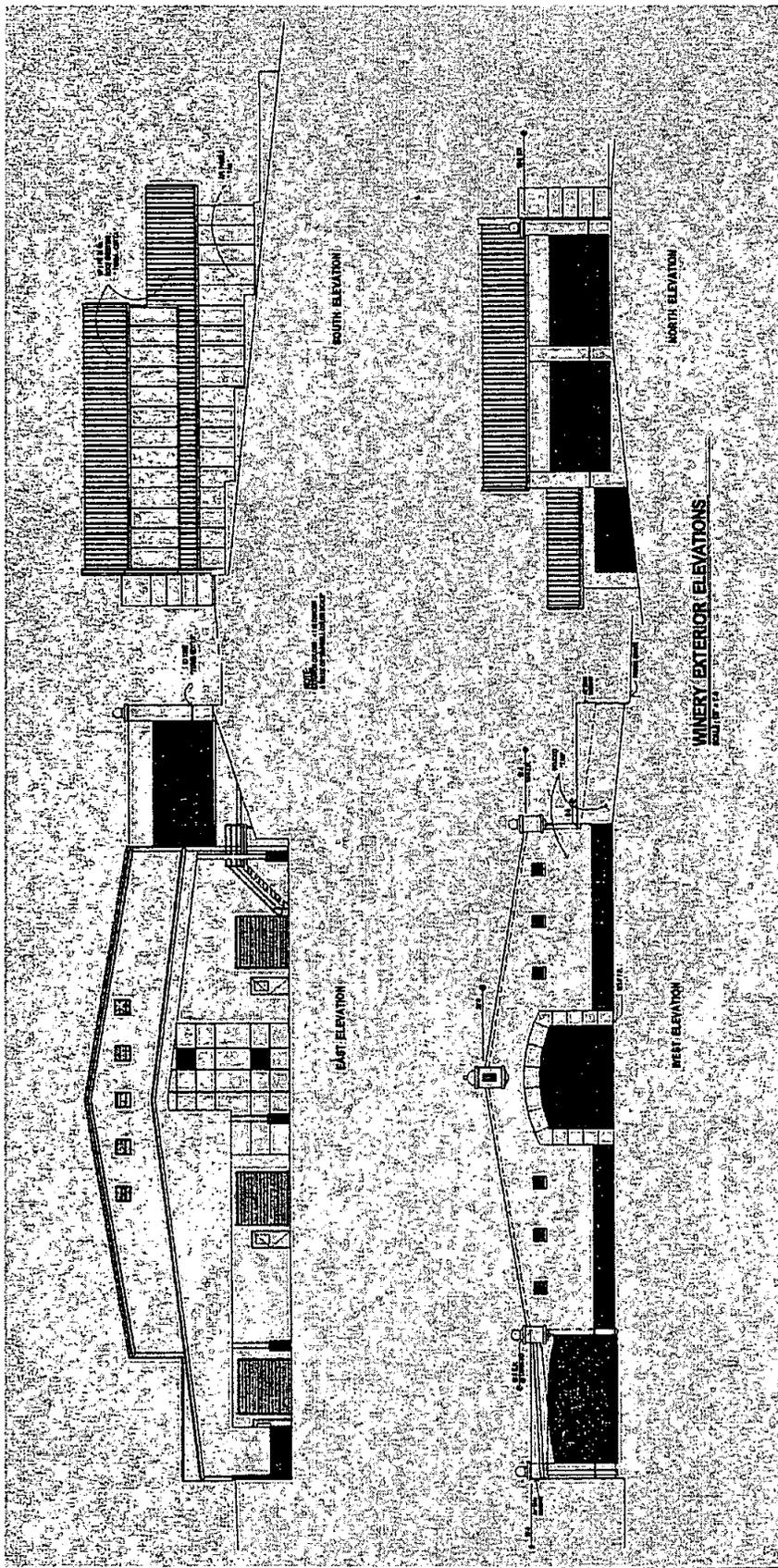
SITE PLAN
FIGURE 4

Morro Group, Inc.



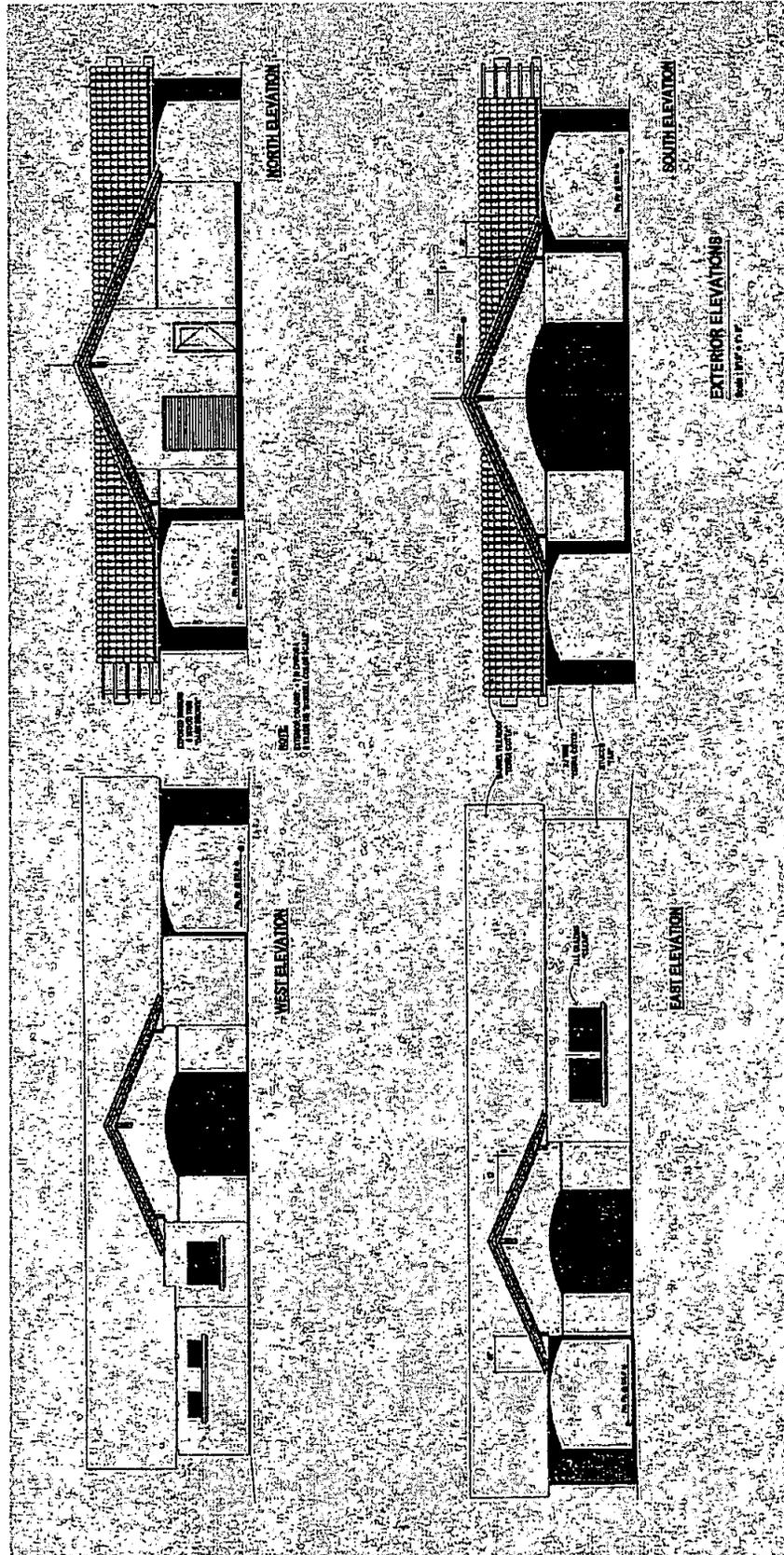
Source: D. Sawyer, Inc.; 2002

**VISITOR'S CENTER FLOOR PLAN
FIGURE 5**



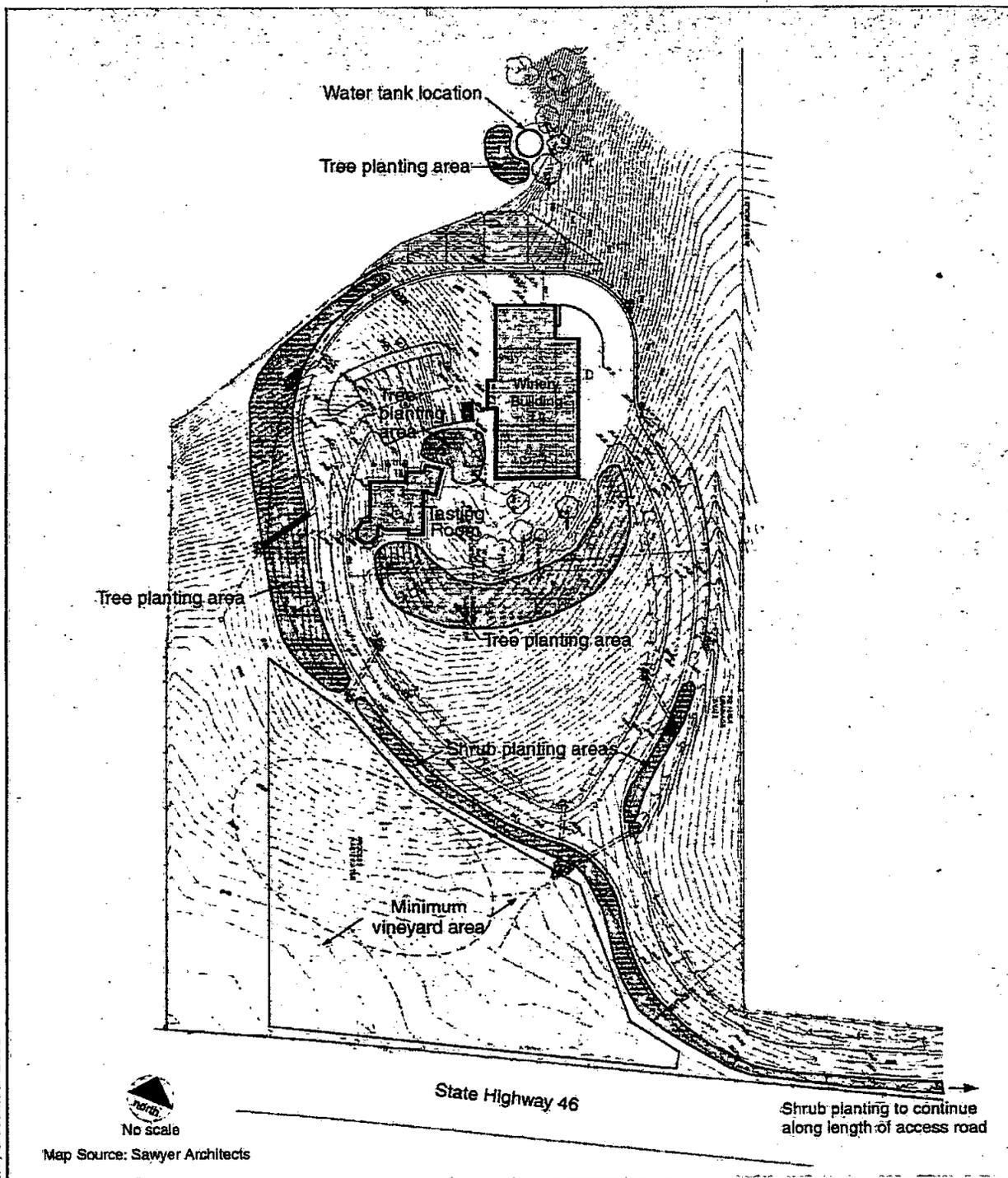
Source: D. Sawyer, Inc.; 2002

WINERY ELEVATIONS
FIGURE 6



Source: D. Sawyer, Inc.; 2002

**VISITOR'S CENTER ELEVATIONS
FIGURE 7**



Source: Robert G. Carr; December 2002

VISUAL ANALYSIS
 BRAVEHEART WINERY
 2200 HWY 46 WEST
 SAN LUIS OBISPO COUNTY

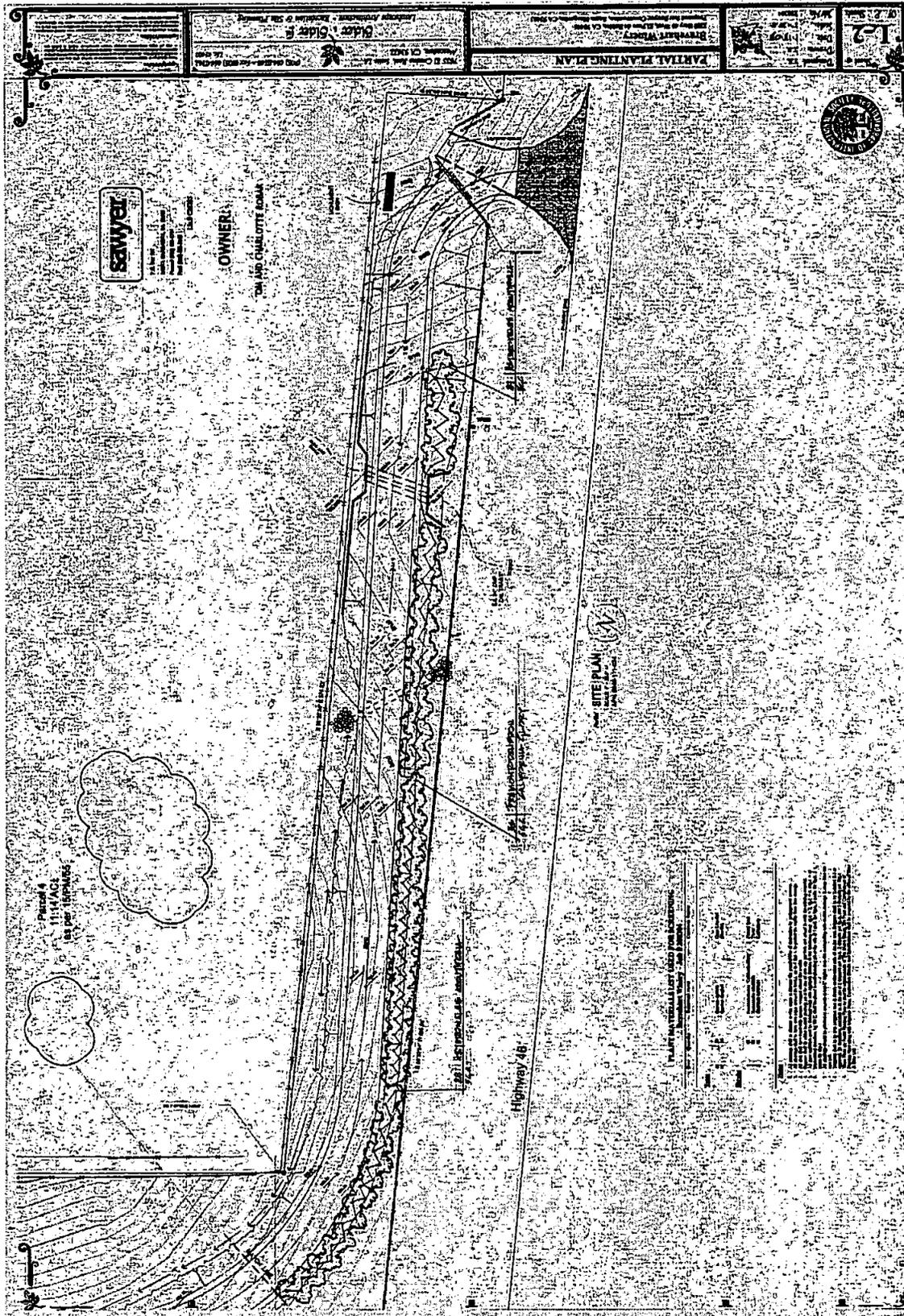
MITIGATION CONCEPT MAP

Exhibit B



NORTH
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VISUAL MITIGATION CONCEPT MAP
FIGURE 8



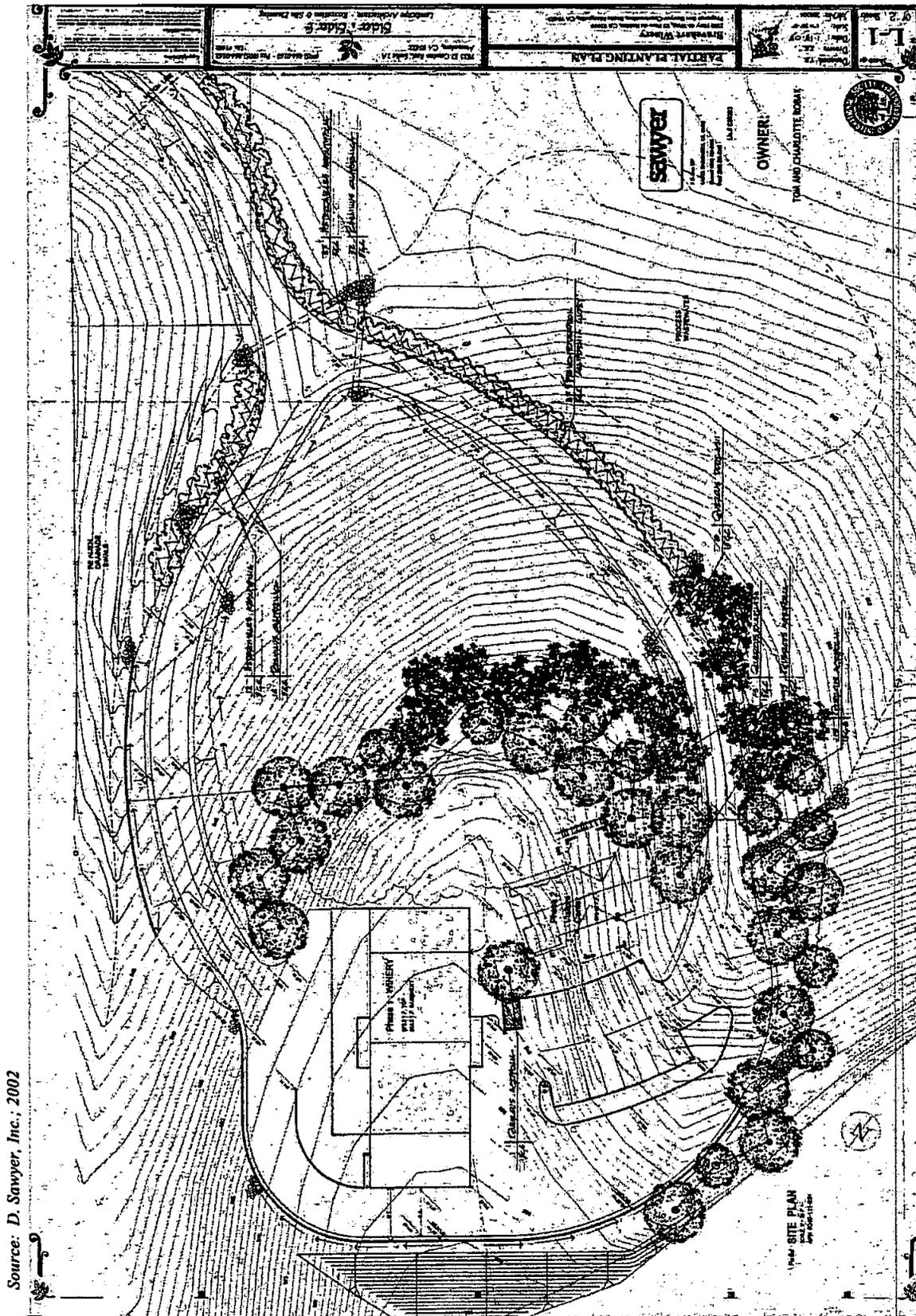
Source: D. Sawyer, Inc.; 2002



NORTH
Not to Scale

LANDSCAPE PLAN
FIGURE 9

Morro Group, Inc.



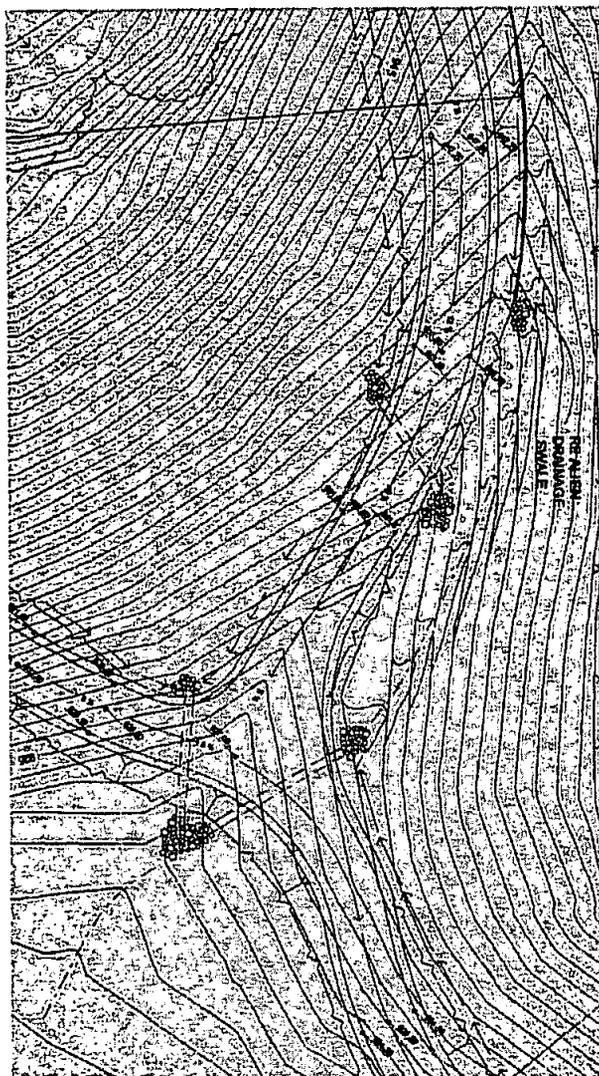
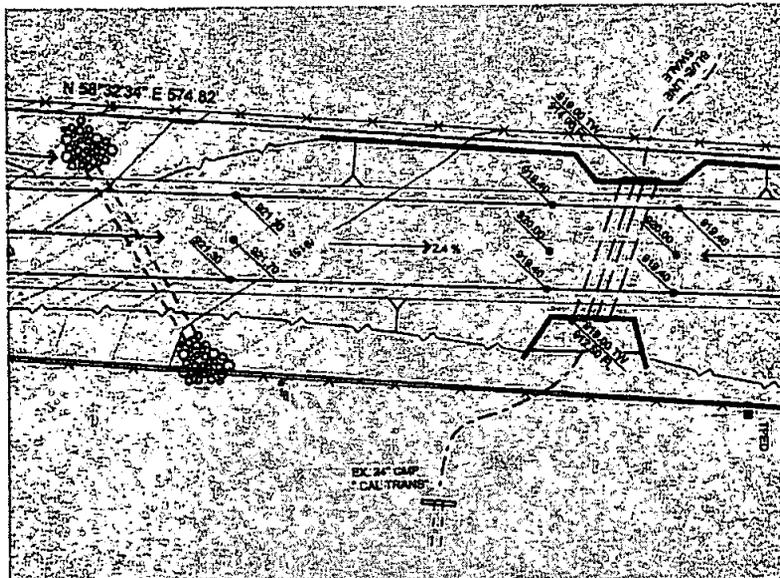
Source: D. Sawyer, Inc., 2002



NORTH
Not to Scale

LANDSCAPE PLAN
FIGURE 10

Morro Group, Inc.



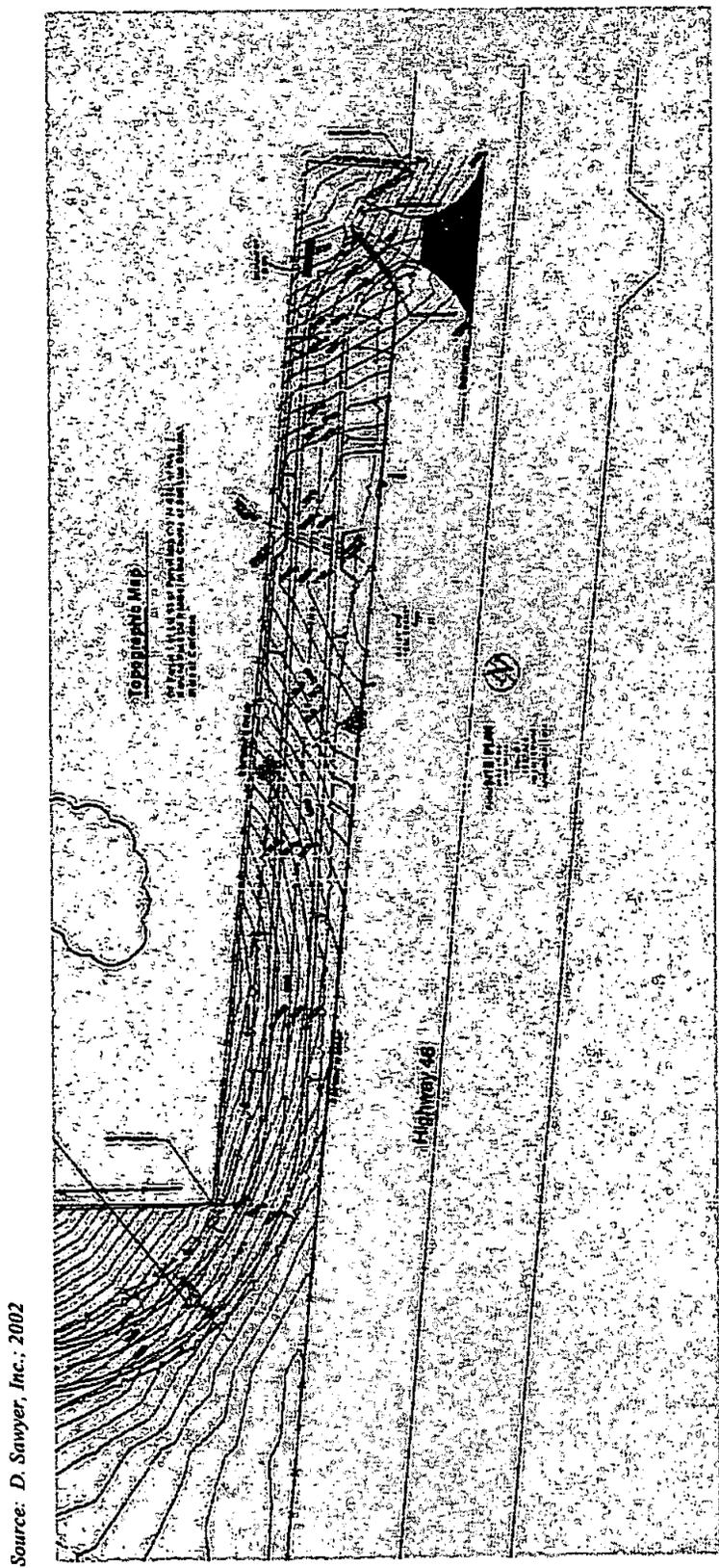
Source: D. Sawyer, Inc.; 2002



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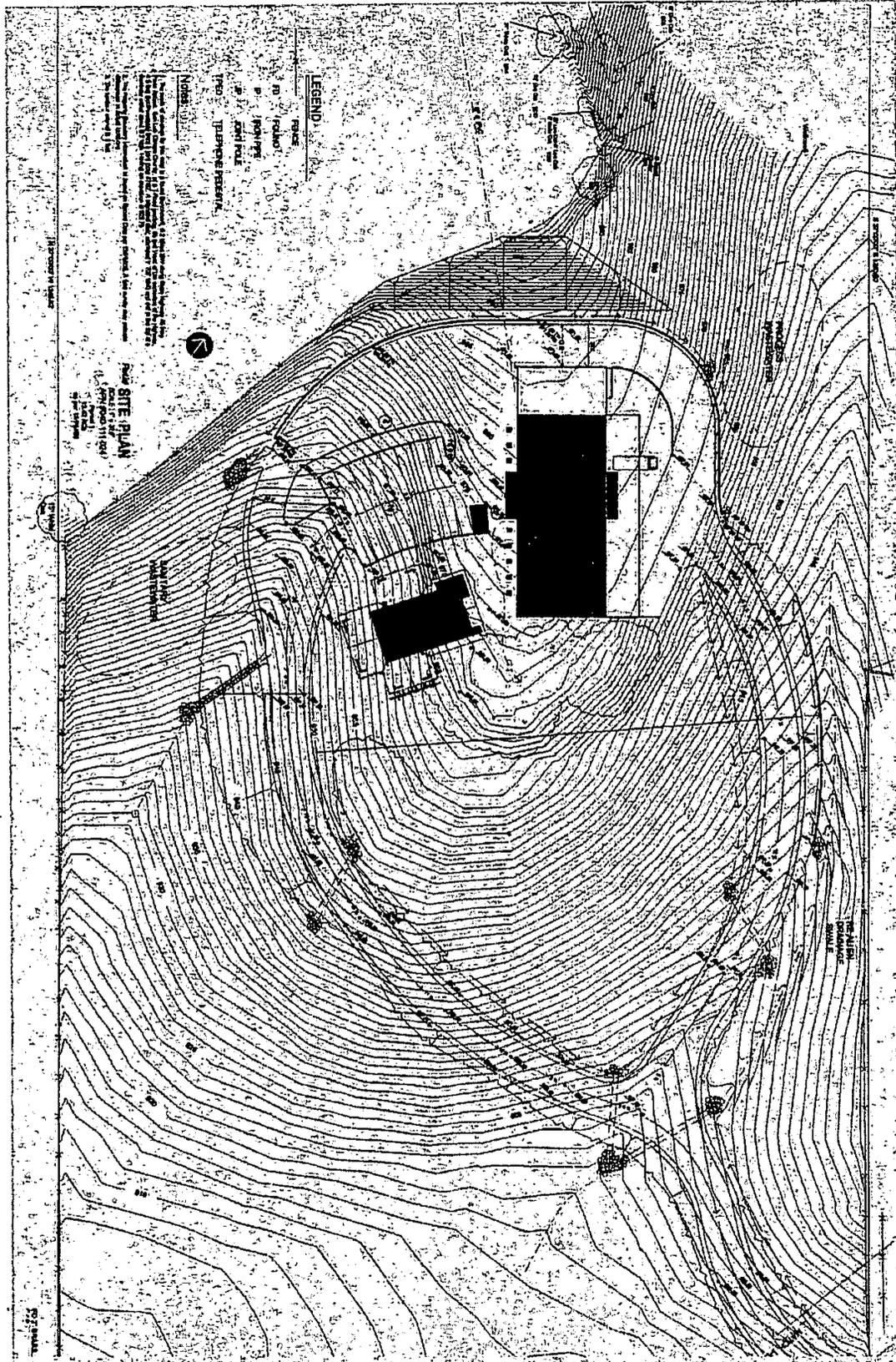
**CULVERT CROSSINGS AND
REALIGNED DRAINAGE
FIGURE 11**

Morro Group, Inc.




NORTH
Not to Scale

PRELIMINARY GRADING PLAN
FIGURE 12



Source: D. Sawyer, Inc.; 2002



NORTH
Not to Scale

PRELIMINARY GRADING PLAN
FIGURE 13

Morro Group, Inc.



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT
Tentative Notice of Action**

MEETING DATE November 18, 2016 LOCAL EFFECTIVE DATE December 2, 2016 APPROX FINAL EFFECTIVE DATE December 23, 2016	CONTACT/PHONE Schani Siong, Project Manager 805-781-4374	APPLICANT Marc Eisemann	FILE NO. DRC2015-00138
SUBJECT <p>A request by Marc Eisemann for a Minor Use Permit/Coastal Development Permit (DRC2015-00138) to 180 square foot addition to an existing outdoor dining patio and associated parking waiver of three (3) parking spaces. The proposed covered patio will be used as a permanent outdoor dining area for the existing restaurant at the Way Station building. The project will result in approximately 600 square feet of disturbance with no structural changes to any other structures on site. The project site is in the Commercial Retail land use category and is located at 80 North Ocean Avenue, in the community of Cayucos. The site is in the Estero planning area.</p>			
RECOMMENDED ACTION <p>Approve Minor Use Permit DRC2015-00138 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.</p>			
ENVIRONMENTAL DETERMINATION <p>A Class 1 Categorical Exemption was issued on September 28, 2016.</p>			
LAND USE CATEGORY Commercial Retail	COMBINING DESIGNATION Local Coastal Plan, Visitor-Serving Area, Central Business District, Geological Sensitive Area	ASSESSOR PARCEL NUMBER 064-114-004	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Estero Planning Area, Communitywide: Parking Lot Design – Central Business District <i>Does the project meet applicable Planning Area Standards: Yes – see discussion</i>			
LAND USE ORDINANCE STANDARDS: Section 23.07.120 - Local Coastal Program Area, Section 23.07.080 – Geological Sensitive Area, Section 23.05.106 – Curb, Gutter, Sidewalk, Section 23.04.162 – Off-Street Parking Required, Section 23.04.166 Number of Parking Spaces Required, Section 23.04.170 – Off-Site Parking <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION <p>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.</p>			

EXISTING USES: Currently developed with a restaurant, commercial vacation rental, retail, bakery and caretaker's unit	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Public Facilities, Office Professional/ post office, storage <i>East:</i> Commercial Retail/ vacant, stores <i>South:</i> Commercial Retail/ hotel, stores <i>West:</i> Residential Multi-Family/ residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Cayucos Citizens Advisory Council, Public Works, Building Department, Paso Robles Beach Water Association, Cayucos Fire Protection District, Cayucos Sanitary District, and the California Coastal Commission.	
TOPOGRAPHY: Fairly level	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: Morro Rock Mutual Water Company Sewage Disposal: Cayucos Sanitary District Fire Protection: Cayucos Fire Protection District	ACCEPTANCE DATE: September 28, 2016

DISCUSSION

PROJECT HISTORY

The property is located in the Central Business District in Cayucos and is developed with two separate structures; a main two-story commercial retail building facing Ocean Avenue (Way Station), and a two-story structure located behind the main structure. The Way Station was operating as a commercial building with a restaurant, office, retail space since 1975. In 1992, the building was damaged in a fire and a Minor Use Permit (D920098P) was approved which in order to rebuild the fire-damaged building. In 2007, Minor Use Permit DRC2005-00173 was approved to construct the rear building, which is used as a bakery/deli and a caretaker's unit.

The site comprises of several uses; restaurant, retail, commercial vacation rental, bakery/deli, and a caretaker's unit. There are currently 17 dedicated on-site parking spaces provided at the rear of the property, which is accessed via an alley from D Street. Parking for the development is considered non-conforming with regards to the number of spaces required to support all the various uses on the property. For existing uses with non-conforming parking, Section 23.09.036b allows expansion of an approved use within the Central Business District if the parking for the expansion area meets the parking standards in Section 23.04.160 et.seq.

PROJECT DETAIL

The applicant is requesting to expand the outdoor patio cover by 180 square feet to accommodate a permanent outdoor dining area and waive the associated 3 parking spaces required for the additional outdoor dining area. The rest of the back patio has been used historically as a seasonal, outdoor garden seating for the Way Station restaurant patrons. The existing patio cover structure (360 square foot) is in derelict condition and requires a structural upgrade. The expanded new covered outdoor dining area will be approximately 580 square feet. Given the existing non-conforming parking at this site, the CZLUO Section 23.09.036b allows expansion of an approved use within the central business district if the parking for the expansion area meets parking standards in Section 23.04.160 et.seq.

PLANNING AREA STANDARDS

Communitywide

C. Parking Lot Design – Central Business District

1. **Parking lot location.** Where feasible, locate parking areas to the rear or side of buildings.
2. **Access.** Minimize the number of driveways. Where feasible, access to parking areas shall be taken from side streets, alleys, or the less busy street.
3. **Size of Parking Areas.** Wherever possible, separate the parking lot into smaller connected areas of 20 or less cars, interrupted by planted areas and sidewalks.
4. **Pedestrian Connections.** Wherever possible, provide safe, convenient and landscaped pedestrian connections between parking areas, walkways and businesses; and between businesses and surrounding neighborhoods.

Staff Comments: The proposed development complies with this standard. The project will use the existing commercial parking spaces at the parking lot. The parking lot is accessed from the alley and contains 17 on-site spaces. Well defined pedestrian connections are provided throughout the property.

F. Setbacks. Front – 10 feet, sides – 3 feet, and rear – 5 feet.

Staff comments: This project complies with this standard.

Commercial Retail

A. Architectural Character. New development shall include a detailed façade plan which reflects western, Victorian or nautical/seaside architecture. The façade plan shall show articulation of building facades to create relief and visual interest by using architectural elements, such as 50% wood or wood-appearing materials; detailed window trims and moldings; second-story railings and balconies; wooden porches, railings, entryways, walkways, etc.

B. Building Height. Maximum building height shall be 30 feet, except as otherwise required in the Central Business District.

C. Central Business District

1. **Building Location.** In order to create a pedestrian-friendly environment, locate the front façades of new buildings adjacent to the street or other public spaces such as internal plazas.
2. **Pedestrian Connections.** Wherever possible, provide safe, convenient and landscaped pedestrian connections between parking areas, walkways and businesses; and between business, recreation areas, and surrounding neighborhoods.
4. **Building Height, Mass, Scale, and Pedestrian Orientation, Ocean Avenue.** The following standards are intended to reduce the visual massing of buildings in the central business district, while allowing a wide range of two-story building designs. The following standards apply only to properties having frontage on Ocean Avenue:
 - a. **Measurement of Height.** Building and plate heights shall be measured from the center line of Ocean Avenue, at a point midway between the two side property lines projected to the street center line, to the highest point of the structure. However, on lots having an average natural grade less than the Ocean Avenue center line elevation – as measured above – building and plate heights shall be measured from the average natural grade of the lot to the highest point of the structure.

- b. Building Height.** All proposed development, including additions and building replacement, shall meet all of the following:
- 1) Buildings shall be no more than two stories, not to exceed 28 feet in height.
 - 2) Maximum plate height shall be 24 feet. Above that height, only pitched roofs or decorative elements are allowable.
 - 3) No wall facing a public street shall be greater than 24 feet above finished grade. NO other wall shall be greater than 28 feet above finished grade.

- 5. Projections into Front Right-of-Way.** Awnings, trellises, and other accessory building structures are relatively open and do not restrict pedestrian or vehicular movement may project into the front right-of-way, subject to an encroachment permit from the County Public Works Department. Decorative structures or architectural elements may project from upper floors into the front right-of-way, provided that they are not designed to be occupied by persons, and the space between the sidewalk and the first floor building face is open and usable to the general public.

Staff Comment: The proposed patio expansion is minor, not visible from public roads right-of-ways and no changes are proposed to the existing structures and access. This project complies with these standards.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.01.043c(1) – Appealable Development. As set forth in the Public Resources Code Section 30603(a), and this title, an action by the County on a permit application, including any Variance, Exception or Adjustment granted, for any of the following project may be appealed to the California Coastal Commission:

- ii. Areas possessing significant recreational value, including any “V” (Visitor Serving designation) as shown in the Land Use Element and areas in or within 100 feet of a park or recreation area.
- v. Special Communities or Small-Scale Neighborhoods which are significant visitor destination areas as defined by Chapter 23.11 of this title

Staff Comments: The project is appealable to the Coastal Commission because the project site is located 300 feet from a coastal creek and within a Visitor-Service section of Cayucos.

Section 23.04.166 – Number of Parking Spaces Required

Required parking calculation for the expanded outdoor dining area is as follows:

Restaurants & Bars (on-site consumption)

Customer Spaces: 1 per 60 sf. of customer area = 180 sf/60 = 3 spaces

Staff Comments: The applicant is requesting to expand an existing covered patio to accommodate a permanent outdoor dining area. The expansion is approximately 180 square feet and will require 3 additional parking spaces. The remainder of the back patio has been historically used as a seasonal, outdoor garden seating area for the restaurant patrons. The parking for the restaurant is considered grandfathered, non-conforming since its operations more than 40 years ago. However, per Section 23.09.036b, approved uses with non-conforming parking in Central Business District are allowed to expand if the expansion meets parking standards in Section 23.04.160 et.seq. This

section also allows modifications and adjustments to parking standards if certain criteria or condition can be met.

Section 23.04.162 – Off-Street Parking Required

h. Modifications of parking standards. The parking standards of this chapter may be modified as follows:

- 1) **Permit Requirements.** Proposals to reduce the required number of parking spaces, or to modify any of the other parking standards of this chapter may be authorized through Minor Use Permit approval.
- 2) **Criteria for approval.** Proposed modifications of parking standards shall be approved only where the Director of Planning and Building first determines, based upon specific findings of fact, that:
 - (i) The characteristics of a use, the site, or its immediate vicinity do not necessitate the number of parking spaces, types of design, or improvements required by this chapter; and
 - (ii) Reduced parking or an alternative to the parking design standards of this chapter will be adequate to accommodate on the site all parking needs generated by the use, or that additional parking is necessary because of specific features of the use, site, or site vicinity; and
 - (iii) No traffic safety problems will result from the proposed modification of parking standards.

Staff Comments: With this Minor Use Permit, the applicant is requesting modification to parking standards by waiving 3 parking spaces required for the expanded covered outdoor patio seating. Waiver of the 3 parking spaces is justified given the characteristics of the site and its immediate vicinity. The project is located in the commercial retail zone within the Central Business District in Cayucos. There are frontage and on-street parking available adjacent to the property and also, public parking nearby. The approved restaurant is centrally located downtown to serve many transient visitors staying at the lodges and motels along North Ocean Avenue. Minor expansion of the covered patio will not significantly affect the overall parking condition at this property and vicinity, nor will it affect the safety of the pedestrians in downtown.

Section 23.05.106 – Curb, Gutters and Sidewalks

The project site is located within the Commercial Retail land use category within an urban reserve line, which requires curb, gutter and sidewalk improvement.

Staff Comments: There is curb, gutter and sidewalks existing at this property.

Combining Designations

23.07.080: Geologic Study Area (GSA)

All land use permit applications for projects located within a Geologic Study Area (except those exempted by Section 23.07.082) shall be accompanied by a report prepared by a certified engineering geologist and/or registered civil engineer (as to soils engineering), as appropriate.

Staff Comments: The project site is fairly level and the proposed work scope is a minor addition, which does not pose any hazards to the property and vicinity. At the time of building permit, the applicant shall be required to submit a geotechnical engineering report/ soils report prepared by a certified engineering geologist.

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:

Shoreline Access:	N/A
Recreation and Visitor Serving:	Policy No(s): 1 and 2
Energy and Industrial Development:	N/A
Commercial Fishing, Recreational Boating & Port Facilities:	N/A
Environmentally Sensitive Habitats:	N/A
Agriculture:	N/A
Public Works:	N/A
Coastal Watersheds:	N/A
Visual and Scenic Resources: <input checked="" type="checkbox"/>	Policy No(s): 6
Hazards:	N/A
Archaeology:	N/A
Air Quality:	N/A

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

COASTAL PLAN POLICY DISCUSSION

Recreation and Visitor Serving

Policy 1: Recreation Opportunities. Coastal recreational and visitor-serving facilities, especially lower-cost facilities, shall be protected, encouraged and where feasible provided by both public and private means. Removal or conversion or existing lower cost facilities and opportunities in areas designated with the "V" Visitor Serving Overlay in the LUE shall be prohibited unless the use will be replaced by a facility offering comparable visitor serving or recreational opportunities. Visitor serving facilities include all lodging establishments included in the definition of Hotels, Motels in Chapter 7 of Framework for Planning of the Land Use Element and Local Coastal Plan; provided that hotels and motels which are condominium or planned development projects may be approved only where specifically identified as an allowable use by planning area standards of the Land Use Element and Local Coastal Plan. The new construction of non-visitor-serving or non-principally permitted uses shall only be permitted if it can be found that they would not prejudice the provision of adequate visitor-serving facilities to meet the foreseeable demand over the next 20 years.

Policy 2: Priority for Visitor-Serving Facilities. Recreational development and commercial visitor-serving facilities shall have priority over non-coastal dependent use, but not over agriculture or coastal dependent industry in accordance with PRC 30222. All uses shall be consistent with protection of significant coastal resources. The Land Use Plan shall incorporate provisions for areas appropriate for visitor-serving facilities that are adequate for foreseeable demand. Visitor-serving commercial developments that involve construction of

major facilities should generally be located within urban areas. Provisions for new facilities or expansion of existing facilities within rural areas shall be confined to selected points of attraction.

Staff comments: This project complies with these standards. The proposed outdoor patio dining expansion supports the visitor serving use at this landmark property (Way Station restaurant).

Visual and Scenic Resources

Policy 6: Special Communities and Small Scale Neighborhood. Within the urbanized areas defined as small-scale neighborhoods or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community.

Staff comments: This project complies with this standard. The patio cover design is compatible with surrounding structures and not obtrusive to public views.

COMMUNITY ADVISORY GROUP COMMENTS:

Cayucos Community Advisory Council – Recommended approval on September 18, 2016.

AGENCY REVIEW:

Public Works – *Per response*

Cayucos Sanitary District – Will serve letter issued. (CSD, May 2015)

Morro Rock Mutual Water Company - Will serve letter issued (Feb, 2015)

Cayucos Fire Department – No comments

California Coastal Commission – No response

LEGAL LOT STATUS:

Legal Lot – the parcels were created by recorded map and deeds transferred for the Town of Cayucos.

Staff report prepared by Schani Siong and reviewed by Karen Nall, Supervising Planner.

**EXHIBIT A – FINDINGS
DRC2015-00138 Eisemann**

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 1) pursuant to CEQA Guidelines Section 15301 because the project proposes to construct a minor expansion of an existing outdoor patio cover.

Minor Use Permit / Coastal Development 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 uses because the proposed covered patio for permanent outdoor dining area does not generate activities that present 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 uses will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed covered patio 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 Ocean Avenue and access D Street by way of an alley. Ocean Avenue is an arterial road and D Street is a local road, both of which are 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.

Adjustments

- H. Waiver of the required parking standards required by CZLUO Section 23.04.166 is justified because the characteristics of the site and its immediate vicinity do not necessitate the additional 3 parking spaces required for the project. The project site is located on North Ocean Boulevard with ample curbside parking and there is dedicated restaurant parking at the rear of the property.
- I. No traffic safety problems will result from the proposed modification of parking standards in CZLUO Section 23.04.166 because the project will not alter the existing access (both pedestrian and vehicular) to the site. There is existing curb, gutter and sidewalk along

ATTACHMENT 1

the front of the project site which provides continuous, safe sidewalks and formal street parking for pedestrians in the downtown Cayucos. The property is located in the Cayucos Central Business District that supports trip-linking, walkability and pedestrian access, therefore the reduced parking will not create traffic safety problems.

**EXHIBIT B - CONDITIONS OF APPROVAL
DRC2015-00138 Eisenmann**

Approved Development

1. This Minor Use Permit/ Coastal Development Permit authorizes the construction of an approximately 180 square feet outdoor patio cover for permanent dining area, an associated parking waiver of three (3) parking spaces, with no structural changes to the existing structures on site.

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

Site Development

2. **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.
3. **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.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.

Drainage

5. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 23.05.040 (Drainage) of the Land Use Ordinance.
6. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with their Stormwater Control Plan.

Stormwater Control Plan

7. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Stormwater Management. Applicable projects shall submit a Stormwater Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.
8. **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for review and approval by the County.
9. **Prior to issuance of construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance

ATTACHMENT 2

System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

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

10. **Prior to final inspection**, the applicant shall obtain final inspection and approval from CDF of all required fire / life safety measures.
11. **Prior to final inspection**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
12. **Prior to final inspection**, a Registered Civil Engineer must certify to the Department of Public Works that the public improvements have been constructed or reconstructed to the satisfaction of the County Public Works Inspector and in accordance with County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

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

13. The 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 proof of Transient Occupancy Tax payment to the County Tax Collector is submitted to the Department of Planning and Building within 24 months of approval.
14. 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.



Site

Minor Use Permit
Eisemann / DRC2015-00138

Vicinity Map



Residential Multi Family

Office and Professional

Residential Multi Family

Public Facilities

Office and Professional

Residential Multi Family

Residential Single Family

Commercial Retail

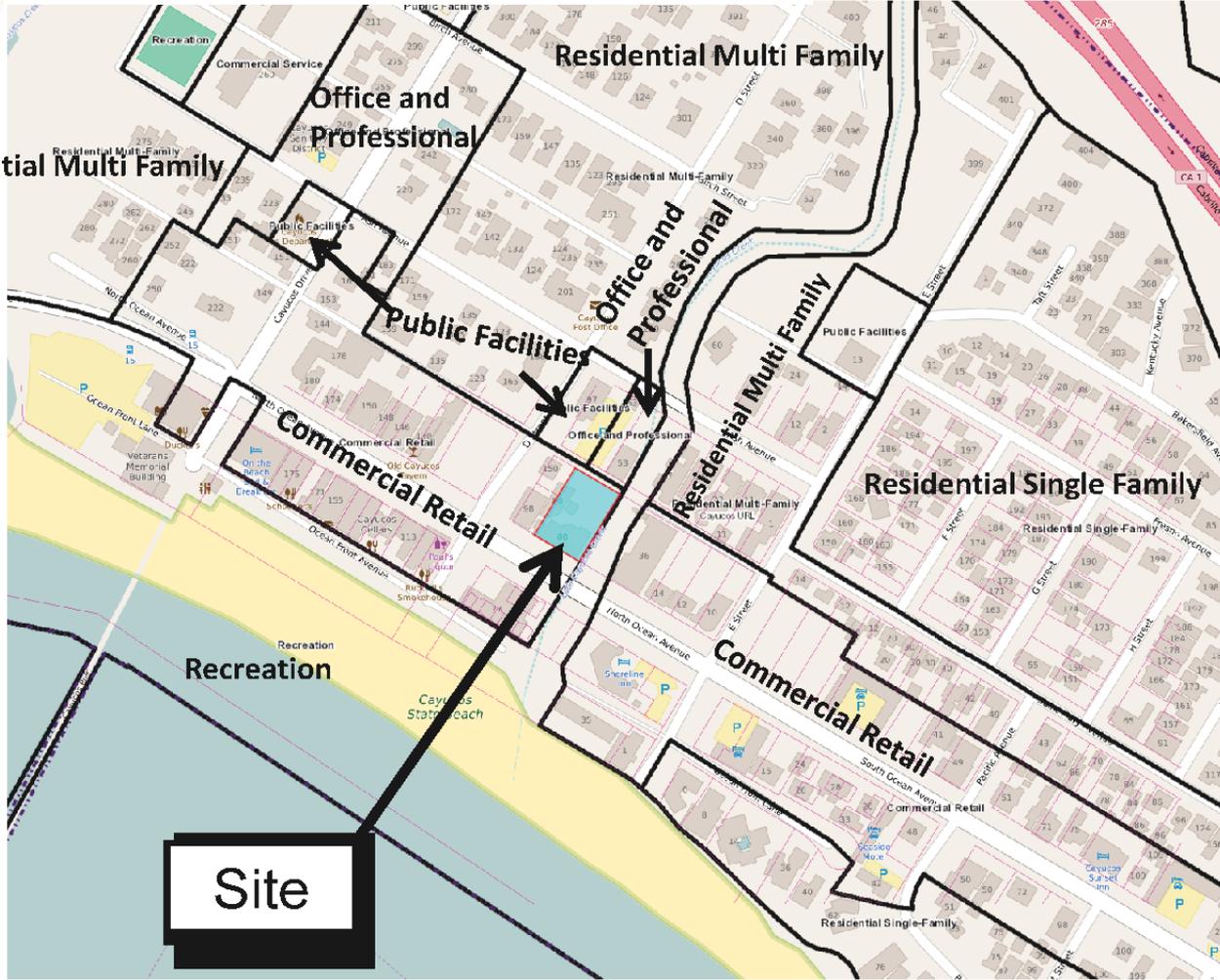
Recreation

Commercial Retail

Site

Minor Use Permit
Eisemann / DRC2015-00138

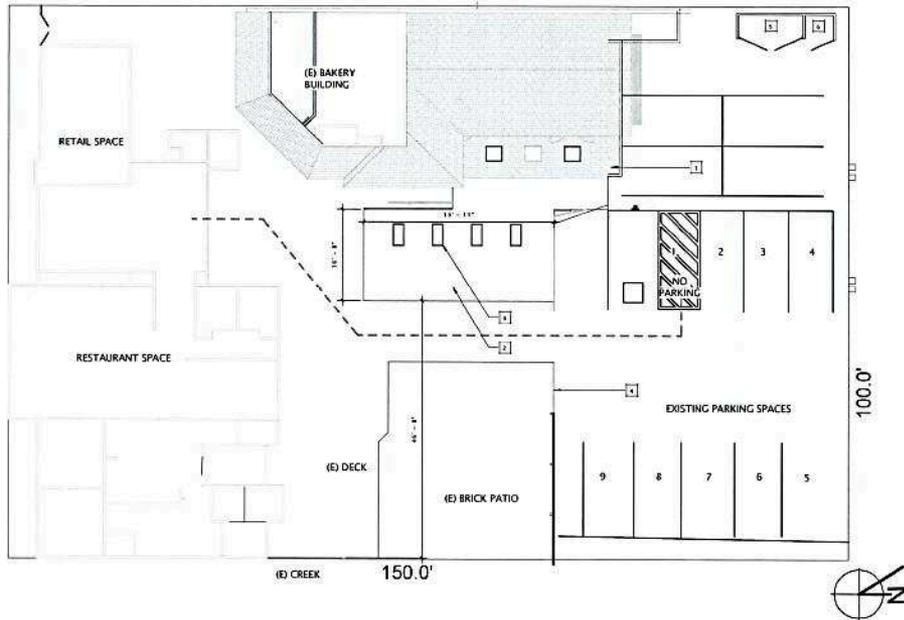
Land Use Category Map





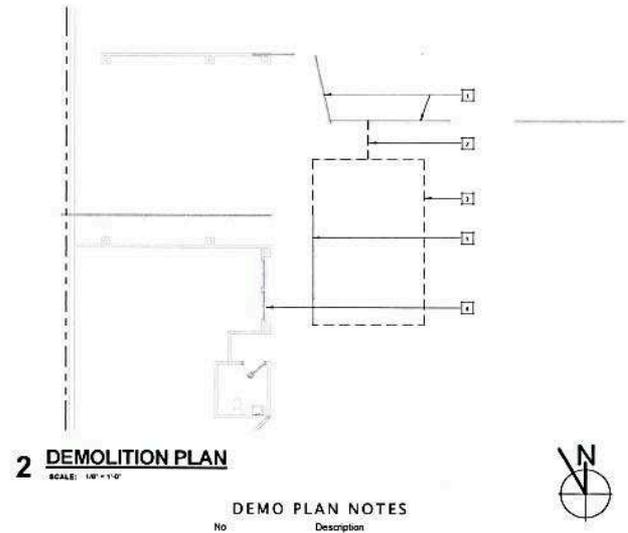
Minor Use Permit
Eisemann / DRC2015-00138

Aerial Photograph



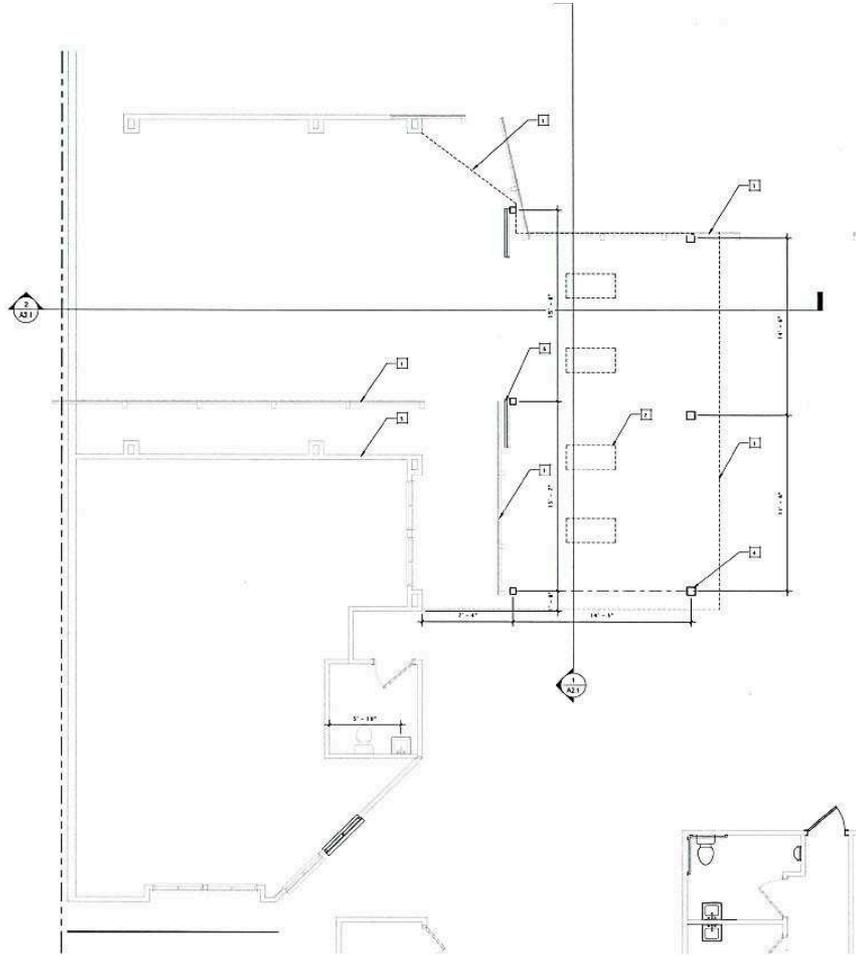
- SITE PLAN NOTES**
- | No | Description |
|----|--------------------------------------|
| 1 | REBUILDING STRUCTURE TO REMAIN |
| 2 | NO PAVED DRIVE PAV. REPLACE EXISTING |
| 3 | NO SANDLOTS ON PATIO COVER |
| 4 | RESPACE TO REMAIN |
| 5 | RECYCLE TRASH ENCLOSURE |
| 6 | RE TRASH ENCLOSURE |

Site Plan



Minor Use Permit
Eisemann / DRC2015-00138

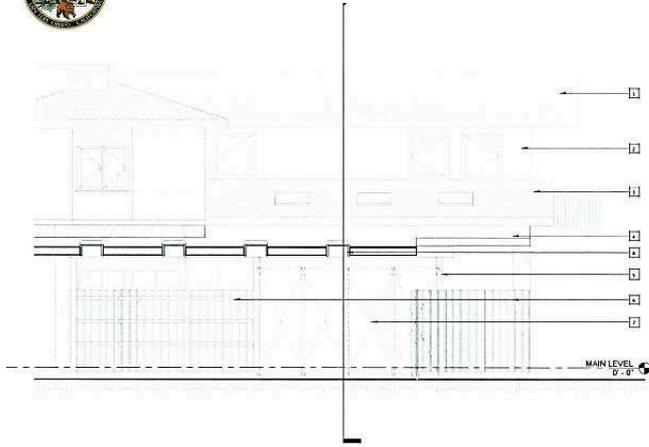
Site Plan



Main Level Floor Plan

**Minor Use Permit
Eisemann / DRC2015-00138**

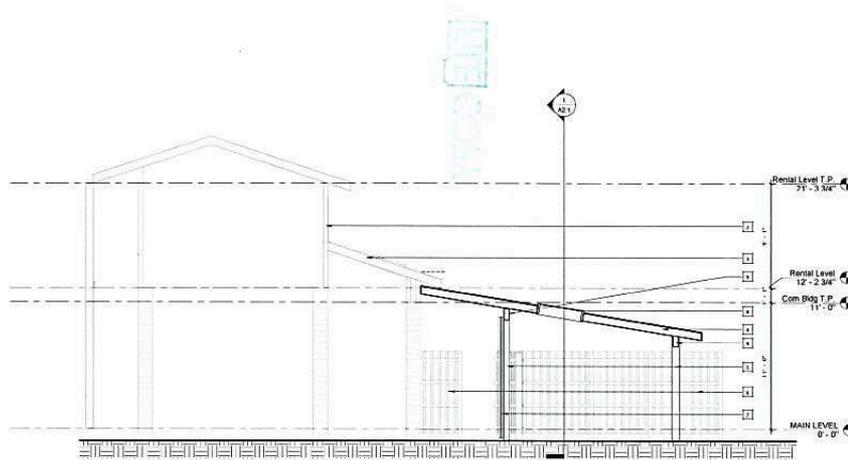
Site Plan



1 BUILDING SECTION EAST-WEST
SCALE: 1/4" = 1'-0"

BLDG SECTION NOTES	
No	Description
1	RE ROOF STRUCTURE TO REMAIN
2	RE BUILDING STRUCTURE TO REMAIN
3	RE ROOF STRUCTURE TO REMAIN
4	NO PATIO COVER
5	NO WOODWORK FOR THE PATIO COVER
6	RE WOOD FINISH TO REMAIN
7	REMOVE BOARD FENCE TO FENCE TO (IN) EXISTENCE
8	NO SPOUGHTS IN PATIO COVER
9	NO WELLS/SLURRY

Building Section / Elevations



2 BUILDING SECTION NORTH-SOUTH
SCALE: 1/4" = 1'-0"

Minor Use Permit
Eisemann / DRC2015-00138

Sections

Jun. 16. 2016 - 4:27PM-

No. 0930 P. 1/1



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

THIS IS A NEW PROJECT REFERRAL

DATE: 6/7/2016

TO: Cayucos Fire Protection District

FROM: Schani Slong (805-781-4374 or ssiang@co.slo.ca.us). Coastal Team / Development Review

PROJECT DESCRIPTION: DRC2015-00138 EISEMANN - Proposed minor use permit for a patio addition to existing commercial restaurant. Project location is 78 North Ocean Avenue in Cayucos. APN: 064-114-004

Return this letter with your comments attached no later than 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
NO (Please go on to PART III.)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No Comment

6/16/2016
Date

[Signature]
Name

995-3378
Phone

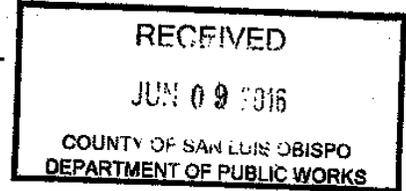


SAN LUIS OBISPO COUNTY *Blu*

DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land – Helping to build great communities

THIS IS A NEW PROJECT REFERRAL



DATE: 6/7/2016

FR TO: PW

TO FROM: Schani Siong (805-781-4374 or ssiong@co.slo.ca.us)
Coastal Team / Development Review

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IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Will review flood hazard & storm water with construction permits

6.10.16
Date

[Signature]
Name

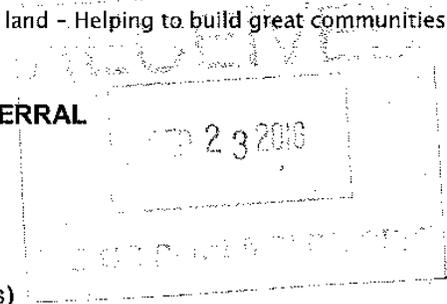
5271
Phone



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities



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DATE: 6/7/2016

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Support as long as consistent with County standards

9-18-16 Date

Marie Jagua Name

805-995-0632 Phone

Re: DRC2015-00138 EISEMANN, Coastal E-Referral, MUP, Cayucos

Michael Stoker

Mon 6/20/2016 12:19 PM

To: Schani Siong <ssiong@co.slo.ca.us>;

Cc: Cheryl Journey <cjourney@co.slo.ca.us>; Martin Mofield <mmofield@co.slo.ca.us>;

Schani,

Please find building comments for DRC2015-00138 below. Also, the comments will be in Tidemark. Please let me know if you have any questions.

In regards to this preliminary review, a building permit is required. The drawings specify the work to be completed consists of a patio addition to an existing commercial restaurant. A California State licensed design professional (Architect/Engineer) shall prepare plans in compliance with current codes adopted by the County of San Luis Obispo (Current version of the California Building Standards Codes and Title 19 of the SLO County Codes at time of permit submittal).

While a thorough plan review will be conducted at the time of the building permit application, the following items are noted to assist design review;

- 1) A California licensed Architect or Engineer is required to submit the plans for this project per BPC 5536.1.
- 2) Provide an occupant load and exiting analysis on the plans to verify compliance with CBC, including Chapter 10.
- 3) The accessibility elements throughout will need to be shown, detailed, and / or noted on the plans to verify compliance with CBC, including Chapter 11B. (i.e. accessible parking, path of travel, restroom design, accessible amenities, rooms, equivalent, receptacle heights, etc.)
- 4) Provide plans which clearly show the structural design to verify compliance with the 2013 California Building Code and referenced standards. The plans and supporting calculations will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design.
- 5) Provide electrical plans to show the location of the exterior lighting which is to be installed at the exterior patio to verify compliance with the California Electrical Code.
- 6) Any exterior lighting being installed will need to comply with the mandatory measure of the California Energy Code.
- 7) A plumbing fixture analysis will need to be provided to verify the increased occupant load for the patio does not increase the need for more plumbing fixtures per the California Plumbing Code chapter 4, including Table 422 and Table A.
- 8) Compliance with the current California Green Building Code and County of San Luis Obispo Green Building Ordinance will need to be shown on the plans.
- 9) The building may need to be provided with fire sprinklers and an alarm system under a separate permit. At the time of the permit application provide plans and calculations showing the design of the system.



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

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE November 18, 2016 LOCAL EFFECTIVE DATE December 2, 2016 APPROX FINAL EFFECTIVE DATE December 23, 2016	CONTACT/PHONE Brandi Cummings, Project Manager 805-781-1006 bcummings@co.slo.ca.us	APPLICANT Charles and Cheryl Stauffer	FILE NO. DRC2016-00011
SUBJECT A request by CHARLES & CHERLYL STAUFFER for a Minor Use Permit/Coastal Development Permit to allow for the demolition of an existing 1,072 square-foot single family residence and the construction of a 2,450 square-foot single-family residence with a 625 square-foot detached garage. The project will result in the permanent disturbance of approximately 4,300 square-feet of the 17,500 square-foot parcel. The project is within the Residential Single Family land use category and is located at 1107 Kenneth Drive, approximately 1 mile west of the Ardath Drive and CA Highway 1 intersection, in the community of Cambria. The site is in the North Coast planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2016-00011 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION Class 1 and Class 3 Categorical Exemptions were issued on October 12, 2016.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Archaeologically Sensitive Area, Geologic Study Area, Local Coastal Plan, Terrestrial Habitat	ASSESSOR PARCEL NUMBER 023-032-008	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Monterey Pine Forest Terrestrial Habitat (SRA), Water Conservation Requirements, Cambria Community Services District Review, Cambria Fire Department Review, Erosion Control, Landscaping, Exterior Lighting, Archaeological Resource Protection, Residential Single-Family Standards <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Appeals to the Coastal Commission, Environmentally Sensitive Habitat, Geologic Study Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
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 γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242

EXISTING USES: Single family dwelling and guesthouse	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residences <i>East:</i> Residential Single Family/residences <i>South:</i> Residential Single Family/residences <i>West:</i> Residential Single Family/residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: North Coast Advisory Council, Public Works, Building Division, Cambria Fire, Cambria Community Services District, and California Coastal Commission	
TOPOGRAPHY: Moderately sloping	VEGETATION: Monterey Pines, Oaks, Grasses
PROPOSED SERVICES: Water supply: Cambria Community Services District Sewage Disposal: Cambria Community Services District Fire Protection: Cambria Fire	ACCEPTANCE DATE: October 12, 2016

DISCUSSION

The applicant is proposing to demolish an existing 1,072 square-foot single family residence and construct a 2,450 square-foot single-family residence with a 625 square-foot detached garage. The project will result in the permanent disturbance of approximately 4,300 square-feet of the 17,500 square-foot parcel. The existing permitted guesthouse on the property will remain. One oak tree is proposed for removal, and will be replaced at a 6:1 ratio onsite.

PLANNING AREA STANDARDS:

As described below, the project complies with applicable Combining Designations, Cambria Urban Area, and the Residential Single Family development standards of the North Coast Area Plan.

Monterey Pine Forest Terrestrial Habitat (SRA) (TH). The purpose of these standards is to minimize tree removal and avoid impacts to the sensitive Monterey pine forest habitat. All development within Monterey pine forest (TH) shall include the following minimum standards:

- A. **Establishment of a ‘project limit area.’** A project limit area shall be established in a manner that avoids Monterey pine forest impacts to the maximum extent feasible, is located on the least sensitive portion of the site, and safeguards the biological continuance of the habitat. The project limit area shall include all areas of the site where vegetation will need to be trimmed or removed for fire safety purposes.
- B. **New Development siting.** Applications for new development within the Monterey pine forest shall demonstrate that no native vegetation outside the “project limit area” shall be removed, except for trees identified as hazardous by a qualified professional.
- C. **Plan Requirements.** All site, construction and grading plans submitted to the County shall identify by species and diameter all Monterey pine trees that are six inches or more in diameter 4.5 feet above ground and oak trees four inches or more in diameter 4.5 feet above ground identified by species and diameter. The plans shall indicate which trees are to be retained and which trees are proposed for removal.

- D. **Construction Practices.** Construction practices to protect Monterey pines, oak trees and significant understory vegetation shall be implemented.
- E. **Replacement of Vegetation.** Any Monterey pine trees that are six inches or more in diameter 4.5 feet above the ground shall be replaced at a 4:1 ratio for each tree removed, and at a 2:1 ratio for each tree impacted but not removed. Any oak trees that are four inches in diameter 4.5 feet above ground shall be replaced at a 6:1 ratio for each tree removed, and at a ratio of 3:1 ratio for each tree impacted but not removed. All open areas of the site disturbed by project construction are to be seeded with native, drought and fire resistant species that are compatible with the habitat value of the surrounding forest.
- F. **Understory Vegetation Removal.** No understory vegetation shall be removed until a permit has been issued or unless an immediate hazardous condition exists. Understory vegetation removal to create, improve, or maintain adequate defensible space and Fire Hazard Fuel Reduction shall be the minimum necessary

Staff comments: The proposed project site contains Monterey pine trees and oak trees. The proposed single family residence will replace an existing single family residence and the project will require the removal of one oak tree. The proposed project is in compliance with these standards because the project will replace the one removed oak tree at a 6:1 ratio onsite.

Limitation on Development

- A. Water Service in Cambria. Until such time as may be otherwise authorized through a coastal development permit approving a major public works project involving new potable water sources for Cambria, new development not using CCSD connections or water service commitments existing as of November 15, 2001 (including those recognized as "pipeline projects" by the Coastal Commission on December 12, 2002 in coastal development permits A-3-SLO-02-050 and A-3-SLO-02-073, shall assure no adverse impacts to Santa Rosa and San Simeon Creeks;
- B. Water Conservation Requirements. New development resulting in increased water use shall offset such increase through the retrofit of existing water fixtures within the Cambria Community Service District's service area, or through other verifiable actions to reduce existing water use in the service area. All coastal development permits authorizing such development shall be conditioned to require applicants to provide to the Planning Director for review and approval prior to construction, written evidence of compliance with CCSD Ordinance 1-98, as approved by the CCSD Board of Directors on January 26, 1998, and modified on November 14, 2002, and as codified in the CCSD Code Chapter 4.20 in 2004. Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from the CCSD. Also prior to final building inspection the applicant shall submit a water and sewer service condition compliance letter from the CCSD.

Staff comments: The proposed project is a replacement dwelling with an active water service commitment from the CCSD and therefore complies with this standard. The applicant submitted

a Confirmation of Water & Sewer Availability letter from the Cambria Community Services District dated August 4, 2016 and also paid a retrofit in-lieu fee of \$2,000.

Cambria Community Services District Review. Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from the Cambria Community Services District. A water and sewer service condition compliance letter from the Cambria Community Services District shall be provided to the Department of Planning and Building prior to final building inspection.

Staff comments: The proposed project is consistent with this standard because the applicant submitted a Confirmation of Water & Sewer Availability letter from the Cambria Community Services District dated August 4, 2016.

Cambria Fire Department Review. All new development shall comply with applicable state and local Cambria fire codes. Prior to application acceptance, land use and building permit applications shall include a fire plan review from the Cambria Fire Department.

Staff comments: The applicant submitted a Fire Plan Review from the Cambria Fire Department dated July 28, 2016.

Erosion Control. In addition to other applicable requirements of the Coastal Zone Land Use Ordinance, all runoff from impervious surfaces such as roofs, driveways, walks, patios, and/or decks shall be collected and retained on-site to the greatest extent possible. Run-off not able to be retained on-site shall be passed through an effective erosion control device or filtration system approved by the Public Works Department. Impermeable surfaces should be minimized in order to maximize the amount of on-site run-off infiltration.

Staff comments: The applicant is required and conditioned to submit drainage, erosion, and sedimentation control plans at the time of construction permit application

Landscaping. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. Non-native, invasive, fire prone, and water intensive (i.e. turf grass) landscaping shall be prohibited on the entire site. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials shall be used to mimic or enhance naturally occurring vegetation. Materials shall be propagated from appropriate native stock to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building. Use of plants listed in the California Invasive Plant Council (Cal IPC) Invasive Plant Inventory is prohibited.

Staff comments: This project is conditioned to provide a landscape plan at time of construction permit application.

Exterior Lighting. Use only the minimum amount necessary to achieve essential illumination. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries source. Particular care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the

manufacturer's instructions, to turn off when detected motion ceases. All light fixtures are required to be fully shielded.

Staff comments: No exterior lighting is proposed at this time. Lighting plans will be checked at time of construction permit application for compliance with this standard.

Archaeological Resource Protection. New development projects that have the potential to impact archaeological resources shall be referred to the affected Native American tribe. In the event archaeological resources are unearthed or discovered during any construction activities, 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. Construction activities shall not commence until a mitigation plan, prepared by a qualified professional archaeologist in consultation with appropriate Native American representatives and reviewed and approved by the Planning Director, is completed and implemented. The mitigation plan shall include measures to avoid the resources to the maximum degree feasible and shall provide mitigation for unavoidable impacts. A report verifying that the approved mitigation plan has been completed shall be submitted to the Planning Director prior to occupancy or final inspection, whichever occurs first. 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.

Staff comments: Applicant submitted a Cultural Resources Assessment (Anastasio, March 2014). The report noted six prehistoric sites within a quarter mile of the project parcel one of which is across the street. However, during the surface survey, no cultural indicators such as lithic debitage, weathered faunal bone or shell, or burned rock or midden soils were noted. The report concluded that no significant archeological resources have been discovered, and the potential for "hidden" resources seems unlikely. This project is conditioned to cease construction in the event archaeological resources are uncovered during ground disturbing activities.

Residential Single-Family

Height. The maximum height is 28 feet above average natural grade.

Staff comments: The proposed project is 22 feet high, above average natural grade, and therefore complies with this standard.

Building Size. Development in the Single Family Residential category in areas subdivided into 25-foot lots shall comply with the footprint and gross structural area requirements. These standards do not apply to Tract 163, Tract 61, Tract 358, Tract 420, Tract 44, Tract 112, Cambria Pines Estates #1, and the two marine terrace blocks south to Lampton Street.

Staff comments: The proposed project is located in Cambria Pines Estates #1 and is not required to comply with this standard.

Setbacks. For all lots less than one acre in size, front and rear setbacks must total 25 feet, with a minimum of 10 feet in the front and 10 feet in the rear. For lots 50 feet and wider, side setbacks shall total a combined 12 feet with a 5 foot minimum on each side.

Staff comments: The proposed project has a front setback of 22 feet, a rear setback of 58 feet, a right side setback of 5 feet, and a left side setback of 7 feet, and therefore complies with this standard.

Parking and Access Standards. Two off-street spaces are required for each single-family dwelling. At least one space shall be covered (garage or carport), and the other space may be located within the front setback.

Staff comments: The proposed project includes a detached two-car garage and complies with this standard.

Residential Design Criteria. The North Coast Area Plan contains discretionary design criteria for single-family residential development in Cambria. As described below, the proposed residence is consistent with applicable design criteria.

- A. **Impermeable Surfaces.** The project will result in approximately 4,215 square-feet of new impermeable area. The project is conditioned to submit a Storm Water Control Plan Application and Coversheet at the time of construction permit application.
- B. **Parking Drives and Garages.** The proposed project provides for a two-car garage, driveway, and approach. Though prominent the garage does not dominate the design of the residence.
- C. **Topography.** The subject parcel is moderately sloping, with an average slope of 15%. The proposed project will not result in abrupt grade changes.
- D. **Drainage.** The project complies with this guideline as it will be designed and constructed to retain water on-site, and the project is conditioned to provide a drainage plan, consistent with the North Coast planning area standards, to Public Works for review and approval.
- E. **Building Design Standards.** The proposed residence and garage include articulation to break up the bulk of the structure, compatible in design and materials with the neighborhood design patterns. The design has a low pitched roof and is on a down sloping lot, which appears as a single-story house from the street.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.07.120: Local Coastal Program

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

Section 23.01.043 c. (3)(i): Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the subject parcel is located in an Environmentally Sensitive Habitat Area (Terrestrial Habitat).

Section 23.07.170 e.(1-5) Environmentally Sensitive Habitat (ESH) Development Standards

1. New development within or adjacent to the habitat shall not significantly disrupt the resource.
2. New development within the habitat shall be limited to those uses that are dependent upon the resource.
3. Where feasible, damaged habitats shall be restored as a condition of development approval.
4. Development shall be consistent with the biological continuance of the habitat.
5. Grading adjacent to Environmentally Sensitive Habitats shall conform to the provisions of Section 23.05.034.c (Grading Standards.)

Staff comments: The construction of the single family residence will result in the removal of one oak tree. The proposed project meets these standards because the project is conditioned to replant at a 6:1 ratio the one removed oak tree.

Section 23.07.080: Geologic Study Area

The project site is located within the Geologic Study Area (GSA) combining designation, and is subject to the provisions of the CZULO. All land use permit applications for projects located within a Geologic Study Area (except those exempted by Section 23.07.082) shall be accompanied by a report prepared by a certified engineering geologist and/or registered civil engineer (as to soils engineering), as appropriate.

Staff comments: The applicant submitted a Soils Engineering Report (GeoSolutions, Inc., February 24, 2016). The report was submitted to the Department's Geologist for review and comment. A Review of Geotechnical Engineering Report (LandSet Engineers, Inc., October 22, 2016) was prepared by the Department Geologist and concurred with the Soils Engineering Report that the susceptibility for land sliding at the site is low.

COASTAL PLAN POLICIES:

Shoreline Access: N/A

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A

Environmentally Sensitive Habitats: Policy No(s): 1, 3, 29, and 30

Agriculture: N/A

Public Works: Policy No: 1

Coastal Watersheds: Policy No(s): 8, 9, 10, and 11

Visual and Scenic Resources: Policy No(s): 1 and 2

Hazards: Policy No(s): 1 and 2
Archeology: Policy No(s): 1, 4, and 6
Air Quality: N/A

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

COASTAL PLAN POLICY DISCUSSION:

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: *The proposed project is consistent with this policy because the one oak tree that will be removed will be replanted at 6:1 ratio, with one gallon native stock.*

Policy 3: Habitat Restoration: *The proposed project is consistent with this policy because the one oak tree that will be removed will be replanted at 6:1 ratio, with one gallon native stock.*

Policy 29: Protection of Terrestrial Habitats: *The project is consistent with this policy because the proposed residence is a permitted use on the site and the one oak tree that will be removed will be replanted at 6:1 ratio, with one gallon native stock.*

Policy 30: Protection of Native Vegetation: *The proposed project is consistent with this policy because the one oak tree that will be removed will be replanted at 6:1 ratio, with one gallon native stock.*

Public Works:

Policy 1: Availability of Service Capacity. *The proposed project is a replacement dwelling with an active water service commitment from the CCSD and therefore complies with this standard. The applicant submitted a Confirmation of Water & Sewer Availability letter from the Cambria Community Services District dated August 4, 2016 and also paid a retrofit in-lieu fee of \$2,000.*

Coastal Watersheds:

Policy 8: Timing of Construction and Grading. *The proposed project is conditioned to comply with this policy as the project shall have an erosion and sedimentation control plan where grading is conducted or left in an unfinished state during the period from October 15 through April 15.*

Policy 9: Techniques for Minimizing Sedimentation. *The proposed project is conditioned to comply with this policy as the applicant shall apply Best Management Practices in the selection and implementation of site maintenance.*

Policy 10: Drainage Provisions. *The proposed project is conditioned to comply with this policy as the applicant shall provide a drainage plan to San Luis Obispo County Public Works Department for review and approval, and shall implement the approved drainage plan, showing that construction of the guesthouse and garage will not increase erosion or runoff.*

Policy 11: Preserving Groundwater Recharge. *The proposed project is consistent with this policy as the project shall retain groundwater on-site to the extent feasible.*

Visual and Scenic Resources:

Policy 1: Protection of Visual and Scenic Resources. *The proposed project complies with this policy, as the project will be developed on a residential lot. The lot is within a developed section of Cambria and shall be in character and scale with the surrounding neighborhood, and will not significantly block existing scenic vistas.*

Policy 2: Site Selection for New Development. *The proposed project complies with this standard, as the proposed residence will be developed on an existing residential lot, and the development will not block existing public views.*

Hazards

Policy 1: New Development. *The applicant submitted a Soils Engineering Report (GeoSolutions, Inc., February 24, 2016). The report was submitted to the Department's Geologist for review and comment. A Review of Geotechnical Engineering Report (LandSet Engineers, Inc., October 22, 2016) was prepared by the Department Geologist and concurred with the Soils Engineering Report that the susceptibility for land sliding at the site is low.*

Policy 2: Erosion and Geological Stability. *The applicant submitted a Soils Engineering Report (GeoSolutions, Inc., February 24, 2016). The report was submitted to the Department's Geologist for review and comment. A Review of Geotechnical Engineering Report (LandSet Engineers, Inc., October 22, 2016) was prepared by the Department Geologist and concurred with the Soils Engineering Report that the susceptibility for land sliding at the site is low.*

Archaeology

Policy 1: Protection of Archaeological Resources. *The proposed project complies with this standard because the project is conditioned to retain a qualified archaeologist to monitor ground-disturbing activities and to halt construction in the event archaeological resources are discovered.*

Policy 4: Preliminary Site Survey for Development within Archeologically Sensitive Areas. *The applicant submitted a Cultural Resources Assessment (Anastasio, March 2014). The report noted six prehistoric sites within a quarter mile of the project parcel one of which is across the street. However, during the surface survey, no cultural indicators such as lithic debitage, weathered faunal bone or shell, or burned rock or midden soils were noted. The report concluded that no significant archeological resources have been discovered, and the potential for "hidden" resources seems unlikely.*

Policy 6: Archaeological Resources Discovered during Construction or through Other Activities. *The proposed project complies with this standard because the project is conditioned to*

retain a qualified archaeologist to monitor ground-disturbing activities and to halt construction in the event archaeological resources are discovered.

COMMUNITY ADVISORY GROUP COMMENTS:

The North Coast Advisory Council (NCAC) considered this item at their October 19, 2016 regular meeting. The NCAC voted to recommend approval of this project.

AGENCY REVIEW:

Public Works – the referral response letter received September 2, 2016 from Tim Tomlinson included comments regarding access, drainage, and a Storm Water Control Plan

Cambria Fire – the referral response letter received July 28, 2016 included comments regarding ignition resistant construction, defensible space, and automatic fire sprinklers

Cambria Community Services District – the referral response letter received August 4, 2016 included comments regarding sewer and water impact fees, water fixtures, water meter size, inspections, and additional separate dwellings.

California Coastal Commission – no comments received.

LEGAL LOT STATUS:

The one existing lot is Lot 38 of Cambria Pines Estates #1 and was legally created by a recorded deed at a time when that was a legal method of creating lots.

Staff report prepared by Kacey Hass and was reviewed by Brandi Cummings and Karen Nall.

**EXHIBIT A – FINDINGS
STAUFFER / DRC2016-00011**

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the project consists of the demolition of an existing single family residence and the construction of a new 2,450 square foot single-family residence. The project will remove one oak tree. Through existing ordinance requirements, this project is required to replant trees to mitigate for those removed and impacted (6:1 ratio).

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because a single-family residence 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 and construction of the single-family residence 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 single-family residence 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 Kenneth 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.

Sensitive Resource Area (Terrestrial Habitat)

- H. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because although the project will remove one oak tree, the applicant will replant at a 6:1 ratio for the removed oak tree.

ATTACHMENT 01

- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements because although the project will remove one oak tree, the applicant will replant at a 6:1 ratio for the removed oak tree.
- J. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because although the project will remove one oak tree, the applicant will replant at a 6:1 ratio the two removed oak trees.
- K. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff, because the project is conditioned to provide a Storm Water Control Plan Application, drainage plan, and sedimentation and erosion control plan at time of construction permit application.

Archeological Sensitive Area

- L. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because the project is conditioned to cease construction in the event resources are unearthed.

**EXHIBIT B - CONDITIONS OF APPROVAL
STAUFFER / DRC2016-00011**

Approved Development

1. This approval authorizes
 - a. Demolition of an existing 1,072 square-foot single family residence.
 - b. Construction of a 2,450 square-foot single-family residence with a 625 square-foot detached garage.
 - c. The project will result in the removal of one oak tree which shall be replanted at a 6:1 ratio.
 - d. Maximum height allowed is 28 feet from average natural grade.

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

Site Development

2. **At the time of application for construction permits**, submit a revised landscape plan to the Department of Planning and Building for review and approval. The revised plan shall indicate the following and development shall be consistent with this revised and approved plan:
 - a. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. Non-native, invasive, fire prone, and water intensive (i.e. turf grass) landscaping shall be prohibited on the entire site. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials shall be used to mimic or enhance naturally occurring vegetation. Materials shall be propagated from appropriate native stock to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building. Use of plants listed in the California Invasive Plant Council (Cal IPC) Invasive Plant Inventory is prohibited.
 - b. Six replacement oak trees for the one oak tree removed.
3. **At the time of application for construction permits**, submitted plans shall conform to the approved site plan, architectural plans, and elevations.
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.

Access

5. **At the time of application for construction permits**, the applicant shall submit fees and plans to the Department of Public Works to secure an Encroachment Permit to construct the project access driveway in accordance with County Public Improvement Standards

Drainage

6. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 23.05.040 (Drainage) of the Land Use Ordinance.
7. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
8. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with their Storm Water Control Plan.

Storm Water Control Plan

9. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Storm Water Management. Applicable projects shall submit a Storm Water Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.
10. **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Storm Water Conveyance Management and Maintenance System" exhibit for review and approval by the County.

Fire Safety

11. **At the time of application for construction permits**, 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 the CDF/County Fire Department for this proposed project and dated January 12, 2016.

Services

12. **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.

Conditions to be completed prior to issuance of a construction permit

Tree Replacement

13. **Prior to issuance of a construction permit**, the applicant shall show on the landscaping plan six oak trees to replace the one oak tree removed. If six oak trees cannot be reasonably planted onsite, the applicant shall provide proof that payment has been made to Cambria Greenspace to provide for purchase and planting/monitoring of the replacement trees on Greenspace property.

Fees

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

Storm Water Control Plan

15. **Prior to issuance of construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Storm Water Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Conditions to be completed during project construction

Building Height

16. The maximum height of the project is 28 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 licensed surveyor 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. This certification shall be prepared by a licensed surveyor or civil engineer.

Archaeology

17. **During construction**, in the event archaeological resources are unearthed or discovered, 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 evaluated by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. The applicant shall implement the mitigation as required by the Environmental Coordinator.
 - 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.

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

Site Development

18. Landscaping in accordance with the approved landscaping plan shall be installed before **final building inspection**. All landscaping shall be maintained in a viable condition in perpetuity.

Fire Safety

19. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from Cambria Fire of all required fire/life safety measures.

Inspection

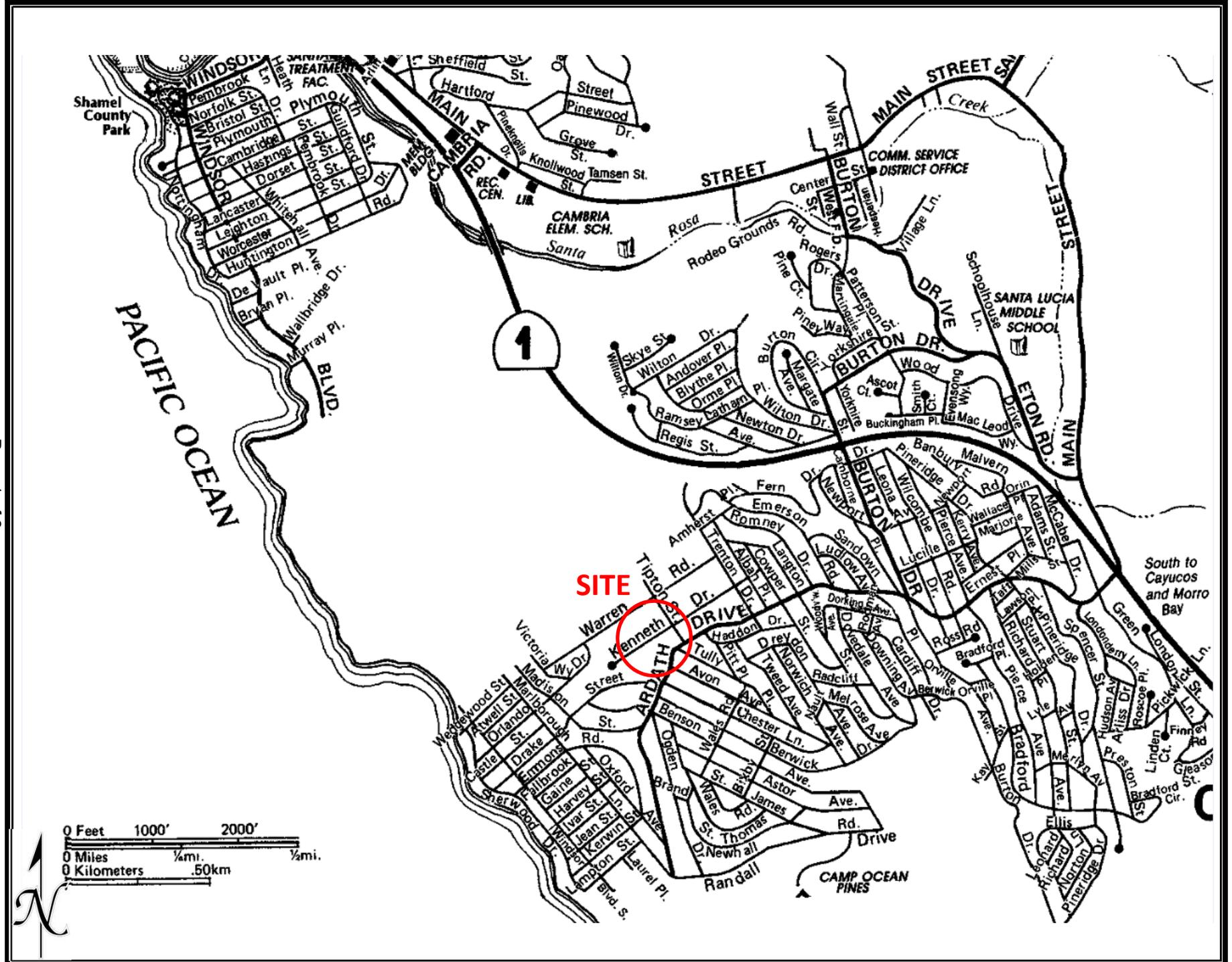
20. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

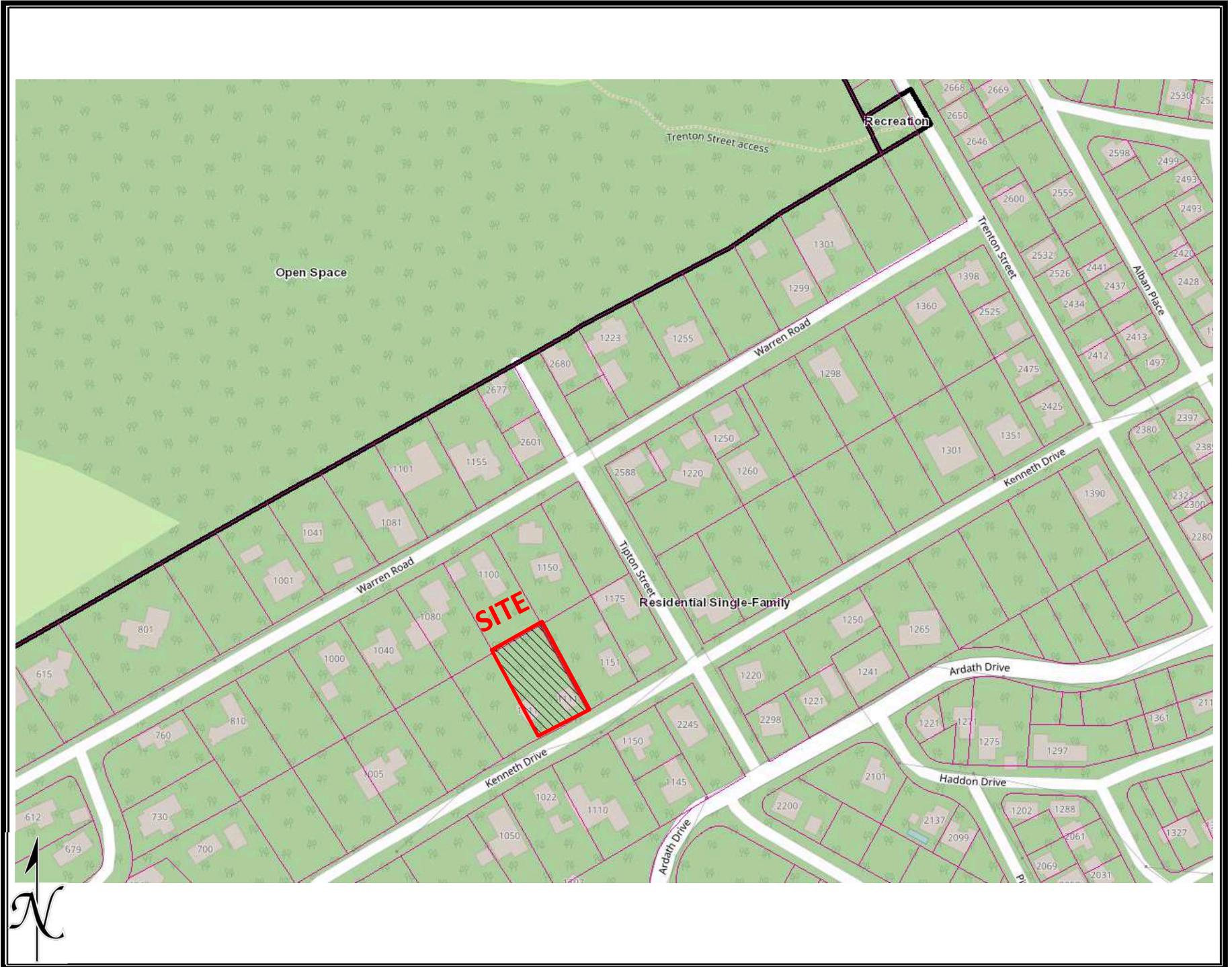
On-going conditions of approval (valid for the life of the project)

21. 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.
22. 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.

Fees

23. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the North Coast Road Impact Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of application for building permits.





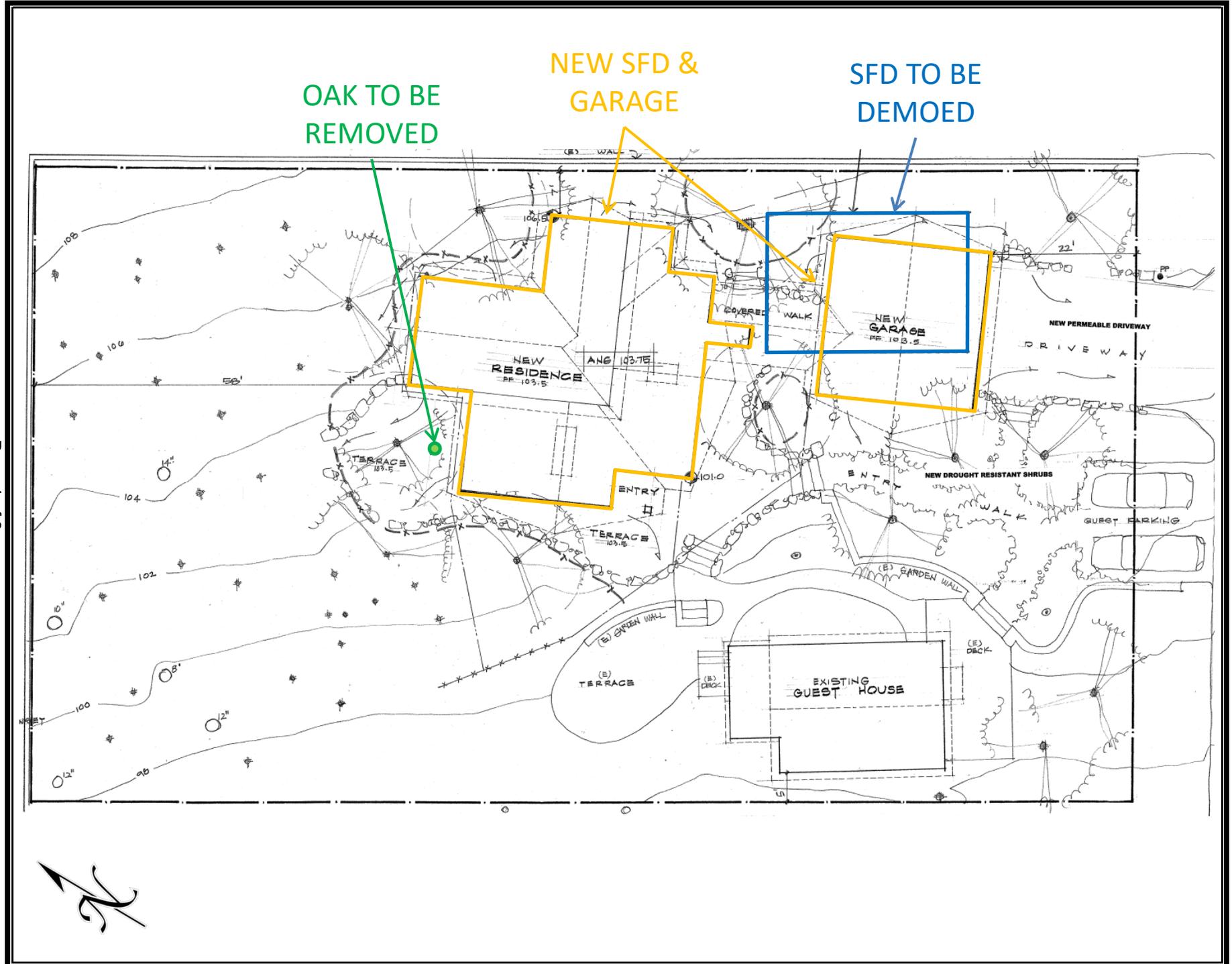


OAK TO BE REMOVED

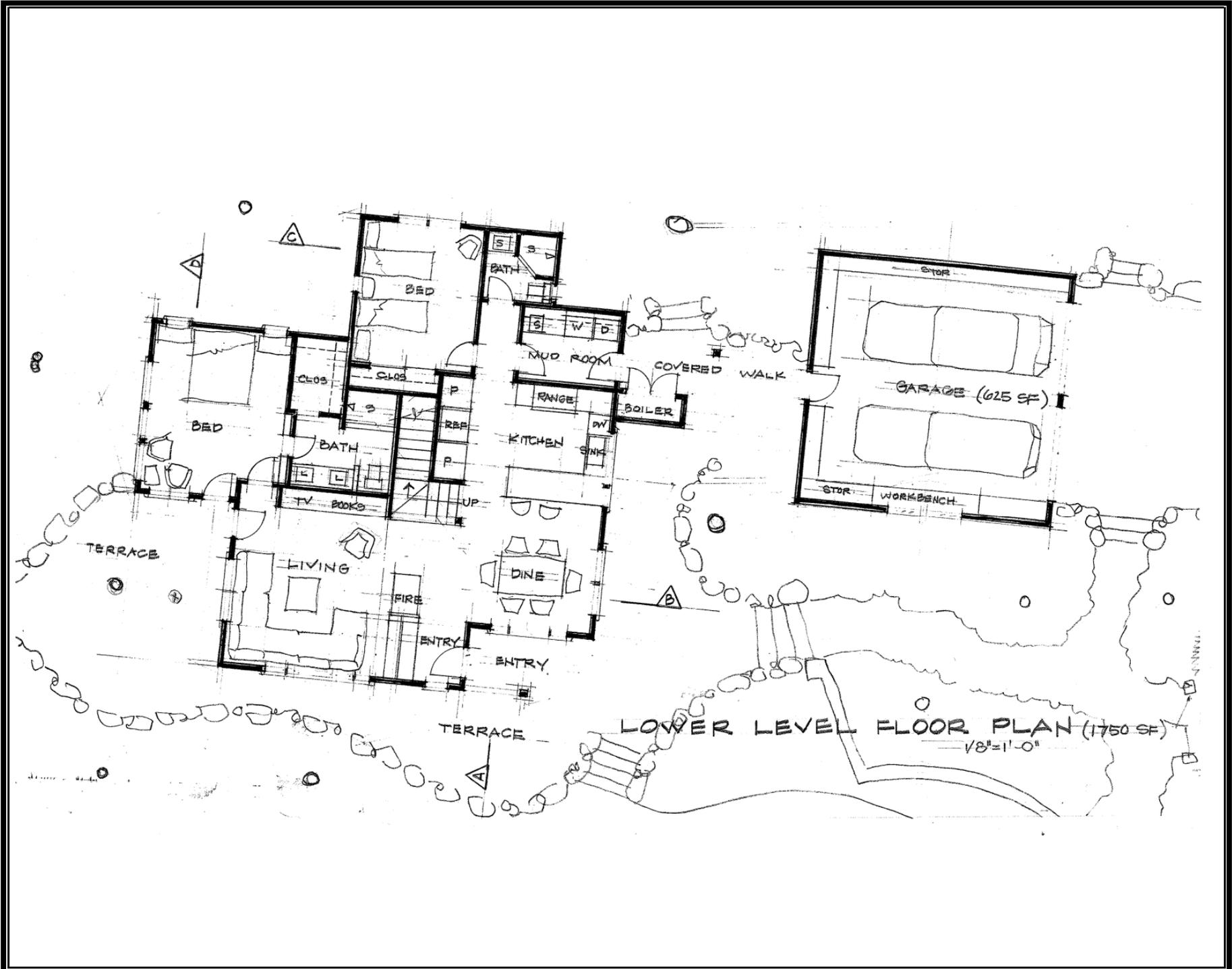
NEW SFD & GARAGE

SFD TO BE DEMOED

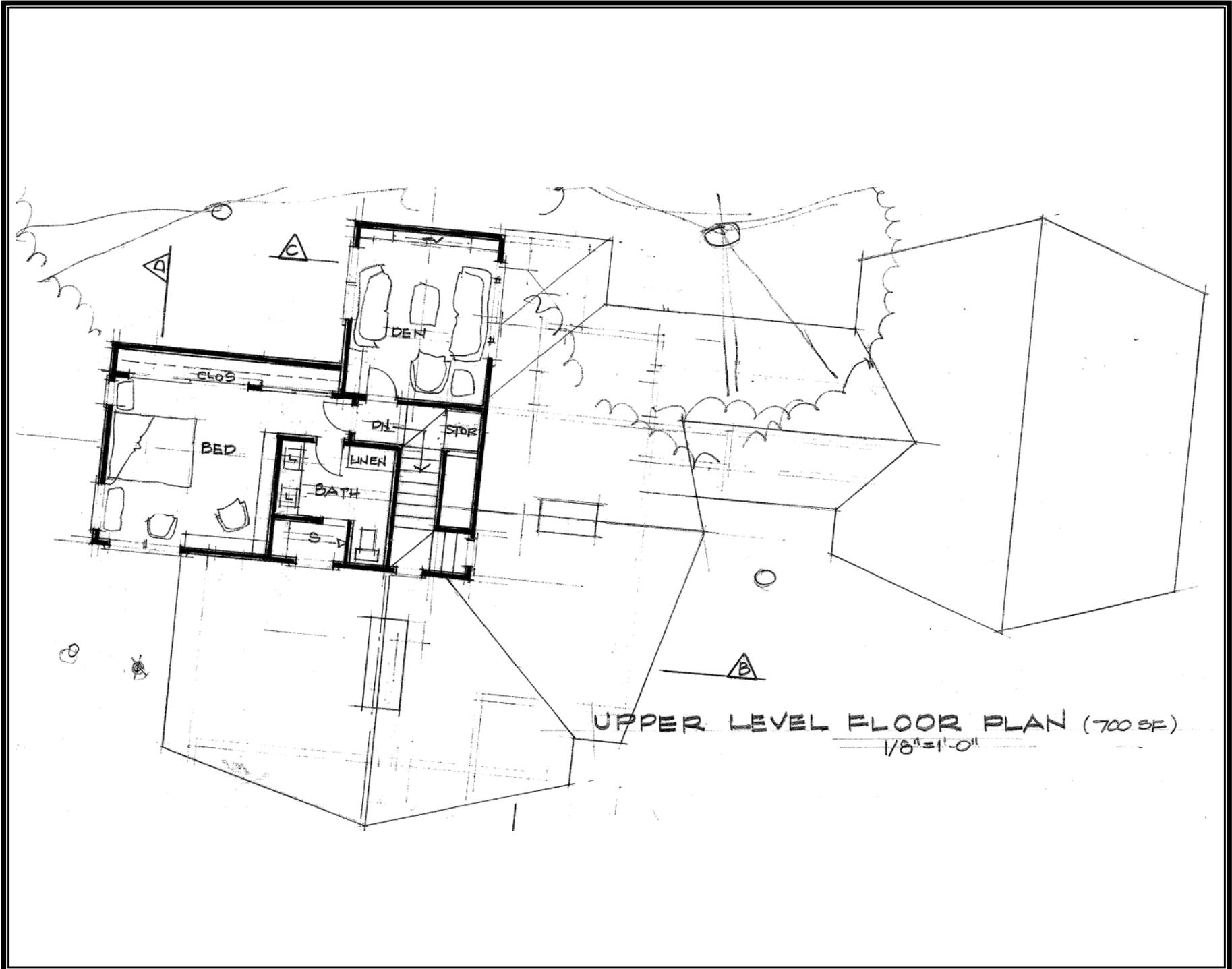
Page 4 of 8



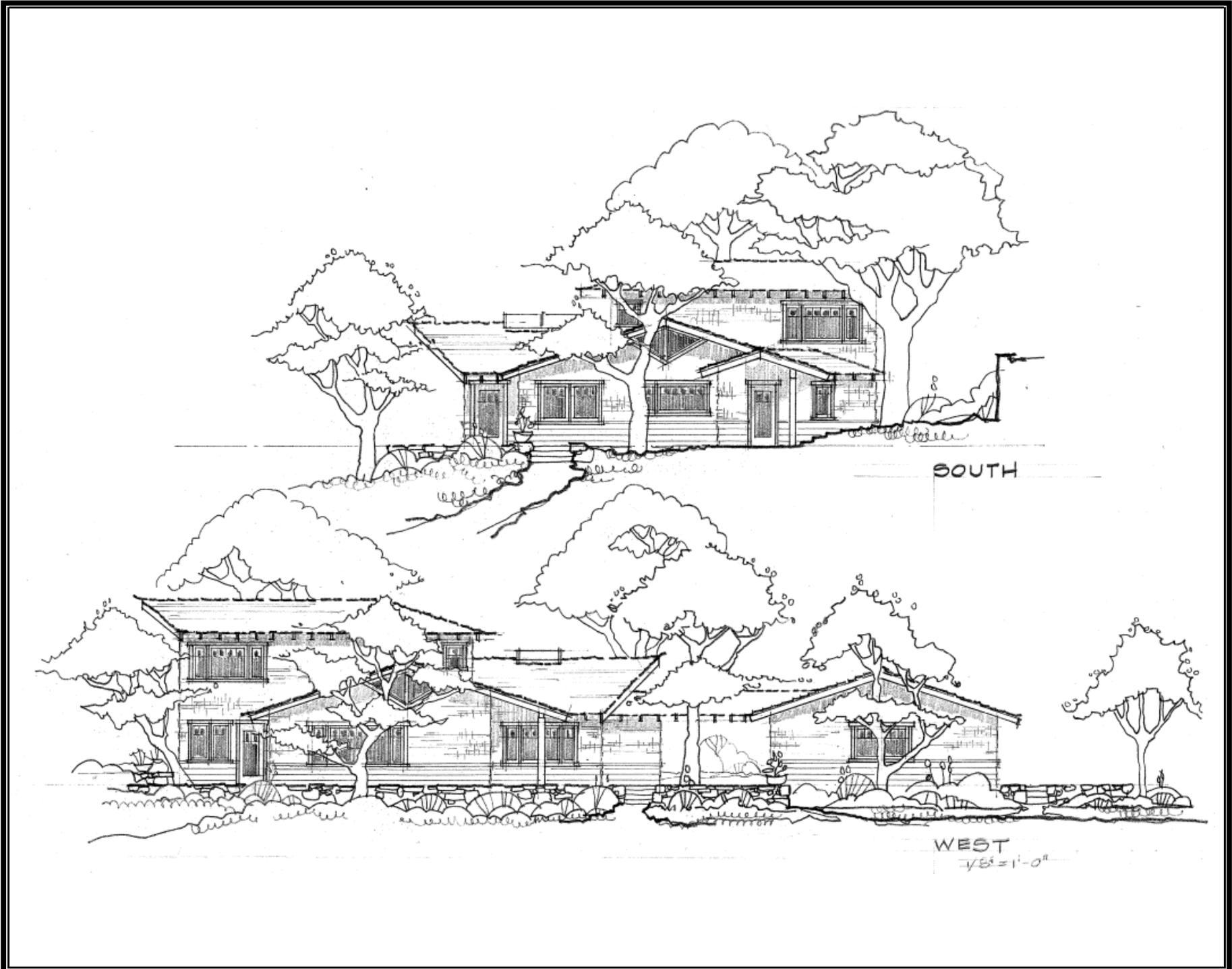
ATTACHMENT 03



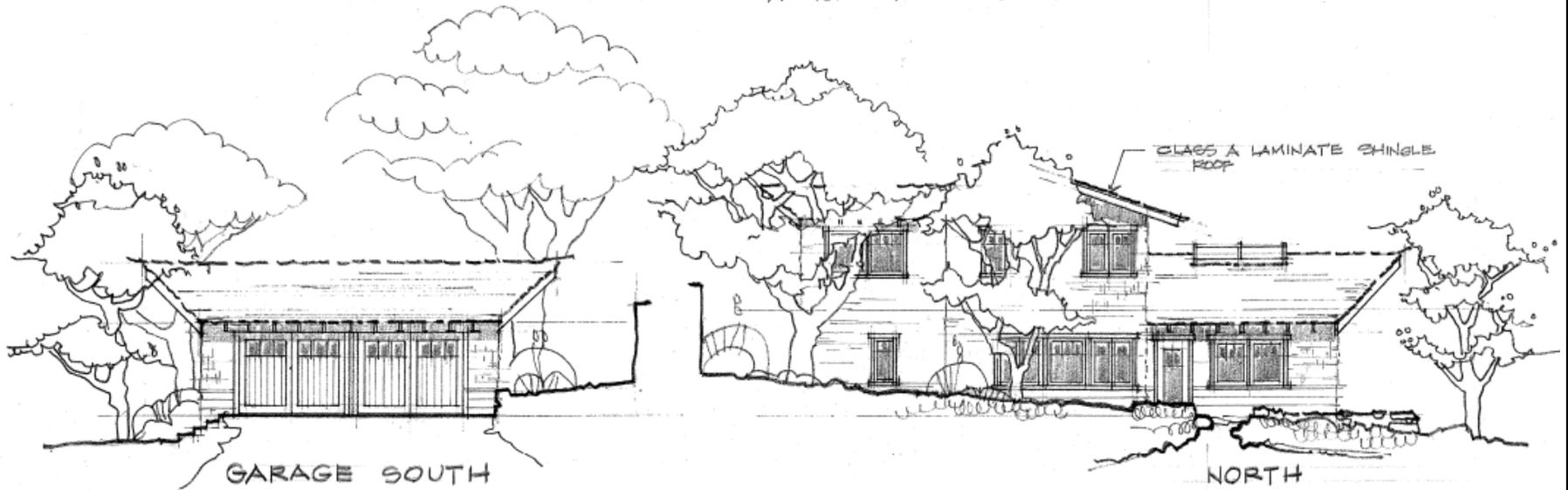
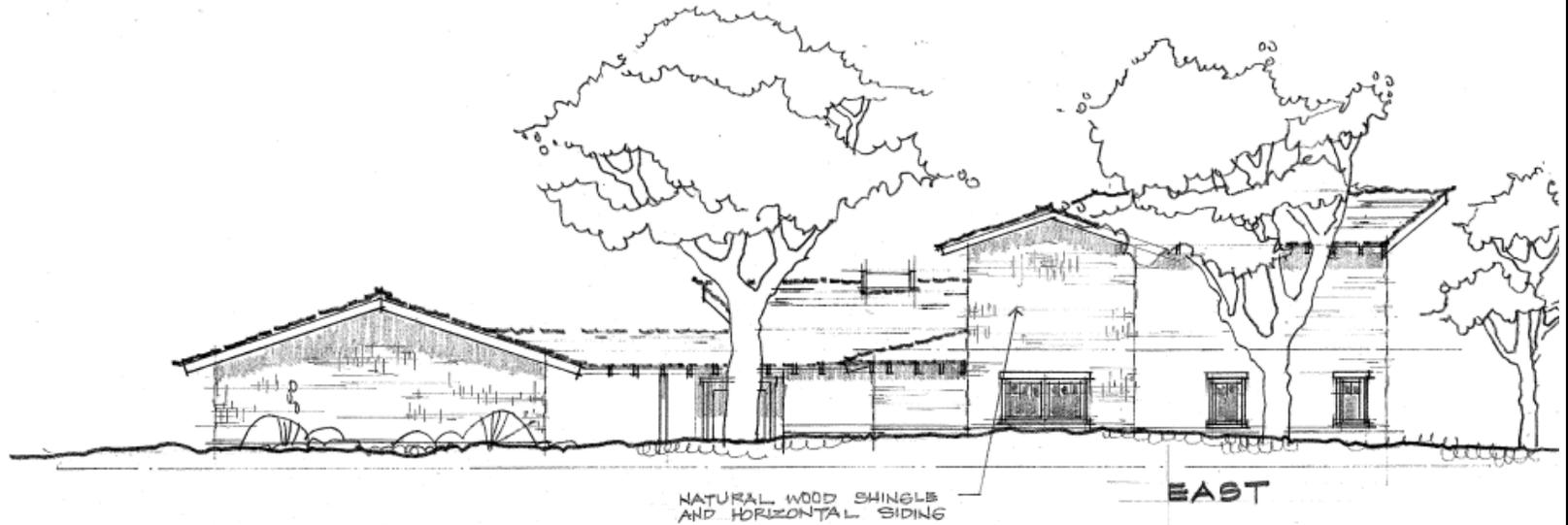
DRC2016-00011 – STAUFFER – LOWER FLOOR PLAN



DRC2016-00011 – STAUFFER – UPPER FLOOR PLAN



DRC2016-00011 – STAUFFER – ELEVATIONS





ATTACHMENT 04
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Wade Horton, Director

County Government Center, Room 206 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us



Date: 9/2/2016
To: Brandi Cummings, Project Planner
From: Tim Tomlinson, Development Services
Subject: **Public Works Comments on DRC2016-00011 Stauffer MUP, Kenneth Dr., Cambria, APN 023-032-008**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

PUBLIC WORKS REQUESTS THAT AN INFORMATION HOLD BE PLACED ON THIS PROJECT UNTIL THE APPLICANT PROVIDES THE FOLLOWING DOCUMENTS FOR PUBLIC WORKS REVIEW AND COMMENT:

1. In accordance with the Land Use Ordinance, as the project is located in a Storm Water Management (MS4) Area, it is considered a regulated project and required to submit a Storm Water Control Plan Application and Coversheet.

Public Works Comments:

- A. The proposed project is within a drainage review area. Drainage plan is required and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 23.05.040 of the Land Use Ordinance prior to future submittal of development permits.
- B. The project meets the applicability criteria for Storm Water Management. Therefore, the project is required to submit a Storm Water Control Plan Application and Coversheet. The Storm Water Control Plan application and template can be found at:
<http://www.slocounty.ca.gov/Assets/PL/Forms+and+Information+Library/Construction+Permit+Documents/Grading+and+Drainage+Documents/SWCP+Application+Pkg.pdf>

The Post Construction Requirement (PCR) Handbook can be found at:
http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new_stormwater/PCR+Handbook+1.1.pdf

- C. You must itemize the different impervious areas that make up the total new or replaced impervious area entered on the SWCP. Areas such as: all building footprints (residences, garages, shops, storage, decks, shade structures), concrete, asphalt or paver* driveways,

patios, walk ways or other flatwork, driveway approaches (even in the road right of way), and any other impervious items shown on the plans.

Recommended Project Conditions of Approval:

Access

1. **At the time of application for construction permits**, the applicant shall submit fees and plans to the Department of Public Works to secure an Encroachment Permit to construct the project access driveway in accordance with County Public Improvement Standards.

Drainage

2. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with 23.05.040 (Drainage) of the Land Use Ordinance.
3. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.

Storm Water Control Plan

4. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Storm Water Management. Applicable projects shall submit a Storm Water Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.
5. **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Storm Water Conveyance Management and Maintenance System" exhibit for review and approval by the County.
6. **Prior to issuance of construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Storm Water Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Re: DRC2016-00011 STAUFFER, Coastal E-Referral, Minor Use Permit, Cambria

Michael Stoker

Wed 8/31/2016 9:09 AM

To: Brandi Cummings <bcummings@co.slo.ca.us>;

Cc: Martin Mofield <mmofield@co.slo.ca.us>; Cheryl Journey <cjourney@co.slo.ca.us>;

Brandi,

Please find buildings comments for DRC2016-00011 below. Please let me know if you have any questions.

In regards to this preliminary review, a building permit is required. The drawings specify the work to be completed consists of the demolition of the existing 1,072 sq. ft dwelling and the constructing a new 2,450 sq. ft single family dwelling and detached garage of 625 sq. ft. The project shall comply with current codes adopted by the County of San Luis Obispo (2013 California Building Standards Codes and Title 19 of the SLO County Codes).

While a thorough plan review will be conducted at time of building permit application, the following items are noted to assist design review;

- 1) Construction shall comply with the 2013 California Residential Code.
- 2) A separate building permit will be required for dwelling and detached garage.
- 3) The design of the openings, projections, wall rating based on fire separation distance will need to be shown on the plans to comply with CRC Section 302, including Table 302.1(2) for buildings with sprinklers.
- 4) Provide plans which clearly show the structural design to verify compliance with the prescriptive requirements of the 2013 California Residential Code or any structural element not complying with the prescriptive requirements will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design
- 5) Provide details on the plans for the design of the stairs, handrails, and guards to verify compliance with the California Residential Code.
- 6) Provide electrical plans with notes to show the location of the main electrical panel, sub-panels, receptacles, lights, switches, and smoke detectors and CO alarms to verify compliance with the 2013 California Electrical Code.
- 7) Provide notes and information on the plans for the plumbing fixtures requirements, the design of the waste lines, vents, and water lines will all need to comply with the 2013 California Plumbing Code.
- 8) Energy calculation will need to be submitted to verify compliance with the 2013 California Energy Code.
- 9) The plans will need show compliance with the 2013 California Green Building Code and the County of San Luis Obispo's Green Building Ordinance.
- 10) Fire sprinklers will be required under a separate permit application. Provide plans showing the design and layout for the sprinkler system.

A grading plan may be required depending on the total area of disturbance

thanks



NOTICE OF EXEMPTION

ATTACHMENT 05

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805)781-5600

Project Title and No.: Stauffer/Minor Use Permit/Coastal Development Permit; DRC2016-00011 (ED16-083)

Project Location (Specific address [use APN or description when no situs available]): 1107 Kenneth Drive, Cambria, CA 93428, County of San Luis Obispo

Project Applicant/Phone No./Email:
Charles & Cheryl Stauffer/805-350-5440/brentarc@charter.net
Applicant Address (Street, City, State, Zip):
2673 Monica Way, Solvang, CA 93463

Description of Nature, Purpose and Beneficiaries of Project

A request by CHARLES & CHERLYL STAUFFER for a Minor Use Permit/Coastal Development Permit to allow for the demolition of an existing 1,072 square-foot single family residence and the construction of a 2,450 square-foot single-family residence with a 625 square-foot detached garage. The project will result in the permanent disturbance of approximately 4,300 square-feet of the 17,500 square-foot parcel. The project is within the Residential Single Family land use category and is located at 1107 Kenneth Drive, approximately 1 mile west of the Ardash Drive and CA Highway 1 intersection, in the community of Cambria. The site is in the North Coast planning area.

Name of Public Agency Approving Project: County of San Luis Obispo

Exempt Status: (Check One)

- Ministerial {Sec. 21080(b)(1); 15268}
- Declared Emergency {Sec. 21080(b)(3); 15269(a)}
- Emergency Project {Sec. 21080(b)(4); 15269(b)(c)}
- Categorical Exemption. {Sec. 15301 15303; Class: 1 and 3 }
- Statutory Exemption {Sec. _____}
- General Rule Exemption. {Sec. 15061(b)(3)}
- Not a Project _____

Reasons why project is exempt: The proposed project is exempt under CEQA because it consists of the demolition and removal of a single-family residence, and the construction of one new single-family residence. The project proposes to remove one oak tree, with replanting at a 6:1 ratio. No archaeological impacts are expected.

Brandi Cummings (bcummings@co.slo.ca.us)

(805)781-5600

Lead Agency Contact Person

Telephone

If filed by applicant:

1. Attach certified document of exemption finding
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Signature: Brandi Cummings Date: October 12, 2016
Name: Brandi Cummings Title: Planner II

On _____ the project was Approved by:

- Board of Supervisors
- Subdivision Review Board
- Other _____
- Planning Commission
- Planning Dept Hearing Officer

Nicole Retana

From: Brandi Cummings
Sent: Monday, October 31, 2016 4:48 PM
To: Nicole Retana
Subject: Fw: APN 023-032-008 DCR2016-00011 Stauffer MUP Kenneth Dr.

Correspondence for 11/18 PDH

Brandi Cummings
Planner II
Department of Planning & Building
County of San Luis Obispo
(805) 781-1006

From: Leland Armitage <larmitage5455@gmail.com>
Sent: Friday, October 28, 2016 12:08 PM
To: Brandi Cummings
Subject: APN 023-032-008 DCR2016-00011 Stauffer MUP Kenneth Dr.

Brandi,

We are in receipt of the MUP notice of October 24 for the proposed Stauffer replacement residence on Kenneth Dr.

As the property owner just caddy-corner to the rear of their property (023-032-003) on Warren Rd, we are in full support of their development. We have no concerns or issues with the project. This will be a nice enhancement to the neighborhood and we welcome the improvements.

Feel free to contact us for any concerns or questions.

Regards,

Leland & Suzanne Armitage
1150 Warren Rd
Cambria CA 93428

Work phone: 781-4003

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, San Luis Obispo Airport, Cal Fire/County Fire, City of San Luis Obispo, Bicycle Advisory Committee	
TOPOGRAPHY: Moderately sloping	VEGETATION: Grasses, Monterey Pine, and Eucalyptus
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: Cal Fire/County Fire	ACCEPTANCE DATE: September 23, 2016

DISCUSSION

The applicant proposes to construct a 10,585 square-foot, one-story single family residence with a basement level and an attached 1,990 square-foot garage. The proposed residential design includes a basement level with three bedrooms, four bathrooms, one exercise room, one wine cellar, one elevator, and one five-car garage. The ground floor is proposed to consist of the main entry, two bedrooms, two and one-half bathrooms, a kitchen, a dining room, a living room, and other incidental rooms. Outdoor patio areas and 30,000 square feet of landscaping are proposed. The project also includes an approximately 550 foot long driveway from Orcutt Road to the site. The project will result in the disturbance of approximately 1 acre of the 10.36-acre parcel, which includes grading and excavation for the basement and foundation.

LAND USE PERMIT REQUIRED

A single family residence is an allowed use in the Agriculture land use category in this location, subject to the Highway Corridor Design Standards and the San Luis Obispo Planning Area Standards. The Highway Corridor Design Standards requires Minor Use Permit approval for development that will be visible from Orcutt Road, and on slopes greater than 20 percent. The proposed project includes improvements that will be visible from Orcutt Road, and is located on moderate sloping topography that is greater 20 percent.

PLANNING AREA STANDARDS

San Luis Obispo Planning Area Chapter 22.96

Topic	Standard	Proposed	Complies?
<i>Combining Designation Section 22.96.020</i>			
Airport Review Area	New development shall be consistent with the adopted San Luis Obispo Airport Land Use Plan.	Project referred to the Airport Land Use Chair and no comments were received. The proposed development is designated as a compatible use by the San Luis Obispo Airport Land Use Plan.	Yes

Topic	Standard	Proposed	Complies?
San Luis Obispo Sub-area Section 22.96.040			
Planning Impact Areas	<p>Applications for discretionary land use permits shall be referred to the City of San Luis Obispo for review and comment. The County shall consider requiring improvements where there is an appropriate and feasible connection between the proposed project and improvement, subject to the following:</p> <p>a. Required improvements / dedications may include street, drainage and other necessary public improvements;</p> <p>b. Street improvements / dedications shall be made, depending upon the scale and location of the proposed development.</p>	Project referred to City of San Luis Obispo and no comments were received.	Yes
Production Agricultural areas	New development shall minimize loss of existing and potential production agricultural areas.	Proposed development is concentrated within previously disturbed areas on site and located on in an area with soils classified as "not prime farmland".	Yes

LAND USE ORDINANCE STANDARDS

General Development Standards

Topic	Standard	Proposed	Complies?		
Landslide Hazard Section 22.14.070					
High Landslide Risk	All land use permit applications for projects located within a rural area subject to high landslide risk shall be accompanied by a Geology Soils Report prepared by a certified engineering geologist and/or registered civil engineer (as to soils engineering), as appropriate.	A Geotechnical Engineering Report was prepared for the proposed project on August 12, 2016. The report was evaluated and approved with no further investigation needed (Papurello, 9/19/2016).	Yes		
General Property Development Standards					
Setbacks		Requirement	Minimum	Proposed	
	Rear	Standard Sec. 22.10.140F	30 feet	50 feet	Yes
	Side	Standard Sec. 22.10.140E	30 feet	110 feet (right) & 260 feet (left)	Yes
	Front	Standard Sec. 22.10.140E	100 feet	390 feet	Yes

Highway Corridor Design Standards

The project meets all Subsection C3 Zoning Clearance requirements listed in Highway Corridor Design Standards Section 22.10.095 C except slope limitations, thereby triggering a Minor Use Permit and requiring the project designs to meet Subsection C4. Discretionary permit requirements:			
Topic	Standard	Proposed	Complies?
Location	Locate all development including accessory structures i.e. water tanks and access roads in the least visible portion of the site as viewed from the scenic highway.	<p>Proposed residence will be seen for southbound travelers on Orcutt Rd. The proposed site is located on a north-facing slope with existing mature trees along the southeast portion of the property which shields northbound travelers from the residential development. Visible portions of the project are limited to the 2nd floor of the residence, as the 1st floor will be a basement level.</p> <p>A new rain harvest 4 tank system and retention basin will be located on the eastern portion of the property, farthest from Orcutt Rd and shielded by sloping terrain.</p> <p>Existing driveway on the southwestern end of the property and fronting Orcutt Rd will be widened and paved.</p>	Yes, as conditioned.
Grading	Minimize grading that will be visible from Orcutt Road.	The project proposes grading for the driveway and residence, building pad and retaining walls which will result in cuts and fills to create a basement level and a terrace for additional landscaping to provide screening for northbound travelers on Orcutt Rd. The retaining walls are not anticipated to be visible to travelers as the walls will be located on the south side of the residence and below the natural grade.	Yes, as conditioned.
Slope limitation	Grading for structures and roads shall occur on slopes less than 30%	Proposed grading occurs on slopes less than 30%.	Yes
Building Visibility	Minimize building height/mass by using low-profile design or colors.	The proposed multi-level residence proposed a maximum building height of 25 feet from average natural grade and a roof pitch of 4:12. The proposed combination of materials (ceramic tile roofing, stone veneer, stuccos, wood trim and beams, and metal window frames) and colors that harmonize with the surrounding natural environment will avoid massing effects and provide for a variety of natural colors and materials.	Yes, as conditioned.

Building Height	The maximum height for new structures is limited to 25 feet.	The proposed residence will have a maximum height of 25 feet above the natural grade.	Yes, as conditioned.
Landscaping	Provide landscaping to screen/ buffer development with native / drought-resistant plants.	The applicant submitted a landscaping plan which incorporates a multitude of trees and shrubs, of varying heights, shapes, and growth rates. At maturity, the landscaping will significantly reduce visibility of the residence from the highway.	Yes

AGENCY REVIEW:

Public Works – Per referral response (Tomlinson, June 28, 2016), a drainage plan will be required at time of construction permit application.
 San Luis Obispo Airport – No response.
 City of San Luis Obispo – No response.
 Bicycle Advisory Committee – Per referral response – No concerns.
 Cal Fire/County Fire – Per referral response (Craig, July 7, 2015), see attached Fire Safety Plan.

LEGAL LOT STATUS:

The one lot is Parcel A of Map CO-71-191 and was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Kate Shea and reviewed by James Caruso.

**EXHIBIT A – FINDINGS
DRC2015-00144 NEAL**

CEQA Exemption

- A. This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA, pursuant to State CEQA Guidelines Section 15061(b)(3), General Rule Exemption.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because a single-family residence 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 22 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 proposed residence 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 proposed residence 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 Orcutt Road, a county-maintained rural collector road, constructed to a level able to handle any additional traffic associated with the project.

Airport Review Area Combining Designation

- G. The proposed project will not adversely affect the operation of the San Luis Obispo County Regional Airport because the project is consistent with the limitations established by the adopted Airport Land Use Plan.

Highway Corridor Standards

- H. The development will not create significant adverse effects on the scenic features of the site or vicinity because the project consists of existing and minor new structures that are screened from the Orcutt Road. Natural features and topography have been considered in the design and siting of the proposed physical improvements on site because all proposed uses are located within the developed areas onsite.

**EXHIBIT B - CONDITIONS OF APPROVAL
DRC2015-00144 Neal**

Approved Development

1. This approval authorizes the following development:
 - a. Site work and construction of a 10,585 square-foot, one-story single family residence with a basement level and an attached 1,990 square-foot garage, an approximately 550 foot long driveway from Orcutt Road to the site, including landscaping, lighting.
 - b. A maximum height of 25 feet from average natural grade.

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

Site Development

2. **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.

Access

3. **At the time of application for construction permits**, the applicant shall submit plans prepared by a Registered Civil Engineer to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:
 - a. Reconstruct the existing site access driveway approach in accordance with County Public Improvement Standard B-1e drawing for high speed and/or high volume rural roadways, and A-5 sight distance standards.
 - b. At the time of application for a County Encroachment permit the applicant must submit evidence they have obtained a permit from Department of Water Resources (DWR) Coastal Aqueduct Reach 5a for driveway improvement above their water facility.

Fire Safety

4. **At the time of application for construction permits**, 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 Cal Fire for this proposed project and dated July 7, 2016.

Services

5. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal on the site.
6. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Drainage

7. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) or 23.05.040 (Drainage) of the Land Use Ordinance.
8. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plans for review and approval in accordance with 22.52.120.
9. **At the time of application for construction permits**, the applicant shall clearly delineate the vertical height of all cut and fill slopes on the project construction drawings and the border of cut slopes and fills rounded off to a minimum radius of five feet. Cuts and fills shall be screened from public vantage points along public roads. Any visible cuts shall be stockpiled with at least 8” of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed, the cut and fill slopes shall be reestablished with non-invasive, fast-growing vegetation. **Prior to final inspection**, the applicant shall provide verification to the satisfaction of the County that these measures have been met.

Exterior Colors & Material Palette

10. **At the time of application for construction permit**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, and chimneys etc. The proposed metal roofing materials shall be non-reflective material and shall be of earth tone colors. All color selections shall fall within a “chroma” and “value” of 6 or less, as described in the Munsell Book of Color (review copy available at County.)

Exterior Lighting Plan

11. **At the time of application for construction permits**, the Applicant shall submit an Exterior Lighting Plan for County review and approval. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned “down and into” the development, and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties and Orcutt Road. All lighting poles, fixtures, and hoods shall be dark colored. When nighttime lighting is required for construction, temporary lighting shall be hooded to the extent consistent with safety. Lighting fixtures shall be directed away from the public roads to avoid glare and, when near a residence, shall be pointed away from the residence.

Landscape Plan

12. **Upon application for construction permits**, the applicant shall submit a landscape plan to the County Department of Planning and Building for review and approval. The plans shall be developed and signed by a licensed landscape architect and shall be consistent with the landscape plan dated February 19, 2016 by Fortini Landscaping.

Conditions to be completed prior to issuance of a construction permit

Fees

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

Other Agency Encroachment

14. **Prior to the issuance of a construction permit**, all work which encroaches within the existing Department of Water Resources (DWR) Coastal Aqueduct Reach 5a shall require an Encroachment Permit issued by the DWR Division of Engineering at 800-600-4397, and the Central Coast Water Authority (CCWA) at 805-688-2292. No County permits shall be issued without evidence of a DWR Encroachment Permit, or that a Permit is not required.

Conditions to be completed during construction of the project

Geology

15. **During construction and ground disturbing activities**, the applicant shall implement all of the recommendations included in the geotechnical engineering report prepared by Earth Systems Pacific, dated March 11, 2014 as well as any amendments to such report approved by the Department of Planning and Building.

Building Height

16. The maximum height of the project is 25 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. This certification shall be prepared by a licensed surveyor or civil engineer.

Air Quality

17. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - a. All materials excavated or graded for the proposed project shall be sufficiently watered to prevent excessive amounts of dust. Watering should occur at least twice a day with complete coverage, preferably in the late morning and after work

is done for the day. Increased watering shall be required whenever wind speeds exceed 15 mph.

- b. All dirt stock pile areas should be sprayed daily as needed.
- c. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.

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

Access

- 18. **Prior to occupancy or final inspection**, all public improvements have been constructed or reconstructed in accordance with County Public Improvement Standards and to the satisfaction of the County Public Works Inspector.

Safety

- 19. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.

Miscellaneous

- 20. **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.

Landscape Performance

- 21. **Prior to final inspection for the single family residence**, the approved landscape plan shall be implemented, and the applicant shall provide a letter to the San Luis Obispo County Department of Planning and Building for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the screen planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for five years. At the end of the 5 year monitoring period, the monitoring report shall be submitted to the San Luis Obispo County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant. A bond for the screening plan (northwestern portion of the structure only) shall be required **prior to final inspection or occupancy**. If it is determined that the success criteria has not been met then the applicant shall submit a supplemental landscape screening plan with additional recommendations to achieve the required screening. The plan shall include additional monitoring requirements (as recommended by the landscape architect) to ensure the required screening is achieved.

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

- 22. 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 22.64.070 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 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

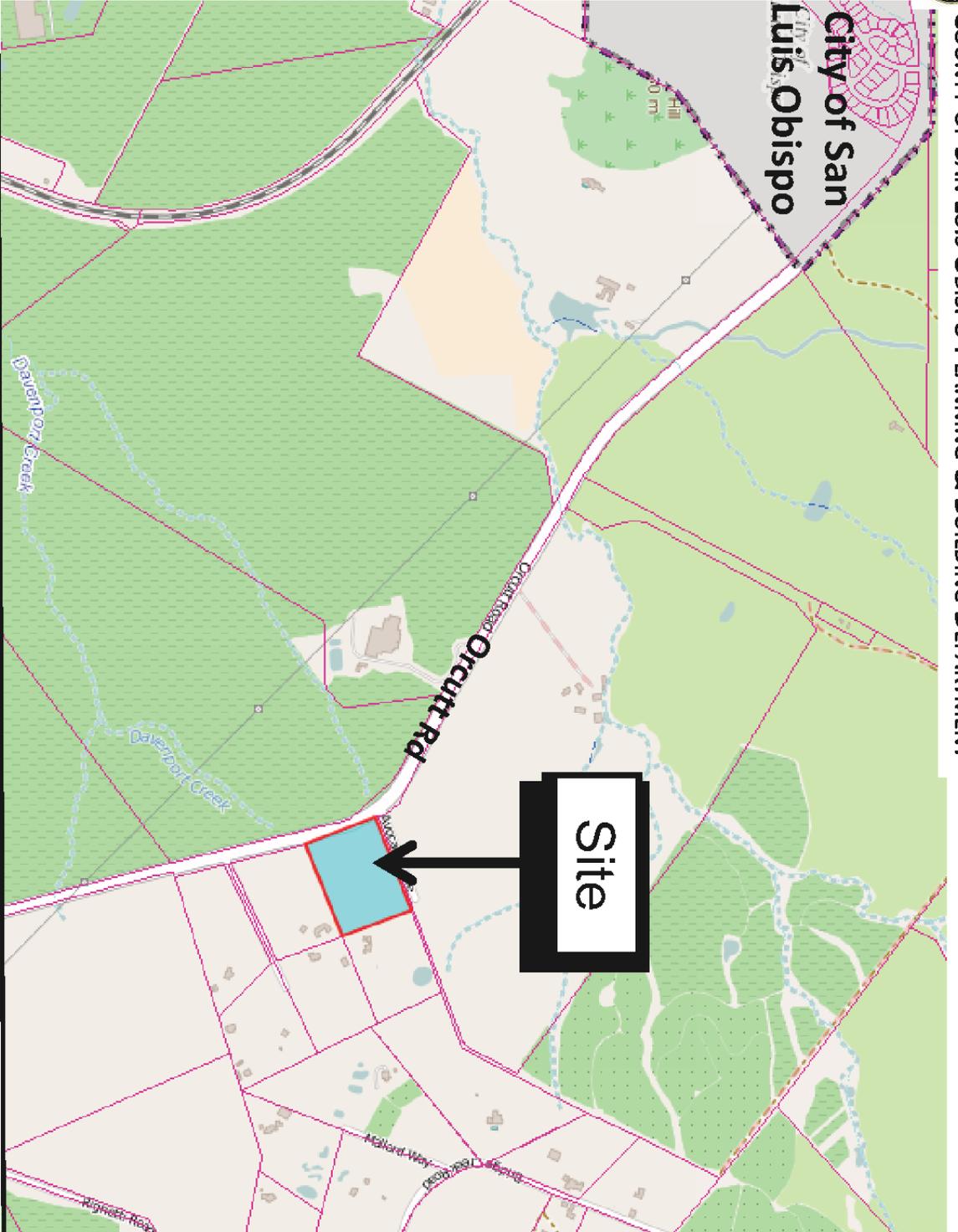
23. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

Access

24. **For the life of the project**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc. without a valid Encroachment Permit issued by the Department of Public Works.
25. **For the life of the project**, the property owner shall be responsible for operation and maintenance of public road frontage landscaping in a viable condition and on a continuing basis into perpetuity or until specifically accepted for maintenance by a public agency.

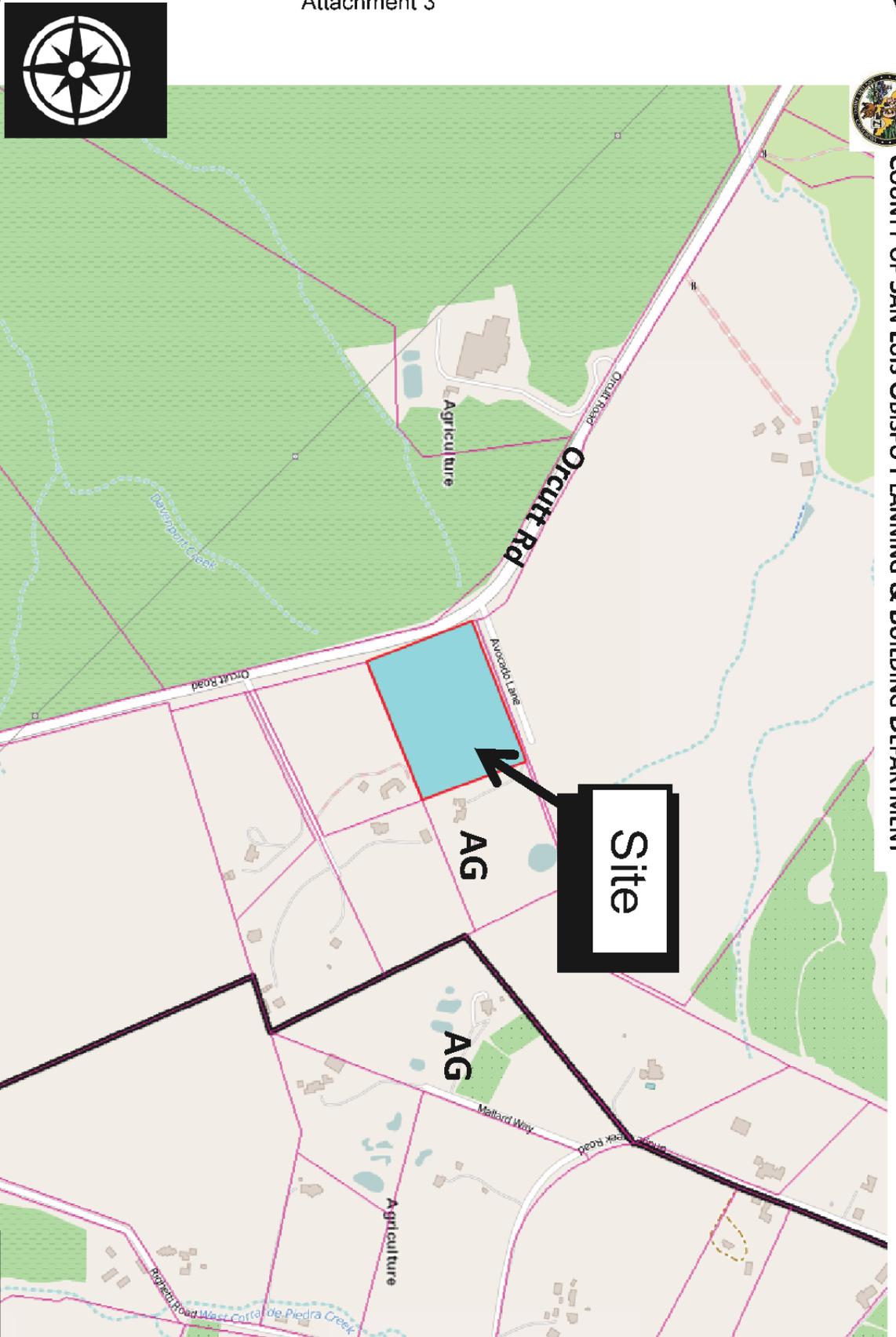
Discharge

26. **For the life of the project**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.



Minor Use Permit
Single Story Home / DRC2015-00144

Vicinity Map



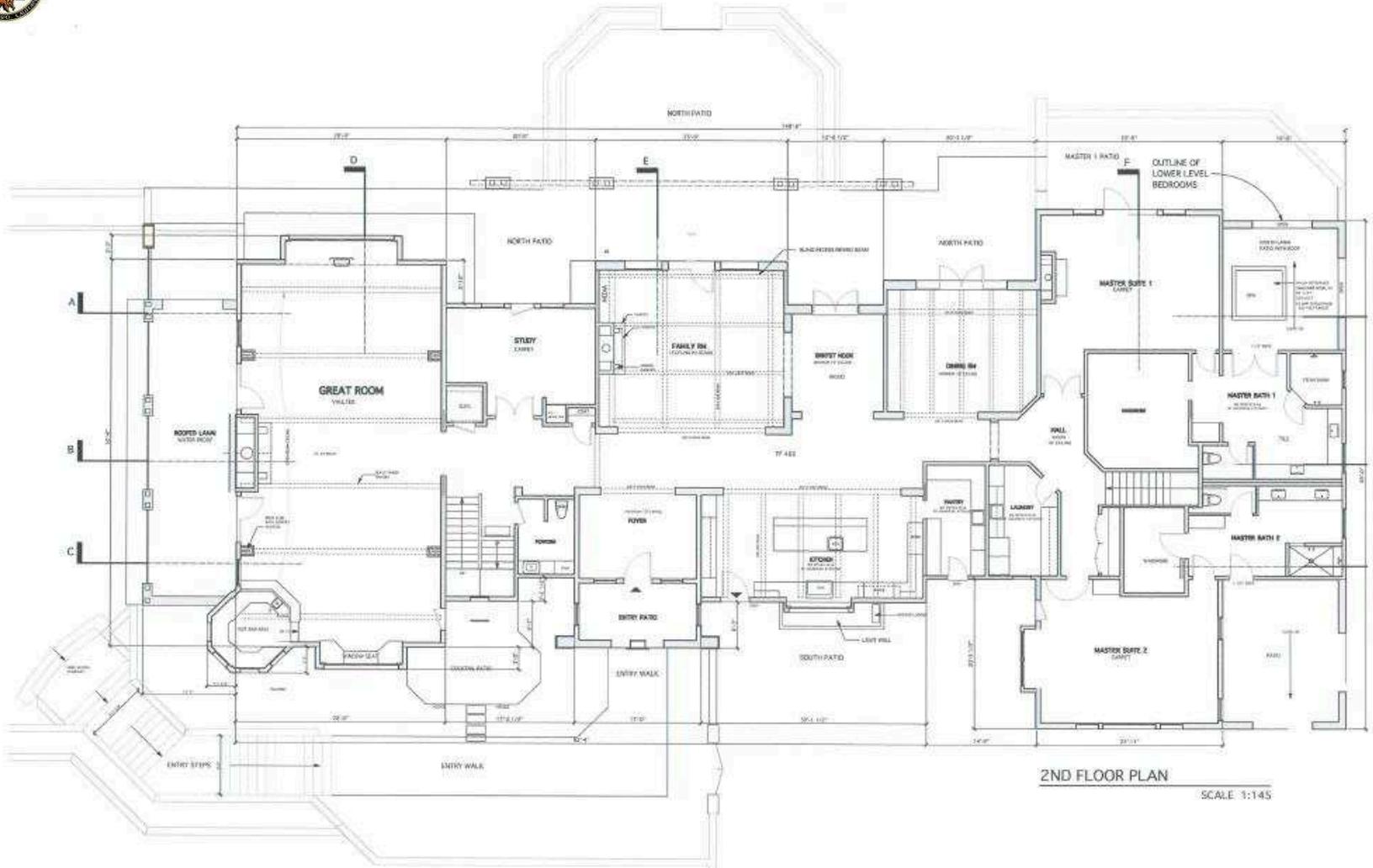
Minor Use Permit
 Single Story Home / DRC2015-00144

Land Use Category Map



Minor Use Permit
Single Story Home / DRC2015-00144

Aerial Photograph



2ND FLOOR PLAN
SCALE 1:145

Minor Use Permit
Single Story Home / DRC2015-00144

Second Floor Plan



Minor Use Permit
Single Story Home / DRC2015-00144

North Elevation



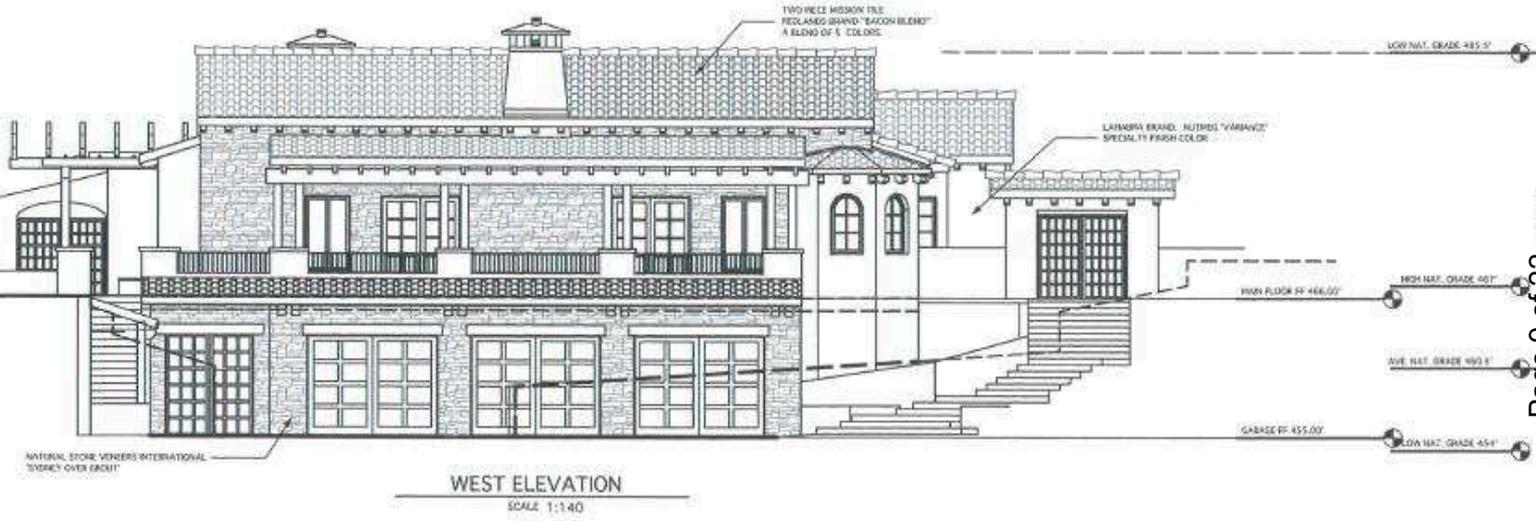
Attachment 3



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Minor Use Permit
Single Story Home / DRC2015-00144

South Elevation



Minor Use Permit
Single Story Home / DRC2015-00144

West Elevation



EXTERIOR WALLS:
 LAHARRA BRAND "NET"
 SPECIALTY FINISH COLOR

ROOF TILE:
 TWO-PIECE MISSION TILE
 HOLLANDS BRAND "MASON BLEND"
 A BLEND OF 5 COLORS

FASCIA AND BEAM:
 OPAQUE STAINED
 DARK BROWN

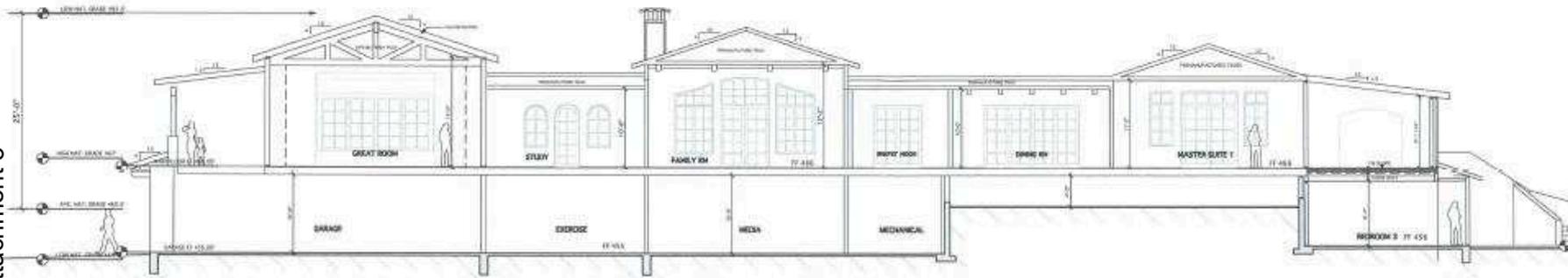
WINDOWS AND DOORS:
 MILGARD ESSENCE
 WITH BRONZE
 FIBERGLASS EXT.

Minor Use Permit
Single Story Home / DRC2015-00144

East Elevation



Attachment 3



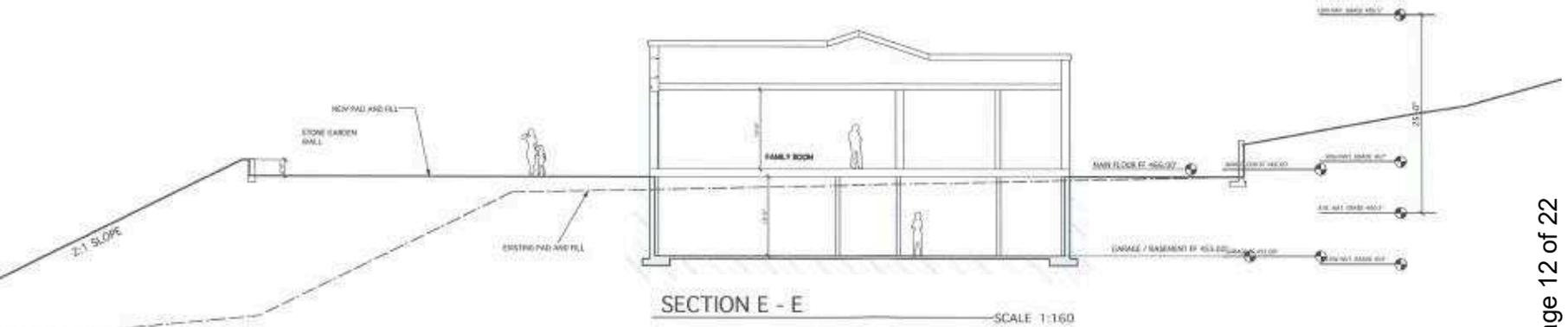
Page 11 of 22

Minor Use Permit
Single Story Home / DRC2015-00144

Section A-A



Attachment 3



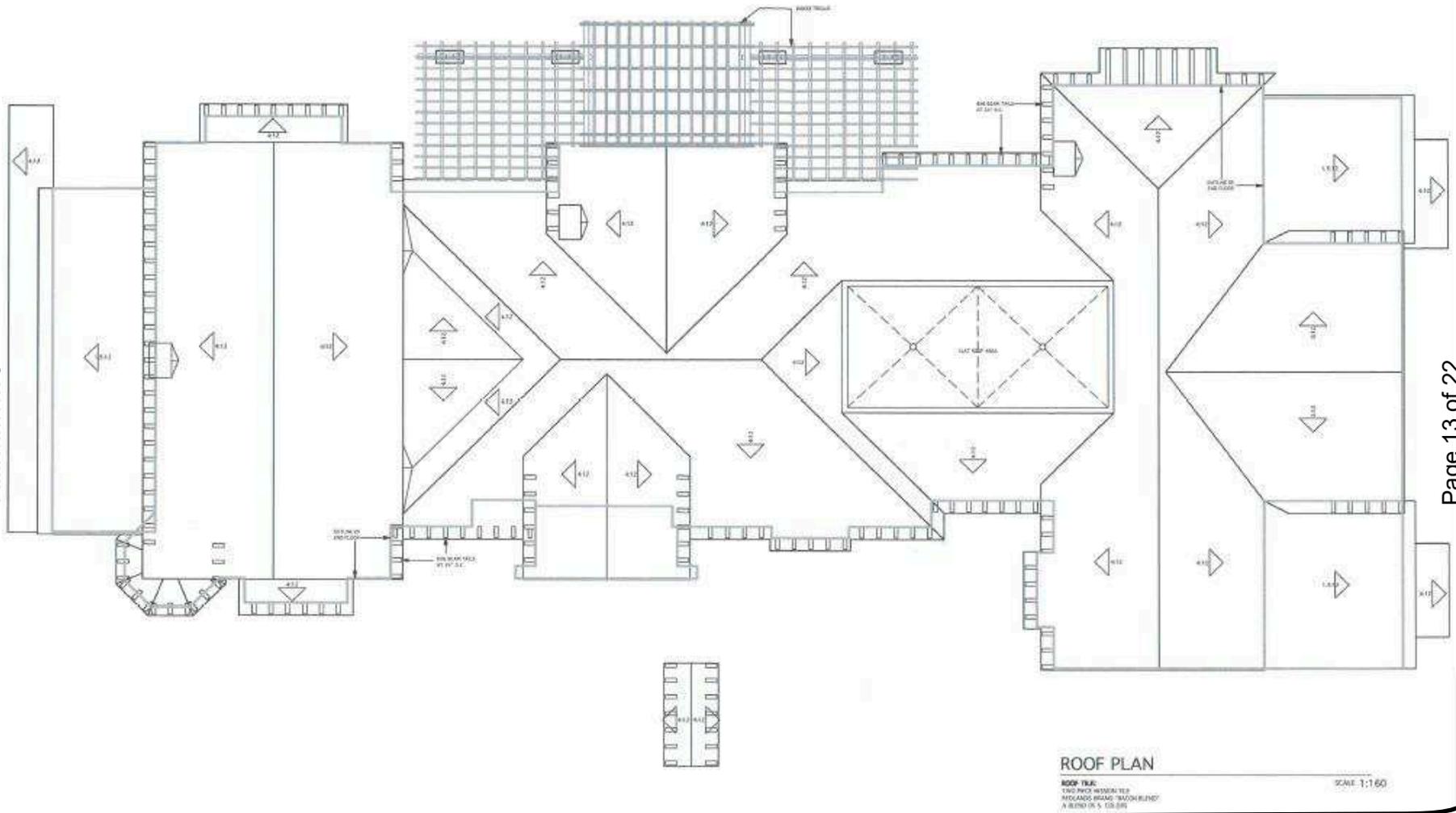
Page 12 of 22

Minor Use Permit
Single Story Home / DRC2015-00144

Section E-E



Attachment 3

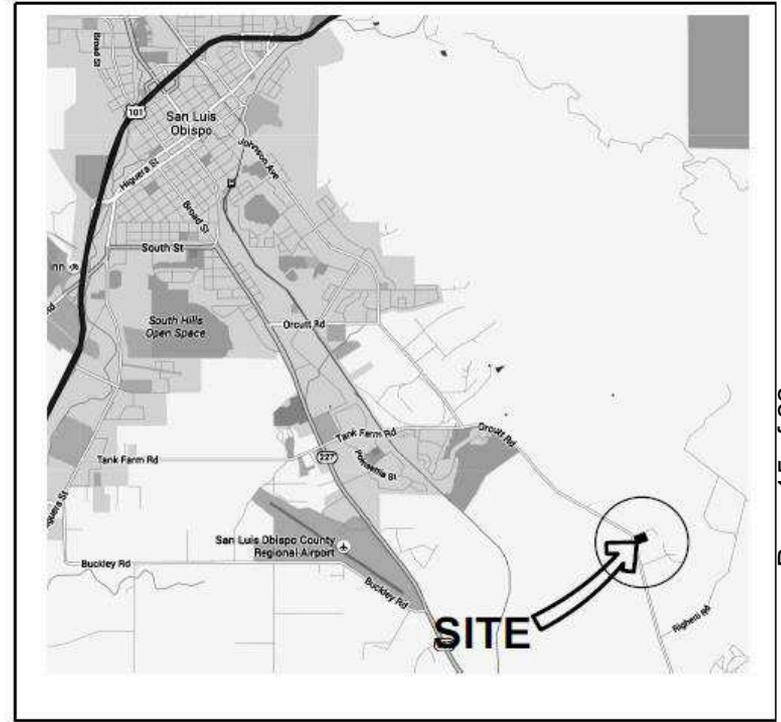
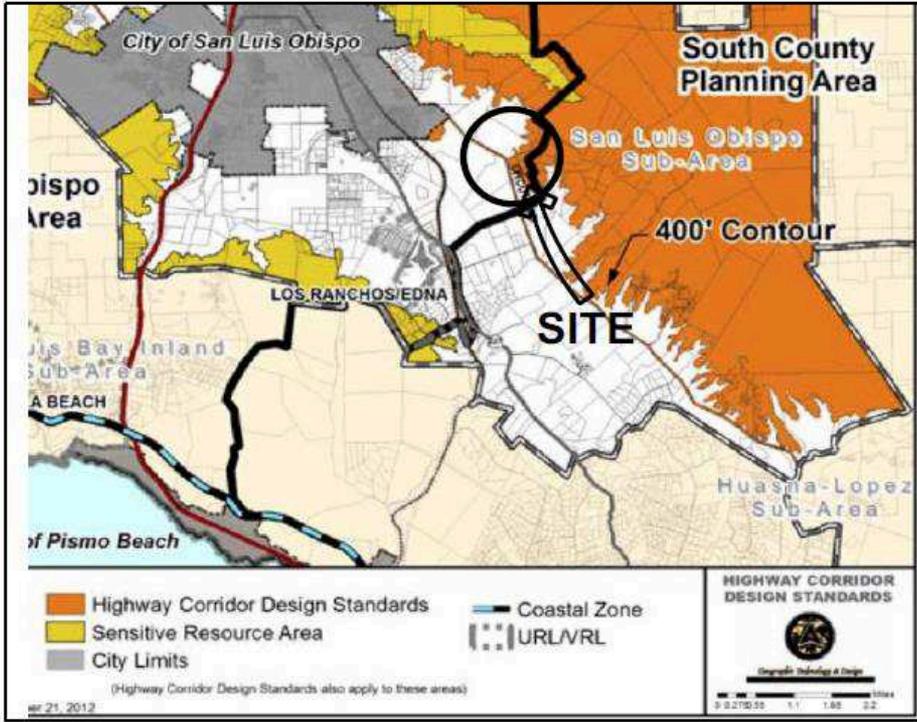


ROOF PLAN
ROOF TYPE:
TWO-PITCH GABLED TRUSS
MIGLANDS BRAND "BAZORBLIND"
A BROWN S. 100-001
SCALE: 1:160

Page 13 of 22

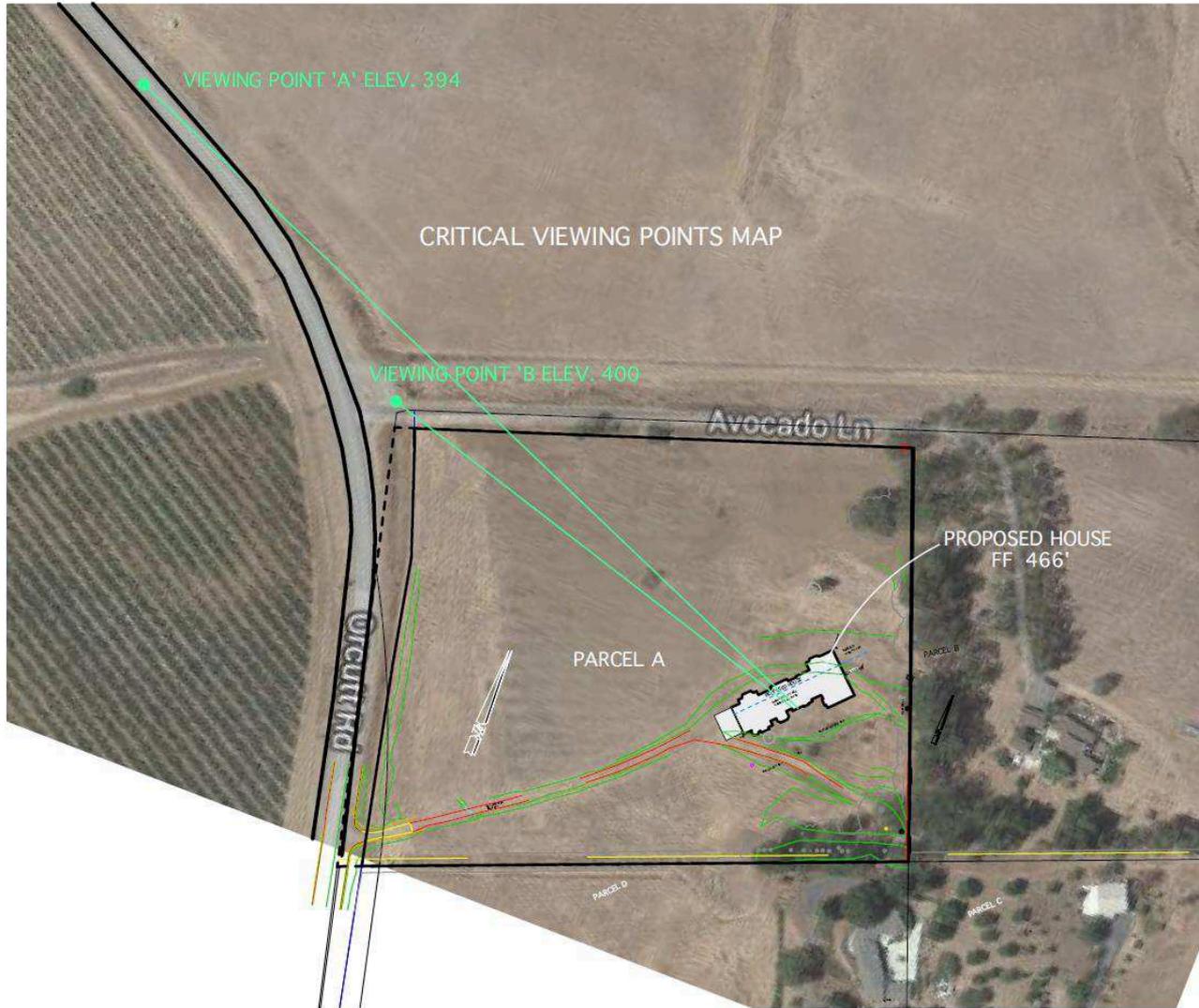
Minor Use Permit
Single Story Home / DRC2015-00144

Roof Plan



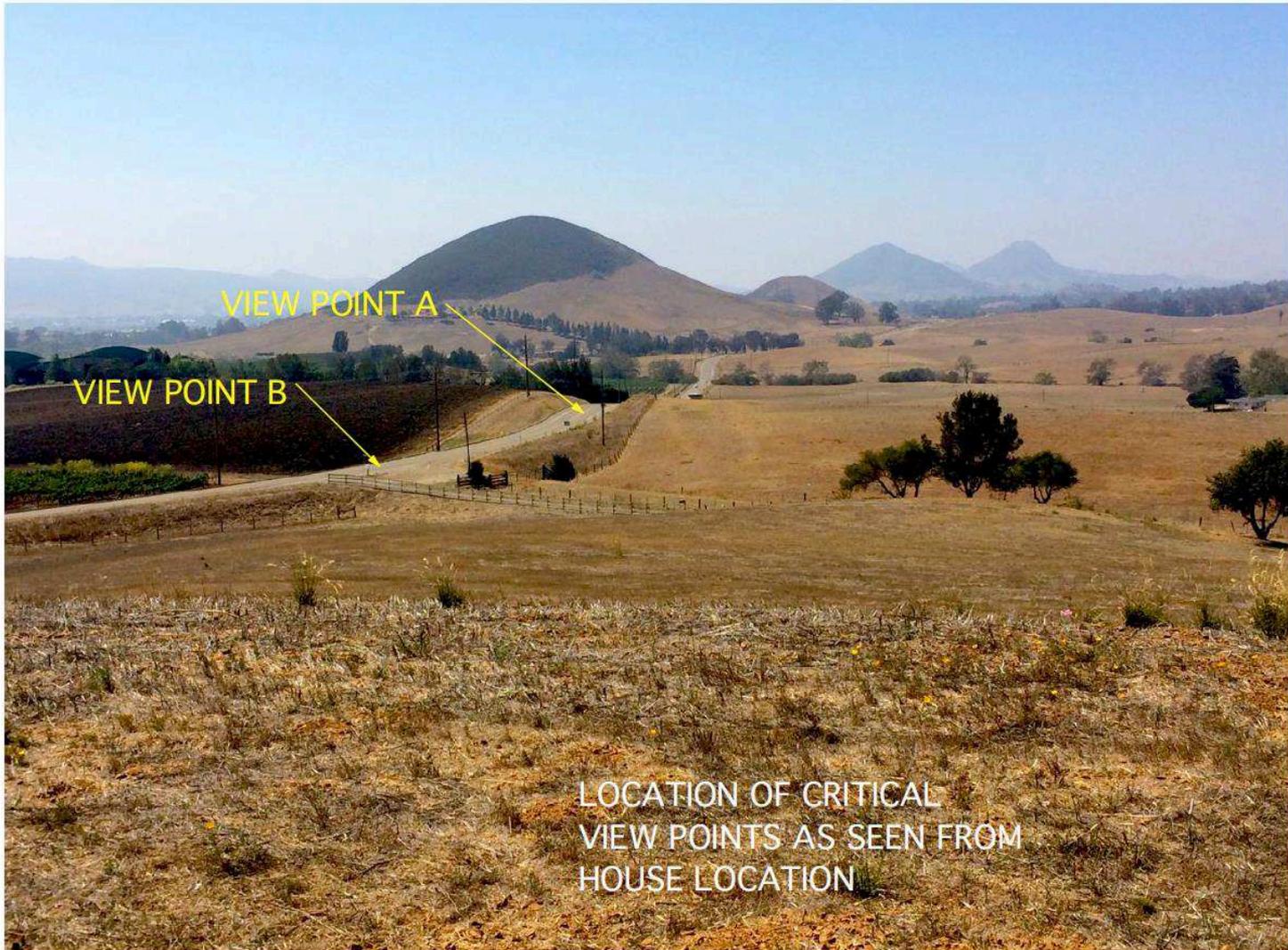
Minor Use Permit
Single Story Home / DRC2015-00144

Critical Viewing Points Analysis



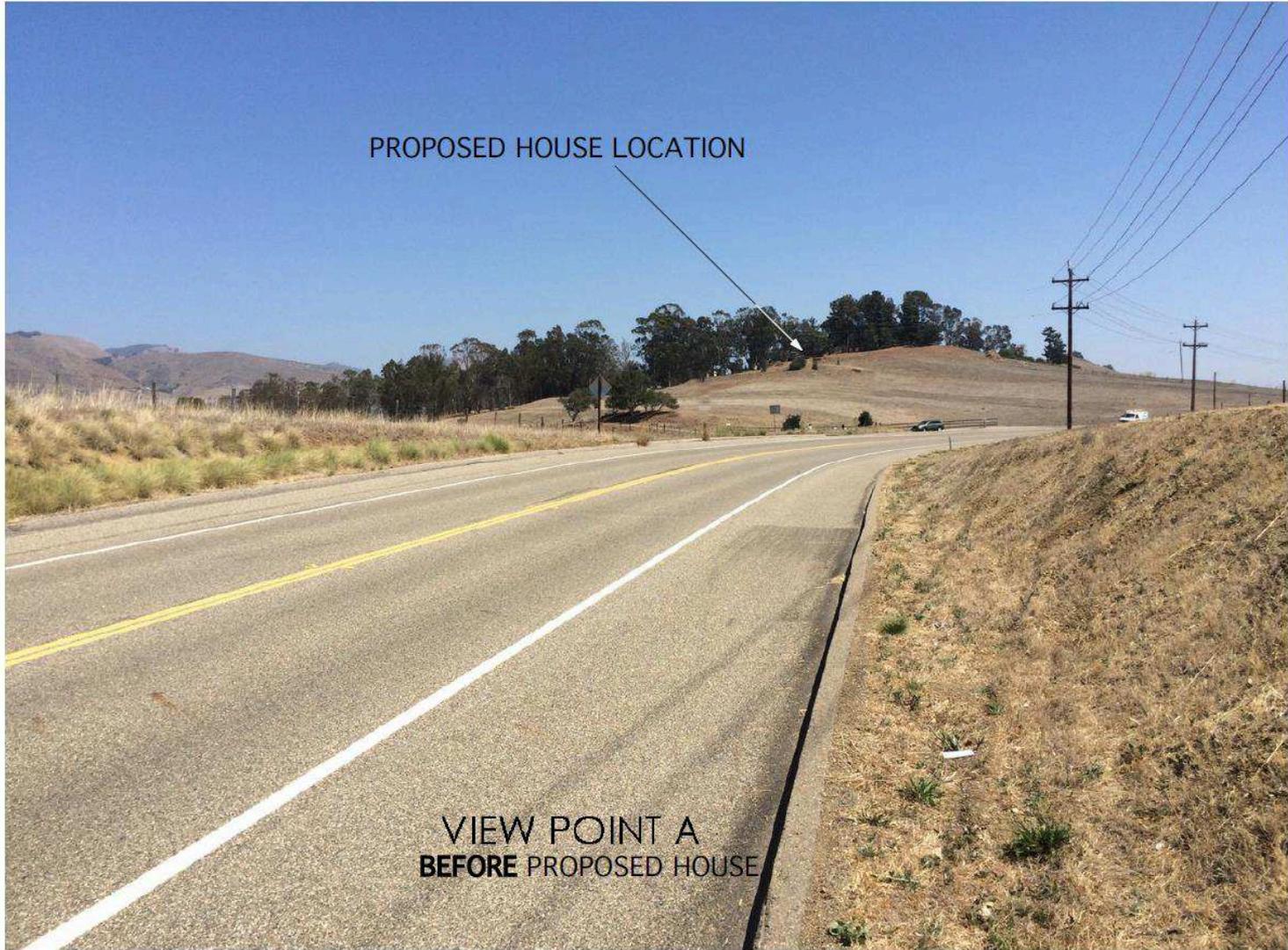
**Minor Use Permit
Single Story Home / DRC2015-00144**

Critical Viewing Points Analysis



Minor Use Permit
Single Story Home / DRC2015-00144

Critical Viewing Points Analysis

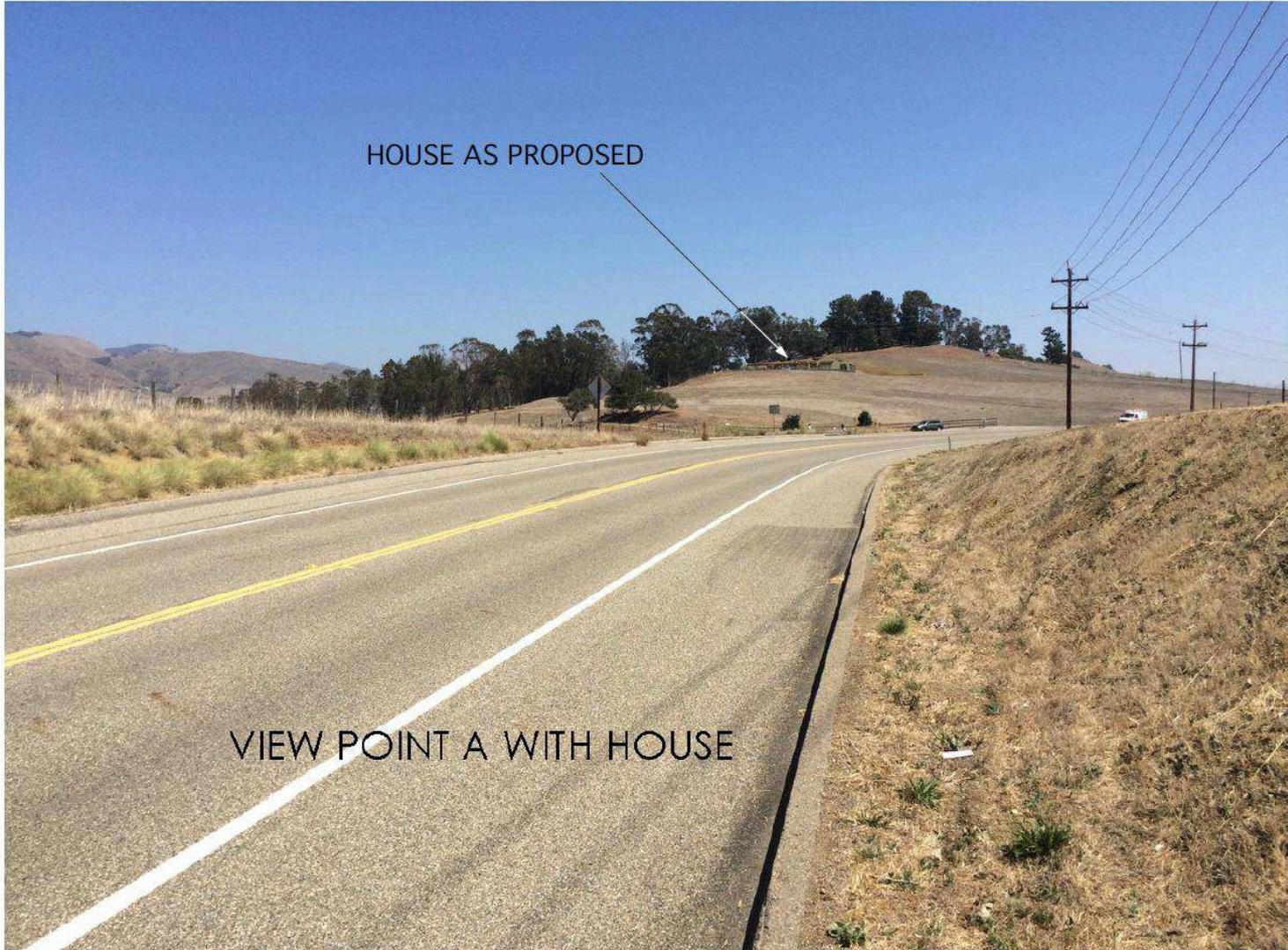


PROPOSED HOUSE LOCATION

VIEW POINT A
BEFORE PROPOSED HOUSE

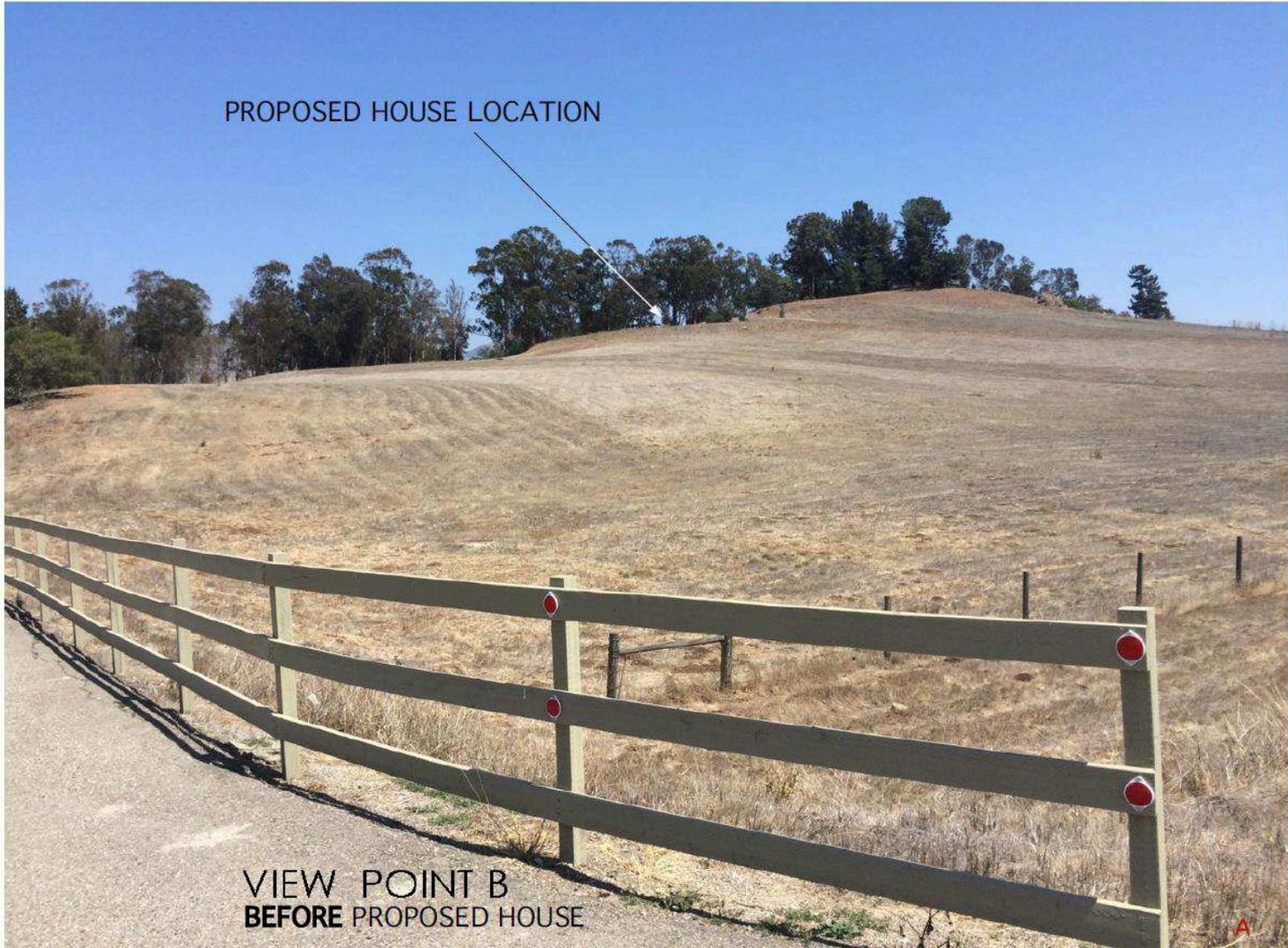
Minor Use Permit
Single Story Home / DRC2015-00144

Critical Viewing Points Analysis



**Minor Use Permit
Single Story Home / DRC2015-00144**

Critical Viewing Points Analysis



Minor Use Permit
Single Story Home / DRC2015-00144

Critical Viewing Points Analysis

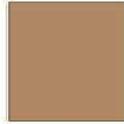


Minor Use Permit
Single Story Home / DRC2015-00144

Critical Viewing Points Analysis



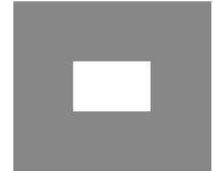
EXTERIOR STONE VENEER
NATURAL STONE VENEERS INTERNATIONAL
'SYDNEY OVER GROUT'



EXTERIOR STUCCO
LAHABRA BRAND: NUTMEG 'VARIANCE'
SPECIALTY FINISH COLOR



ROOF TILE
TWO PIECE MISSION TILE
REDLANDS BRAND "BACON BLEND"
A BLEND OF 5 COLORS

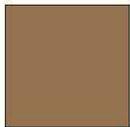


DAVID EINUNG
CUSTOM HOME DESIGN
daveineung.com
805-674-2842
daveineung@gmail.com
670 PINE RIDGE LN.
ARROYO GRANDE
CALIF. 93420



Attachment 3

Page 22 of 22



TRIM AND BEAM TAILS
OPAQUE STAINED
DARK BROWN



WINDOWS & DOORS
MILGARD ESSENCE
WITH BRONZE
FIBERGLASS EXT.

COLOR BOARD
SOUTH ELEVATION
NEAL RESIDENCE
EDNA VALLEY SAN LUIS OBISPO CALIF.

APPLICANT

TOM AND JACKIE NEAL
P.O. BOX 61045
BOULDER CITY NV 89006
702-419-2457

SITE LOCATION

5170 ORCUTT
SLO COUNTY
APN 044-052-034

Minor Use Permit
Single Story Home / DRC2015-00144

Exterior Color Board



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Wade Horton, Director

County Government Center, Room 206 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us



Date: June 28, 2016

To: Kate Shea, Project Planner

From: Tim Tomlinson, Development Services

Subject: **Public Works Comments on DRC2015-00144 Neal MUP, Orcutt Rd., San Luis Obispo**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

- A. The proposed project is within a drainage review area. Drainage plan is required and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52.110 or 23.05.040 of the Land Use Ordinance prior to future submittal of development permits.
- B. The project appears to not meet the applicability criteria for a Storm Water Management (it creates or replaces less than 2500 sf of impervious area). Therefore, no Storm Water Control Plan is required.

Recommended Project Conditions of Approval:

Access

1. **At the time of application for construction permits**, the applicant shall submit plans prepared by a Registered Civil Engineer to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:
 - a. Reconstruct the existing site access driveway approach in accordance with County Public Improvement Standard B-1e drawing for high speed and/or high volume rural roadways, and A-5 sight distance standards.
 - b. At the time of application for a County Encroachment permit the applicant must submit evidence they have obtained a permit from Department of Water Resources (DWR) Coastal Aqueduct Reach 5a for driveway improvement above their water facility.

2. **Prior to occupancy or final inspection**, all public improvements have been constructed or reconstructed in accordance with County Public Improvement Standards and to the satisfaction of the County Public Works Inspector.
3. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc without a valid Encroachment Permit issued by the Department of Public Works.
4. **On-going condition of approval (valid for the life of the project)**, the property owner shall be responsible for operation and maintenance of public road frontage landscaping in a viable condition and on a continuing basis into perpetuity or until specifically accepted for maintenance by a public agency.

Drainage

5. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) or 23.05.040 (Drainage) of the Land Use Ordinance.
6. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
7. **On-going condition of approval (valid for the life of the project)**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Other Agency Encroachment

8. **Prior to issuance of construction permits**, all work which encroaches within the existing Department of Water Resources (DWR) Coastal Aqueduct Reach 5a shall require an Encroachment Permit issued by the DWR Division of Engineering at 800-600-4397, and the Central Coast Water Authority (CCWA) at 805-688-2292. No County permits shall be issued without evidence of a DWR Encroachment Permit, or that a Permit is not required.



CAL FIRE – SAN LUIS OBISPO FIRE SAFETY PLAN



Date: July 7, 2016

Project Number: DRC2015-00144
Project City: San Luis Obispo
Owner Name: Tom Neal
City, State, Zip: Boulder City, Nv. 890006
Agent Name: David Einung
City, State, Zip: San Luis Obispo, Ca. 93401
Project Description: New 12,945 SF SFD with grading for terrace.

Project Location: 5170 Orcutt Road
Cross Street: Biddle Ranch Road
Owner Address: P.O Box 61045
Owner Phone(s): 702-219-8985
Agent Address: 2564 Lawton Avenue
Agent Phone(s): 805-674-2842

- The following **checked** items are required to be completed prior to final inspection of this project.
- Fire department final inspection can be scheduled by calling (805) 543-4244, extension #3490.
- Inspections will be completed on **Tuesday** for South County areas and **Thursday** for North County areas.
- Please have your County issued permit card on site and visible.
- Visit our website at www.calfireslo.org for more information.

This project is located approximately 5 minutes from the closest CAL FIRE/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires, and is designated as a Moderate Fire Hazard Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following CHECKED standards are required:

<input checked="" type="checkbox"/>	SETBACK 30-foot building setback from property line required for parcels 1 acre in size or larger **Note: All setbacks are subject to S.L.O County Planning Department approval.
<input checked="" type="checkbox"/>	FIRE SPRINKLERS A fire sprinkler system is required for this project per local Fire Code.
<input checked="" type="checkbox"/>	Fire alarm bell must be installed and working at final inspection (If required by NFPA 13D).
<input checked="" type="checkbox"/>	Mount spare heads & wrench box in garage or near riser. (1 of each type)
<input checked="" type="checkbox"/>	TANK A water storage tank is required that gravity feeds a residential fire connection
<input checked="" type="checkbox"/>	15000 gallons of minimum water storage is required for fire protection
<input type="checkbox"/>	Note: 2500 Gallon minimum. Structures within 50 feet of project are calculated as part of the tank capacity requirement. C-16 or FPE will calculate capacity of tank if project is sprinklered.
<input type="checkbox"/>	Tanks must be steel or concrete in High and Very High Fire Hazard Severity zones
<input checked="" type="checkbox"/>	Automatic Fill, Sight Gauge & Venting System required
<input checked="" type="checkbox"/>	Minimum 4-inch plumbing: Schedule 40 PVC or Iron Pipe
<input checked="" type="checkbox"/>	System must gravity drain to the Fire Department Connection
<input checked="" type="checkbox"/>	Fire connection shall be located on the approach to the structure(s)
<input checked="" type="checkbox"/>	Fire connection must be located not less than 50 feet & no more than 150 feet from the structure
<input checked="" type="checkbox"/>	Fire connection must be located 10-12 feet from the edge of the driveway/road & 24-36" above finished grade
<input checked="" type="checkbox"/>	Fire connection outlet valve must be a 2-1/2" brass National Standard male thread with brass or plastic cap. The outlet must face toward the driveway at a 90° angle.
<input checked="" type="checkbox"/>	If fire connection has less than 20 psi, then the word "DRAFT" will be clearly and permanently marked on the fire connection
<input checked="" type="checkbox"/>	Must maintain a 3 foot clear space around the circumference of the connection at all times
<input checked="" type="checkbox"/>	Blue dot reflector must be located near fire connection, visible to approaching vehicles
<input type="checkbox"/>	HYDRANT A fire hydrant is required that can deliver 750 gallons per minute for 2 hours.
<input type="checkbox"/>	****Must submit a completed Community Water System Verification Form
<input type="checkbox"/>	Must have two 2 1/2" outlets and one 4" outlet with National Standard threads
<input type="checkbox"/>	Must be located within 8 feet of the roadway
<input type="checkbox"/>	Place a blue dot road reflector on roadway, just off center, on the side of the hydrant
<input type="checkbox"/>	Hydrant must be located within 250 feet of the residence.
<input type="checkbox"/>	Must maintain a 3 foot clear space around the hydrant at all times

<input type="checkbox"/>	ACCESS ROAD A 20-foot wide access road is required
<input type="checkbox"/>	All weather surface capable of supporting 20 tons
<input type="checkbox"/>	10 feet of fuel modification is required on both sides of road
<input type="checkbox"/>	Must provide an unobstructed vertical clearance of not less than 13'6"
<input type="checkbox"/>	Where road exceeds a 12% grade, it must be a nonskid surface
<input type="checkbox"/>	If road exceeds a 16% grade, it must be certified by an engineer
<input type="checkbox"/>	Road must be named & posted using the County standard signage
<input checked="" type="checkbox"/>	DRIVEWAY must be 12 feet wide
<input checked="" type="checkbox"/>	All weather surface capable of supporting 20 tons
<input checked="" type="checkbox"/>	Where driveway exceeds a 12% grade, it must be a paved nonskid surface
<input checked="" type="checkbox"/>	If driveway exceeds a 16% grade, it must be certified by an engineer
<input checked="" type="checkbox"/>	10 feet of fuel modification is required on both sides of the driveway
<input checked="" type="checkbox"/>	Must provide an unobstructed vertical clearance of not less than 13'6"
<input checked="" type="checkbox"/>	Driveways exceeding 300 feet require a fire engine turnaround within 50 feet of residence/structure
<input checked="" type="checkbox"/>	Driveways exceeding 800 feet require a turnout(s) at midpoint and no more than 400 feet apart (Exception: 16' wide driveways)
<input type="checkbox"/>	BRIDGE is required to support a fire engine load weight of 20 tons
<input type="checkbox"/>	Bridge must have a sign indicating load & vertical clearance limits at entrances
<input type="checkbox"/>	One-lane bridge: minimum 10', turnouts at both ends, one-way signs, clear visibility
<input checked="" type="checkbox"/>	GATE entrance shall be 2 feet wider than width of traffic lane & located 30 feet from roadway.
<input checked="" type="checkbox"/>	Center line of lane turning radius must be at least 25 feet
<input checked="" type="checkbox"/>	Electric gates shall be maintained operational at all times and shall provide Fire Department emergency access via a "Knox" switch. A Knox application must be requested from the Prevention Bureau. Manual gates may be secured by a padlock.
<input checked="" type="checkbox"/>	Must be setback a minimum of 30 feet from the SLO County maintained road
<input checked="" type="checkbox"/>	100' FLAMMABLE VEGETATION MANAGEMENT around structures required.
<input checked="" type="checkbox"/>	Maintain a fire clearance of 30 feet around all buildings & structures
<input checked="" type="checkbox"/>	Within the area of 30'-100' from structures, additional fire reduction measures shall be required.
<input checked="" type="checkbox"/>	Remove limbs located within 10 feet of chimney & trim dead/dying limbs that overhang the roof. Leaves, needles, or dead growth shall be removed from the roof
<input checked="" type="checkbox"/>	LPG TANKS Minimum separation from buildings & property lines for LPG above ground tanks is: 10 feet for 125-500 gallon container; 25 feet for 501-2,000 gallon container
<input checked="" type="checkbox"/>	Maintain a minimum vegetation clearance of 10 feet around LPG tanks or containers
<input checked="" type="checkbox"/>	IGNITION RESISTANT CONSTRUCTION REQUIREMENTS This project must meet all requirements of Chapter 7A of the 2013 California Building Code for Fire-Resistance-Rated Construction. Please contact the San Luis Obispo County Department of Planning & Building for more information at (805) 781-5600.
<input checked="" type="checkbox"/>	A Class A non-combustible roof is required that meets all requirements of Chapter 7A of the 2013 California Building Code.
<input checked="" type="checkbox"/>	ADDRESS Each residence requires separate address numbers, assigned by the San Luis Obispo County Department of Planning and Building. Please contact (805) 781-5157 for more information.
<input type="checkbox"/>	Highly visible with contrasting background permanent address numbers shall be placed at the driveway entrance and directional signs at each T or Y intersection (minimum 6" letter/number height, 1/2 inch stroke). Reflective numbers are highly recommended!
<input checked="" type="checkbox"/>	Highly visible address numbers shall be placed on the residence(s). (Minimum 6" letter/number height with 1/2 inch stroke).
<input checked="" type="checkbox"/>	SMOKE & CARBON MONOXIDE DETECTOR Smoke detectors are required in all sleeping areas and in hallways leading to sleeping areas.
Comments:	

Please note: Any changes made to this project shall cancel the Fire Safety Plan and require new plans to be submitted to CAL FIRE for review and the issuance of a new fire plan. If this project is not completed within the time allotted by the Building Permit; it will be required to meet all applicable fire codes in effect at the time a new permit is issued and before final inspection of the structure. Any future change of occupancy will also require compliance with all codes in effect at that time.

Travis Craig

Inspector

Fire Captain

Reply | ▾ Delete Junk | ▾ ...



Re: DRC2015-00144 NEAL, South County E-Referral, MUP, San Luis Obispo

MS

Michael Stoker

Mon 6/20, 2:02 PM

Kate B. Shea; Martin Mofield; Cheryl Journey ▾

Reply | ▾

Inbox

You replied on 7/13/2016 3:31 PM.



Action Items



Kate,

Please find buildings comments for DRC2015-00144 below and in Tidemark. Please let me know if you have any questions.

In regards to this preliminary review, a building permit is required. The drawings specify the work to be completed consists of a new terrace grading for a single family dwelling of 10,585 sq. ft with an attached garage of 1,990 sq. ft for a total building area of 12,575 sq. ft. The project shall comply with current codes adopted by the County of San Luis Obispo (2013 California Building Standards Codes and Title 19 of the SLO County Codes).

While a thorough plan review will be conducted at time of building permit application, the following items are noted to assist design review;

- 1) Construction shall comply with the 2013 California Residential Code.
- 2) The design of the openings, projections, wall rating based on fire separation distance will need to be shown on the plans to comply with CRC Section 302, including Table 302.1(2) for buildings with sprinklers.
- 3) Provide details for the stairs, handrails, and guardrails that comply with the California Residential code.
- 4) Provide notes on the plans for the 'egress' windows to verify compliance with the California Residential code.
- 5) Provide plans which clearly show the structural design to verify compliance with the prescriptive requirements of the 2013 California Residential Code or any structural element not complying with the prescriptive requirements will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design
- 6) Provide electrical plans with notes to show the location of the main electrical panel, sub-panels, receptacles, lights, switches, and smoke detectors and Co alarms to verify compliance with the 2013 California Electrical Code.
- 7) Provide notes and information on the plans for the plumbing fixtures requirements, the design of the waste lines, vents, and water lines will all need to comply with the 2013 California Plumbing Code.

Reply | Delete | Junk | ...



- 9) Energy calculation will need to be submitted to verify compliance with the 2013 California Energy Code.
- 10) The plans will need show compliance with the 2013 California Green Building Code and the County of San Luis Obispo's Green Building Ordinance.
- 11) Fire sprinklers will be required for this project and will need to be submitted under a separate permit application. Provide plans showing the design and layout for the sprinkler system.
- 12) A separate permit may need to be required for the grading. Also, if 1 acre or more is disturbed a SWPPP plan will need to be provided for the project.

Thanks

Michael Stoker, CASp
 Building Division Supervisor
 805.781.1543



From: Mail for PL_Referrals Group
Sent: Friday, June 17, 2016 3:17 PM
To: Kate B. Shea
Subject: DRC2015-00144 NEAL, South County E-Referral, MUP, San Luis Obispo

San Luis Obispo County
Planning & Building Department

DRC2015-00144 NEAL, South County E-Referral, MUP, San Luis Obispo
APN(s): 044-052-034

This application was recently filed with the Planning Department for review and approval. Because the proposal may be of interest or concern to your agency or community group, we are notifying you of the availability of a referral on the project.

Community Advisory Groups: You will want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant/agent are provided in the link below.

[Direct Link to NEAL Referral Package](#)

Link to webpage for all referral packages: <http://www.slocounty.ca.gov/planning/referrals.htm>



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

THIS IS A NEW PROJECT REFERRAL

DATE: 6/17/2016

TO: _____

FROM: Kate Shea (805-781-4097 or kbshea@co.slo.ca.us)
South County Team / Development Review

PROJECT DESCRIPTION: DRC2015-00144 NEAL – Proposed minor use permit to grade a new terrace for house and build new single story 10,585 SF single family residence with basement level; total structural area size of 12,575 SF. Project location is 5170 Orcutt Road, San Luis Obispo. APN: 044-052-034

Return this letter with your comments attached no later than 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
- NO (Please go on to PART III.)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No Bicycle Advisory Committee comments

June 23, 2016

Dale Sutliff

544-4034

Date

Name

Phone

BAC Chairman



September 19, 2016

File No.: 0916-01
SLO Co. File Nos. DRC2015-00144

Mr. & Mrs. Tom and Jackie Neal
C/o David Einung Custom Home Design
2564 Lawton Avenue
San Luis Obispo, California 934

Attention: Mr. David Einung

Subject: **Review of Geotechnical Engineering Report**

Project: **Neal Residence (APN 044-052-034)**
5170 Orcutt Road
San Luis Obispo Area of San Luis Obispo County, California

References: 1. Geotechnical Engineering Report, Neal Residence, 5170 Orcutt Road, San Luis Obispo, California, File No.: SL-17245-SA, Doc. No. 1403-002.SER, prepared by Earth Systems Pacific, dated March 11, 2014.



Dear Mr. & Mrs. Neal:

The purpose of this letter is to summarize our findings of a site reconnaissance performed on August 12, 2016 and review of the above referenced geotechnical engineering report (Reference 1). The proposed project site is located within a high landslide susceptibility area.

The report was reviewed for conformance with the San Luis Obispo County Coastal Zone Land Use Ordinance (CZLUO), California Geological Survey Special Publication 117A (CGS SP-117A) and the San Luis Obispo County Guidelines for Engineering Geology Reports. This review was specifically focused with respect to the potential for slope instability and landsliding.

Our findings indicate that the susceptibility for landsliding at the site is low. No further investigation is required for CEQA & LUO compliance.

September 19, 2016

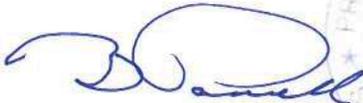
File No.: 0916-01
SLO Co. File No. DRC2015-00144

RECOMMENDATIONS

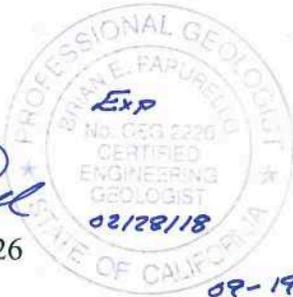
1. Plan Review. The project geotechnical engineer must review the project improvement and foundation plans and prepare a written review letter. The review letter must verify conformance with the recommendations of the project geotechnical report, prior to the issuance of building permits.

Please contact me at (831) 443-6970 or bpapurello@landseteng.com if you have questions regarding this matter.

Respectfully,
LandSet Engineers, Inc.



Brian Papurello, CEG 2226



Doc. No. 1609-114.REV

Copies: Addressee (1)
Ms. Kate Shea, San Luis Obispo County Planning Dept. (1)
SLO County Geology files (1)



NOTICE OF EXEMPTION

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805)781-5600

Project Title and No.: NEAL - DRC2015-00144: Single Family Residence; ED16-032

Project Location (Specific address): 5170 Orcutt Road, on the southeast corner of Orcutt Road and Avocado Lane, San Luis Obispo vicinity, County of San Luis Obispo	Project Applicant/Phone No./Email: Davis Einung (805)674-2842 / davideinung@gmail.com <hr/> Applicant Address (Street, City, State, Zip): 2564 Lawton Avenue, San Luis Obispo, CA 93401
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Description of Nature, Purpose and Beneficiaries of Project

A request by **TOM NEAL** for a Minor Use Permit to allow for the construction of a new 10,585 square-foot, one-story single family residence with a basement level and an attached 1,990 square-foot garage. The project includes an approximately 550 foot long driveway from Orcutt Road to the site. The project will result in the disturbance of approximately 1 acre of the 10.36-acre parcel, which includes grading and excavation for the basement and foundation. The proposed project is within the Agriculture land use category and is located at 5170 Orcutt Road, on the southeast corner of Orcutt Road and Avocado Lane, approximately 1 mile southeast from the community of San Luis Obispo. The site is in the San Luis Obispo Sub-area (north) of the San Luis Obispo Planning Area.

Name of Public Agency Approving Project: County of San Luis Obispo

Exempt Status: (Check One)

- Ministerial {Sec. 21080(b)(1); 15268}
- Declared Emergency {Sec. 21080(b)(3); 15269(a)}
- Emergency Project {Sec. 21080(b)(4); 15269(b)(c)}
- Categorical Exemption. {Sec. ; Class: }
- Statutory Exemption {Sec. _____}
- General Rule Exemption. {Sec. 15061(b)(3)}
- Not a Project _____

Reasons why project is exempt: This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption]

Kate Shea (kbshea@co.slo.ca.us) (805)781-4097

Lead Agency Contact Person

Telephone

If filed by applicant:	
1. Attach certified document of exemption finding	
2. Has a notice of exemption been filed by the public agency approving the project? Yes <input type="checkbox"/> No <input type="checkbox"/>	

Signature: *Kate Shea* Date: October 18, 2016

Name: Kate Shea Title: Project Manager

Project Title and No.: **NEAL - DRC2015-00144: Single Family Residence; ED16-032**

On _____ the project was Approved by:

- Board of Supervisors Subdivision Review Board Other _____
 Planning Commission Planning Dept Hearing Officer



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

Tentative Notice of Action

Promoting the wise use of land

MEETING DATE November 18, 2016	CONTACT/PHONE Jay Johnson, Project Manager 805-781-4573 jgjohnson@co.slo.ca.us	APPLICANT LRE Management Company, LLC	FILE NO. DRC2016-000021
EFFECTIVE DATE December 2, 2016			
SUBJECT A request by LRE Management Co. for a Minor Use Permit (DRC2016-00002) to allow the construction of a 32,000 square-foot public storage facility on a previously graded 2.3 acre site. The proposed project is within the Commercial Service land use category and is located at 1375 Professional Parkway at Via Entrada, approximately 600 feet east of Highway One in Woodlands Village, in the South County planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2016-00002 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator finds that the previously certified 1998 Woodlands Specific Plan Final Environmental Impact Report (FEIR) and previously certified 2001 Woodlands Specific Plan Final Supplemental Environmental Impact Report (FSEIR) are adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previously certified FEIR or FSEIR, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previously certified FEIR or FSEIR, and no new information of substantial importance has been identified which was not known at the time that the previous FEIR and FSEIR were certified.			
LAND USE CATEGORY Commercial Service	COMBINING DESIGNATION None applicable	ASSESSOR PARCEL NUMBER 091-509-002 and 003	SUPERVISOR DISTRICT(S): 4
PLANNING AREA STANDARDS: Consistency with the Woodlands Specific Plan required <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Article 3 – Site Planning and Project Design Standards <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, effective on the 15 th day following the administrative hearing, or on December 2, 2016, if no hearing is requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Vacant graded site			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Commercial Service/vacant <i>East:</i> Recreation/vacant <i>South:</i> Recreation/wastewater treatment facility <i>West:</i> Commercial Service/approved wholesale facility			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: South County Advisory Council, Public Works, Building Division and Cal Fire			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

TOPOGRAPHY: Nearly level to slightly sloping	VEGETATION: Ruderal
PROPOSED SERVICES: Water supply: Woodlands Mutual Water Company Sewage Disposal: Woodlands Mutual Water Company Fire Protection: Cal Fire	ACCEPTANCE DATE: September 12, 2016

DISCUSSION

The applicant is proposing to develop a 32,000 square foot public storage facility. There would be seven self-storage buildings ranging in size from approximately 2,400 square feet to approximately 7,400 square feet, and an 800 square foot office. This project does not include a caretaker's residence. The site was previously graded as part of the tract improvements for Phase 1A of Tract 2341. All on-site roads have been improved and all major infrastructure has been installed, including communitywide stormwater and drainage facilities. On-site run-off must be conveyed to the communitywide system in accordance with County Public Works requirements.

WOODLANDS SPECIFIC PLAN

The Woodlands Specific Plan allows for up to 80,000 square feet of public storage within the business park. This is the only public storage facility proposed so far. Section 2.4.2.F of the Specific Plan contains design guidelines for the Commercial Service category. Chapter 5-Implementation of the Specific Plan contains design and development standards for projects. The project must also be consistent with the Conditional Use Permit for Phase 1A – D950195D. As conditioned, this project is consistent with the Woodlands Specific Plan including provisions for landscape screening to help break up the view of the storage facility, low-water using plant material, limitations on hours for construction activities, maintaining fire safety requirements and payment of South County Road impact fees. All applicable conditions from D950195D have been carried over in the conditions of approval found in Exhibit B.

ARTICLE 3 OF THE LAND USE ORDINANCE

As designed, the project is consistent with the LUO standards for setbacks, height, fencing, solid-waste collection, and underground utilities. Final landscape, lighting, and sign plans must be approved prior to issuance building permits.

COMMUNITY ADVISORY GROUP COMMENTS

The South County Advisory Council considered this item at their September 26, 2016 regular meeting and voted to recommend approval of the project.

Planning Department Hearing

Minor Use Permit #DRC2016-00002 / LRE Management Co.

Page 3

AGENCY REVIEW:

Public Works – Please refer to the attached response (Tomlinson, September 12, 2016); all recommended conditions of approval have been added in Exhibit B.

Building Division – Please refer to the attached response (Stoker, August 24, 2016); all recommendations will be met through the Building Permit process.

Cal Fire – Please refer to the attached response (Craig, August 20, 2016); a fire safety plan is required as a condition of approval and added in Exhibit B.

Staff report prepared by Jay Johnson and reviewed by Karen Nall.

Planning Department Hearing

Minor Use Permit #DRC2016-00002 / LRE Management Co.

Page 4

Attachment 1

Exhibit A – Findings

Environmental Determination

- A. The proposed project is consistent with the previously certified 1998 Woodlands Specific Plan Final Environmental Impact Report (FEIR) and the previously certified 2001 Woodlands Specific Plan Final Supplemental Environmental Impact Report (FSEIR) because no substantial changes are proposed in the project which will require major revision of the previously certified FEIR or FSEIR, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previously certified FEIR or FSEIR, and no new information of substantial importance has been identified which was not known at the time that the previous FEIR and FSEIR were certified.

Minor Use Permit

- B. As conditioned, the proposed project or use is consistent with the San Luis Obispo County General Plan and the Woodlands Specific 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 satisfy all applicable provisions of Title 22 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 drainage will be retained within Woodlands Village, construction activities and access to construction activities are restricted, low-water plant material will be used, dust must be controlled, and all building and construction codes shall be met.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because landscape screening will be provided, the project is consistent with the Commercial Service design guidelines for the Woodlands business park, and drainage will be kept within the Woodlands Village.
- 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 Professional Parkway and Via Entrada, as improved, are capable of handling all traffic generated by this project.

Attachment 2 – Conditions of Approval

Exhibit B – Conditions of Approval

Authorized Use and Development

1. This approval authorizes the construction of a public storage facility of approximately 32,000 square feet and an office of approximately 800 square feet.

Project Development

2. Site development shall be consistent with the approved site plan.
3. Prior to issuance of construction permits, the applicant shall submit final landscape, outdoor lighting and sign plans to the Department of Planning and Building for review and approval. The plans at a minimum shall include the following:
 - a. Landscape: use of low-water using plant material consisting primarily of plants selected from the approved Woodlands Village planting palette found in Appendix C of the Woodlands Specific Plan. The landscape shall provide for screening that adequately breaks-up the view of the project from Via Entrada, Professional Parkway, and where applicable, Highway One.
 - b. Outdoor lighting: to be consistent with Woodlands Specific Plan Section 2.4.2.G.3 and LUO Section 22.22.10.060.
 - c. Signs: shall be limited to one street frontage monument style sign or one wall sign consistent with LUO Section 22.20.010.

Fire Safety

4. **At the time of application for construction permits**, the applicant shall prepare a Fire Safety Plan to be approved by Cal Fire **prior to issuance of construction permits**.
5. **Prior to final inspection**, the applicant shall complete the necessary requirements of the fire safety plan to the satisfaction of Cal Fire.

Access

6. **At the time of application for construction permits**, the applicant shall submit plans to the Department of Public Works to construct the project access driveway in accordance with County Public Improvement Standards (current ADA).

Fees

7. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the Woodlands Road Impact Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. These fees are deducted from the fee payments already provided by the developer per their road fee agreement.

Attachment 2 – Conditions of Approval

Drainage

8. **At the time of application for construction permits**, the applicant shall submit complete drainage plans and report prepared by a licensed civil engineer for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance. All drainage must be directed to the existing storm drain system or retained on-site and the design of the basin shall be approved by the Department of Public Works.
9. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
10. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with their Storm Water Control Plan.
11. **On-going condition of approval (valid for the life of the project)**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Storm Water Control Plan

12. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Storm Water Management. Applicable projects shall submit a Storm Water Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.

From D950195D

13. Approved landscape shall be installed prior to final building inspection.
14. **Noise, Mitigation Measure 4.5-1a:** All applicable plans shall show construction work will be limited to between 7:00 a.m. and 6:00 p.m. for Monday through Friday, between 8:00 a.m. and 5:00 p.m. on Saturday, with no work allowed on Sunday. The applicant shall notify all employees, contractors and/or subcontractors of this condition prior to their initiating work at the project site.
15. **Archaeology, Mitigation Measure 4.8-1c:** In accordance with the County Land Use Ordinance, Section 22.05.140, in the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply within 50 yards of the discovered resource:

Attachment 2 – Conditions of Approval

- 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 proper disposition may be accomplished.
16. **Archaeology, Mitigation Measure 4.8-1d:** If archaeological resources encountered are found to be important, the applicant shall provide reasonable funding and adequate time for recovery of such resource, or the equivalent avoidance measure as approved by the County.

Affordable Housing

17. Prior to issuance of construction permits, the applicant shall pay inclusionary housing fees consistent with LUO Section 22.12.080

Underground Utilities

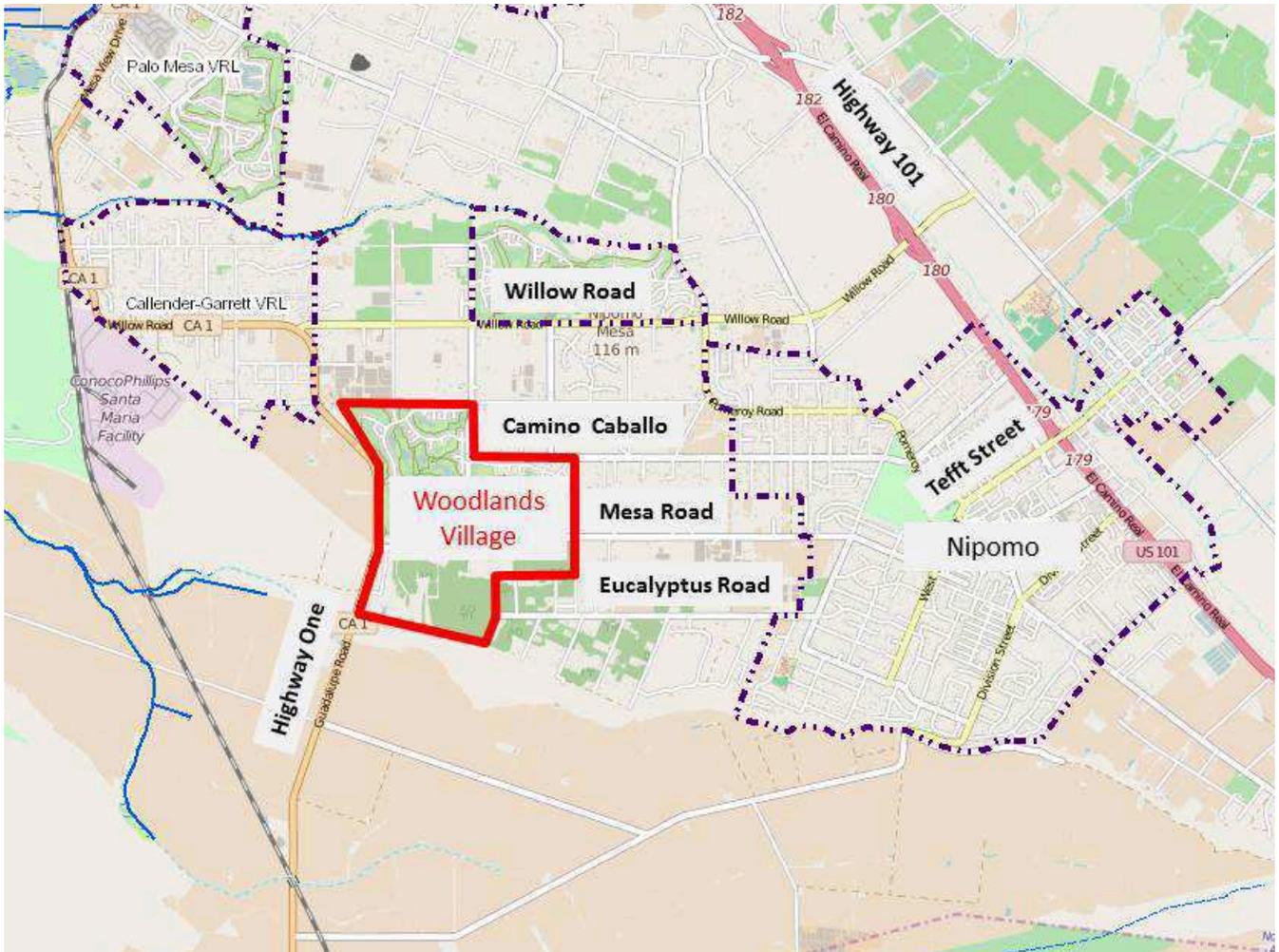
18. All utilities shall be installed underground pursuant to LUO Section 22.10.160.

Miscellaneous

19. 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 22.74.160 of the Land Use Ordinance.

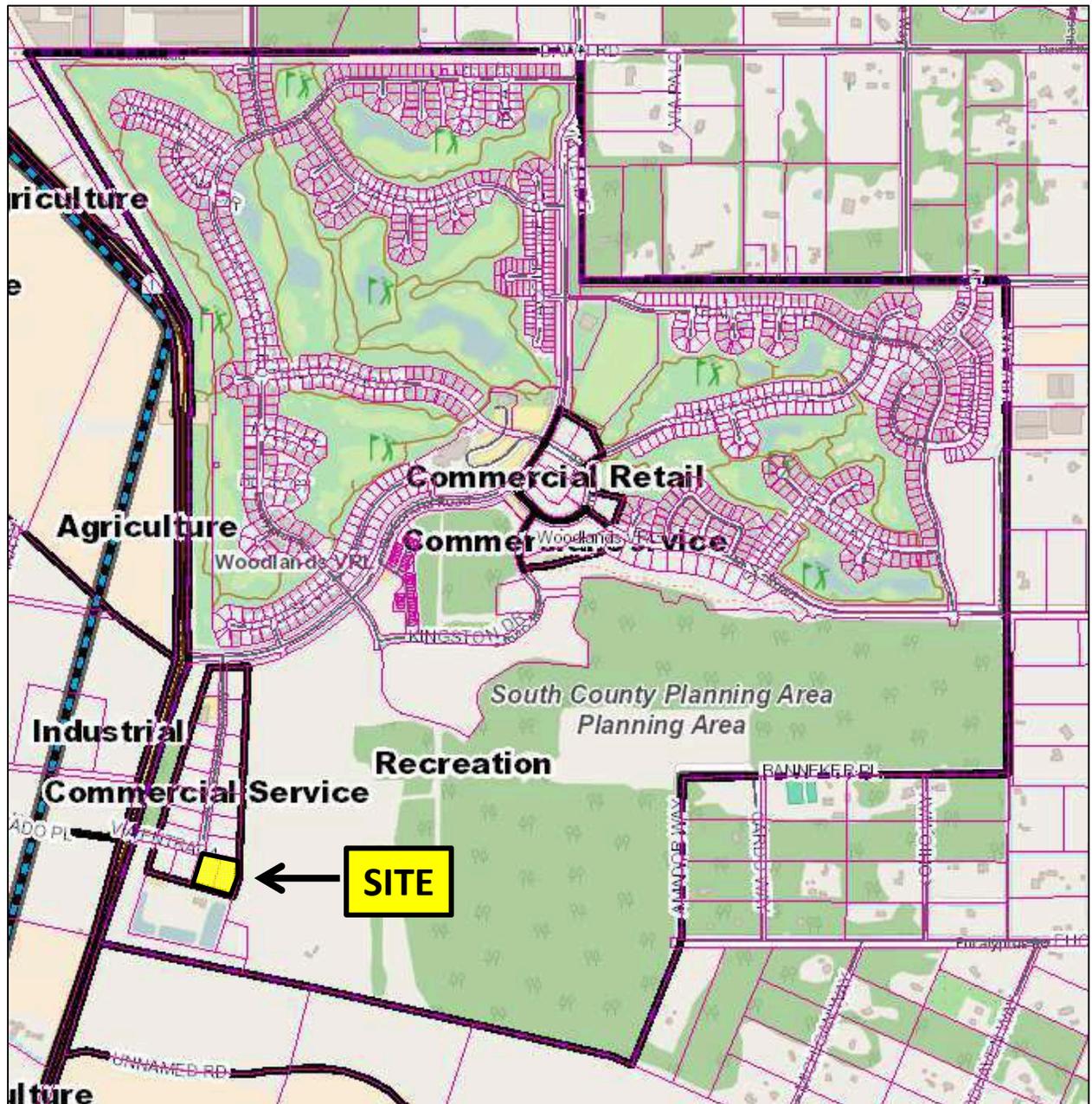
Attachment 3 - Graphics

Vicinity Map



Attachment 3 - Graphics

Land Use Category Map



Attachment 3 - Graphics

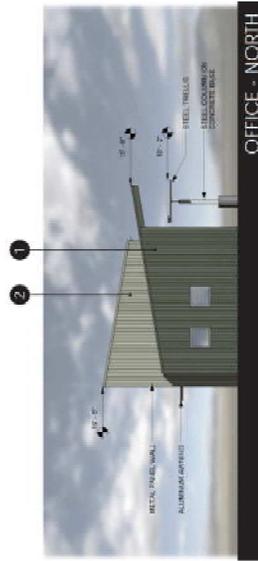
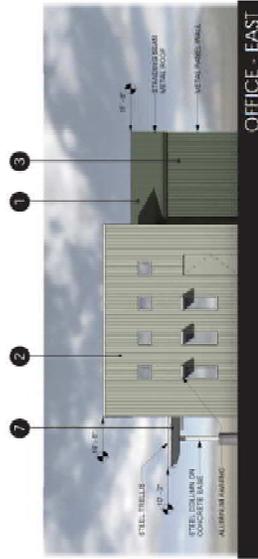
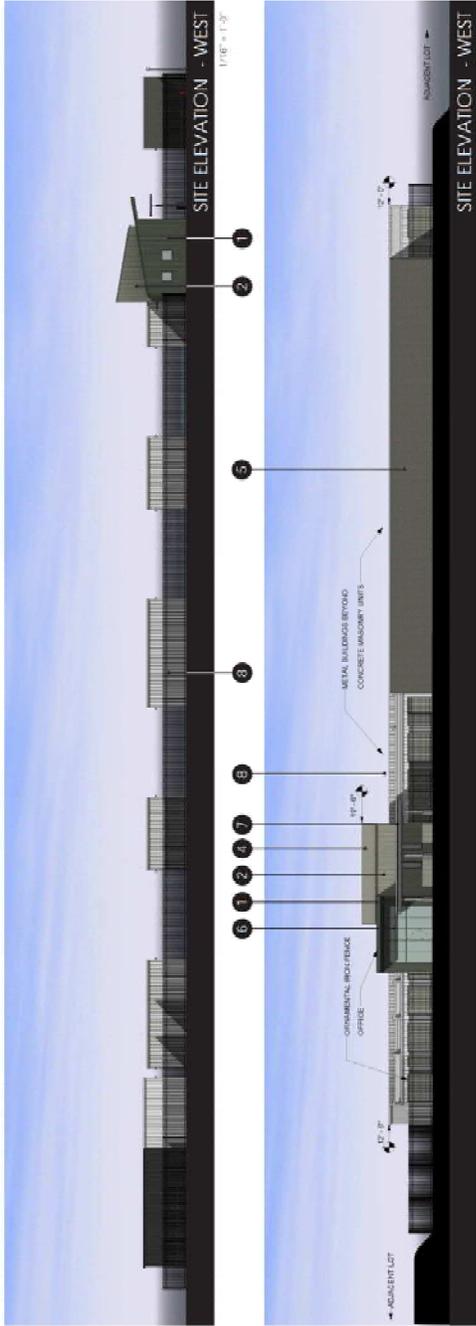
Site Plan



WOODLANDS BUSINESS PARK SELF STORAGE • Site plan

Attachment 3 - Graphics

Elevations



WOODLANDS BUSINESS PARK SELF STORAGE • Elevations

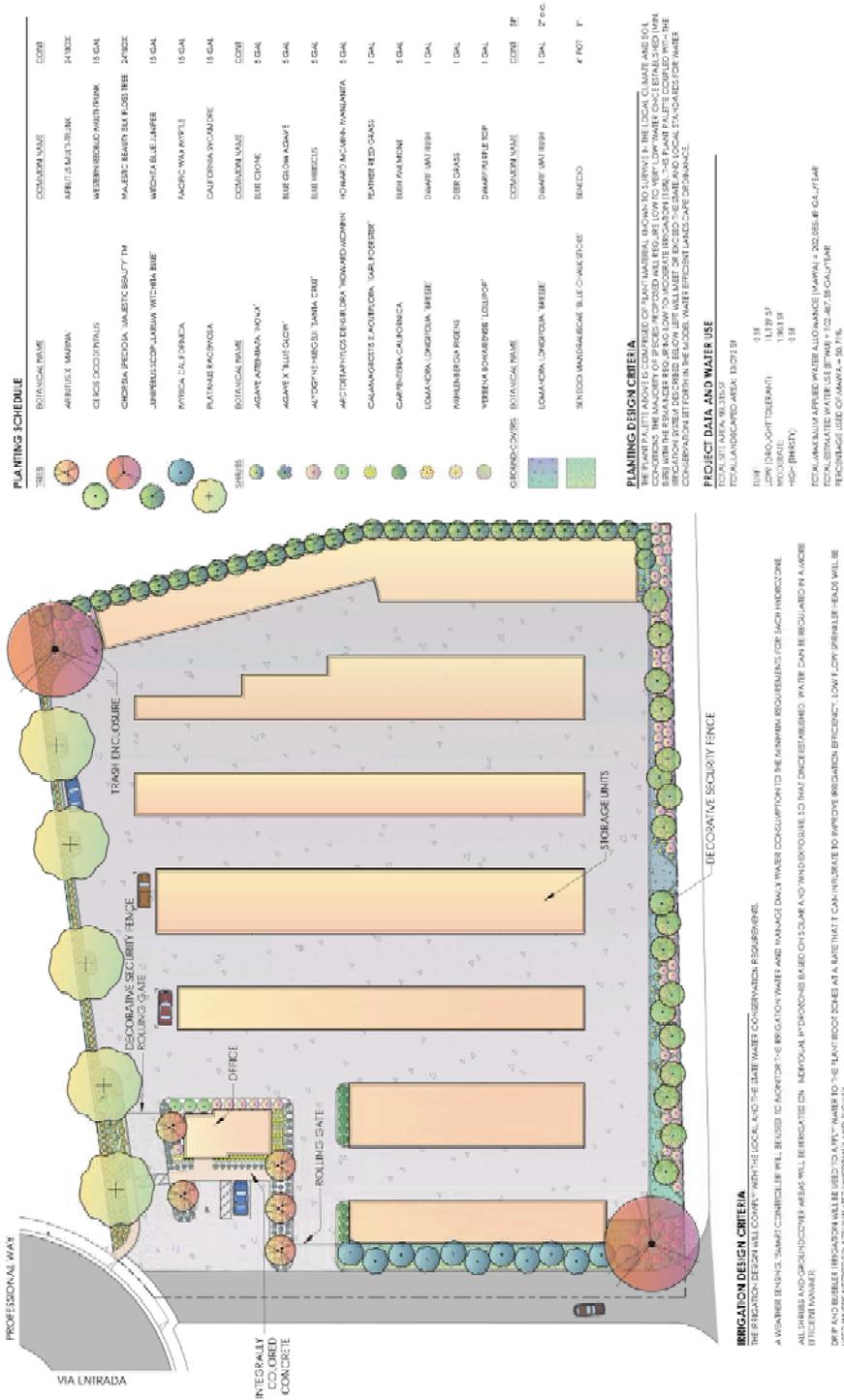
Attachment 3 - Graphics

Architectural
Rendering



Attachment 3 - Graphics

Landscape Plan



WOODLANDS BUSINESS PARK SELF STORAGE • Landscape Plan

Attachment 4 – Referral Responses



SOUTH COUNTY ADVISORY COUNCIL

PO Box 2355 Nipomo, CA 93444-2355

September 27, 2016

Supervisor Lynn Compton, 4th District Supervisor
County Government Center
San Luis Obispo, CA 93408

Dear Supervisor Compton:

The SCAC took the following actions at its September 26, 2016 meeting:

MONARCH DUNES – DRC2016-00002 – Proposed minor use permit for construction of a 32,000 sq. ft. mini storage facility located off Highway 1, in the Woodlands area of Nipomo. Paul Laughton, Developer, and Pat Blote, Architect, presented the project at the Land Use Committee. The LUC passed a motion to recommend approval and place this proposal on the SCAC's Consent Agenda. The full Council voted to recommend approval.

GHAZALY – DRC2016-00005 – Proposed mixed use development: 8,200 sq. ft. commercial, (4) 800 sq. ft. studio apartments. Project location is 1020 Division Street, Nipomo APN: 092-451-048. The Land Use Committee Chairperson was unable to obtain a response from Mr. Ghazaly and a Ghazaly representative did not attend the LUC meeting. Committee members indicated concerns regarding the adequacy of the application and recommended denial of the project as presented. The full Council concurred with the recommendation for denial while specifically indicating the failure of the applicant to have a valid will-serve letter for sewer connections.

On behalf of the South County Advisory Council,



Richard Wright,
Correspondence Secretary

Attachment 4 – Referral Responses



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS
Wade Horton, Director

County Government Center, Room 206 • San Luis Obispo CA 93408 • (805) 781-5252
Fax (805) 781-1229 email address: pwd@co.slo.ca.us



Date: September 12, 2016
To: Jay Johnson, Project Planner
From: Tim Tomlinson, Development Services
Subject: **Public Works Comments on DRC2016-00002 Monarch Dunes MUP, Professional Py., Woodlands, APN 091-509-002**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

- A. The proposed project is within the Woodlands Road Fee Area. Payment of Road Improvement Fees is required prior to building permit issuance.
- B. The proposed project is within a drainage review area. Drainage plan is required to be prepared by a registered civil engineer and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52.110 of the Land Use Ordinance prior to future submittal of development permits.
- C. The project is required to submit a Storm Water Control Plan Application and Coversheet. Although the project appears to not meet the applicability criteria for Storm Water Management (it completely drains on-site to a retention basin). A Storm Water Control Plan Application claiming this exemption is required.

Recommended Project Conditions of Approval:

Access

1. **At the time of application for construction permits, the applicant shall submit plans to the Department of Public Works to construct the project access driveway in accordance with County Public Improvement Standards (current ADA).**

Fees

2. **On-going condition of approval (valid for the life of the project), and in accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the Woodlands Road Impact Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to**

Attachment 4 – Referral Responses

be issued. These fees are subject to change by resolution of the Board of Supervisors. These fees are deducted from the fee payments already provided by the developer per their road fee agreement.

Drainage

3. **At the time of application for construction permits**, the applicant shall submit complete drainage plans and report prepared by a licensed civil engineer for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance. All drainage must be directed to the existing storm drain system or retained on-site and the design of the basin shall be approved by the Department of Public Works.
4. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
5. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with their Storm Water Control Plan.
6. **On-going condition of approval (valid for the life of the project)**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Storm Water Control Plan

7. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Storm Water Management. Applicable projects shall submit a Storm Water Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.

Attachment 4 – Referral Responses



CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805-543-4244 • Fax: 805-543-4248
www.calfireslo.org

Robert Lewin, Fire Chief

Commercial Fire Safety Plan

August 20, 2016

Project Summary

Name: **LRE Management Co. (Monarch Dunes)** Project Number: **DRC#2016-00002**

Street Name: **Via Entrada Road** City: **Nipomo** State: **CA** Zip: **93444**

Project Description: **32,000 SF Mini Storage** Phone #: **(805)489-6700**

This project is located approximately 4 minutes from the closest CAL FIRE/San Luis Obispo County Fire Station. The project **is not** located in State Responsibility Area for wild land fires, and **is not** designated as a ----- Fire Hazard Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

OPERATIONAL REQUIREMENTS

Fire Safety and Evacuation Plans

Applicant shall provide a written Fire Safety plan whose contents shall be in accordance with sections California Fire Code Chapter 4 Emergency Planning and Preparedness. Employee training, record keeping, hazard communication and drills will also comply with this chapter. The written plan will include at a minimum the detail outlined in sections 404.3.1 (Evacuations Plans) and 404.3.2 (Fire Safety Plans).

Fire Evacuation Plans

Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
4. Procedures for accounting for employees and occupants after evacuation have been completed.
5. Identification and assignment of personnel responsible for rescue or emergency medical aid.
6. The preferred and any alternative means of notifying occupants of a fire or emergency.
7. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
8. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
9. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.

Fire Safety Plans

Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy and procedures for notifying, relocating or evacuating occupants/event attendees, including occupants who need assistance.
3. Site plans indicating the following:
 - 3.1. The occupancy assembly point.
 - 3.2. The locations of fire hydrants.
 - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
 - 4.1. Exits.
 - 4.2. Primary evacuation routes.

Attachment 4 – Referral Responses

- 4.3. Secondary evacuation routes.
- 4.4. Accessible egress routes.
- 4.5. Areas of refuge.
- 4.6. Exterior areas for assisted rescue.
- 4.7. Manual fire alarm boxes.
- 4.8. Portable fire extinguishers.
- 4.9. Occupant-use hose stations.
- 4.10. Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.

Additional/Special Conditions

Building Construction requirements and Vegetation Management

Screening and Environmental Considerations

- Landscaping and vegetation shall be in accordance with San Luis Obispo County Planning and building "screening requirements". CAL FIRE requires that landscaping selections do not readily transmit fire.
- Fire resistant landscaping located within 100 feet of site improvements (structures or fire water tanks) shall be in accordance with CFC, Public resources code 4291 and Title 19 Division 1 described as "vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation. The intensity of fuels management may vary within the 100-foot perimeter of the structure, the most intense being within the first 30 feet around the structure. Consistent with fuels management objectives, steps should be taken to minimize erosion. For the purposes of this paragraph, "fuel" means any combustible material, including petroleum-based products and wildland fuels. www.calfireslo.org website has several links with recommended planning tools for landscape and fuels management plans.

Address Requirements

- New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be approved in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of **Commercial** **8** inches high with a minimum stroke width of 0.5 inch (12.7mm).

Address Directories

- When required by the fire code official, complexes with multiple buildings may be required to provide directories, premises maps and directional signs. The scale, design and location of directory signs shall be approved by the fire code official and may be required to be illuminated.

Additional/Special Conditions

Site Access /Roads/Knox/Exiting

Commercial and Residential Access Road Standards

- All road design criteria will meet the San Luis Obispo County Department of Public Works Public Improvement Standards. Standard construction drawing exhibits can be located on line at: <http://www.slocounty.ca.gov/Assets/PW/DevServ/general/2008+Standards.pdf>

Attachment 4 – Referral Responses

<p><u>Commercial and Residential Road Grades</u></p> <p><input checked="" type="checkbox"/> The grade for all roads, streets, private lands and driveways shall not exceed 16 percent unless approved by fire code official. Design criteria shall be in accordance with San Luis Obispo County Public Works public improvement standards. Roads 12%-16% shall be a nonskid asphalt or concrete surface as specified in San Luis Obispo County public improvement Standards, specifications and drawings.</p> <p><input checked="" type="checkbox"/> All roads shall:</p> <ul style="list-style-type: none"> • Be able to support Fire Apparatus. • Provide a vertical clearance of 13'6" • Provide a 10 foot fuel modification zone on both sides.
<p><u>Commercial</u></p> <p><input checked="" type="checkbox"/> The access road must be a minimum of 24 feet in width for two way traffic and shall be constructed to SLO County Public Works Standards. Two (2) 10- foot driving lanes and Two (2) – Two (2) foot shoulders.</p> <p><input checked="" type="checkbox"/> Parking is only allowed where an additional 8 feet of width is added to each side of the road to accommodate parking. "No Parking - Fire Lane" signs may be required.</p> <p><input checked="" type="checkbox"/> Fire lanes shall be provided as set forth in Chapter 5 of the 2013 California Fire Code.</p> <p><input checked="" type="checkbox"/> Fire access shall be provided to within 150 feet of the outside building perimeter.</p>
<p><u>Secondary Access Road</u></p> <p><input checked="" type="checkbox"/> More than one Fire Apparatus access road shall be required when potential for the impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.</p>
<p><u>Additional/Special Conditions</u></p>

Emergency Access Knox Keys and/or Gate Switches

<p><u>Structural Access Requirements</u></p> <p><input checked="" type="checkbox"/> All commercial buildings shall install a Knox key box for fire department emergency access – CFC Section 506.1. The box shall be installed prior to final inspection of the building. An order form is available from the Prevention Bureau, call for more information at (805) 543-4244.</p>
<p><u>Gate Access Requirements</u></p> <p><input checked="" type="checkbox"/> Gate must be setback a minimum of 75 feet from the SLO County maintained road.</p> <p><input checked="" type="checkbox"/> Gate must automatically open with no special knowledge.</p> <p><input checked="" type="checkbox"/> Must have a KNOX key box or switch for fire department access. Call the Prevention Bureau for an order form at (805) 543-4244.</p> <p><input checked="" type="checkbox"/> Gate shall have an approved means of emergency operation at all times. CFC 503.6</p> <p><input checked="" type="checkbox"/> Gate must be 2 feet wider than the road on each side.</p> <p><input checked="" type="checkbox"/> Gates must have a turnaround located at each gate.</p>
<p><u>Exiting</u></p> <p><input checked="" type="checkbox"/> All egress and exiting components shall comply with Chapter 10 of the 2013 California Fire Code.</p>
<p><u>Setbacks</u></p> <p><input checked="" type="checkbox"/> A 30-foot building setback from property line required for parcels 1 acre in size or larger.</p>

Fire Protection Systems Sprinklers Hydrants Alarms

<p><u>Fire Sprinklers in Structures</u></p> <p><input checked="" type="checkbox"/> This project will require installing a commercial fire sprinkler system in all new buildings. The type of sprinklers required will depend upon the occupancy classification type of the structures and must comply with NFPA 13. The automatic fire extinguishing system shall comply with the National Fire Protection Association (NFPA) 13. The applicant will have to identify what Hazard Class the project is for review by the fire department (exp. Ordinary Hazard Class II), for each of the buildings in the project. Three sets of plans and calculations shall be submitted for functional review and approval to the County Fire Department. The contractor shall be licensed by the State of California, CFC. A licensed alarm company shall monitor the fire sprinkler and alarm system.</p>
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Attachment 4 – Referral Responses

<input checked="" type="checkbox"/> The automatic fire extinguishing system shall comply with the National Fire Protection Association (NFPA) 13, or other approved NFPA Standard depending on target hazard. (Clean agent or alternative option)
<input checked="" type="checkbox"/> Structures over the minimum square footage must meet all of the local ordinance table 903 requirements and all of the following requirements:
<input checked="" type="checkbox"/> No conditioned or habitable space
<input checked="" type="checkbox"/> No second stories (lofts 1/3 the floor area and open to below are allowed)
<input checked="" type="checkbox"/> Minimum two exits including one pedestrian door (side hinge swinging door)
<input checked="" type="checkbox"/> Workshops or offices limited to 10% of floor area
<input type="checkbox"/> Dedicated fire water storage minimum of 5,000 gallons steel tank in full compliance with NFPA 1142 (see fire safety plan) if there is no community provided fire hydrant within 500 ft.
<input type="checkbox"/> Structure complies with the California Wildland Urban-Interface Ignition Resistant Construction Requirements
<input type="checkbox"/> Heat detectors installed in accordance with CBC linked to an audible bell mounted in the exterior of the structure.
<input type="checkbox"/> Cannot be used as a place of employment or for public assemblage/events
<input type="checkbox"/> Cannot be used as a commercial building
Hydrants
<input checked="" type="checkbox"/> All fire hydrants and required access roads shall be installed PRIOR to structural construction.
Additional/Special Conditions

Sprinkler System Supervision and Alarms
<input checked="" type="checkbox"/> All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels, and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically monitored for integrity and to ensure valves are locked in the open position, by a central station listed by Underwriters Laboratories for receiving fire alarms.
Fire Protection Engineer required
<input checked="" type="checkbox"/> A Fire Protection Engineer shall review the proposed Fire Protection Systems for this project. Multiple fire protection and hazardous conditions systems are required for this project. A list of Fire Protection Engineers is available on our website at http://www.calfireslo.org .
<input checked="" type="checkbox"/> Three sets of plans and calculations shall be submitted for functional review and approval to the County Fire Department. A licensed Fire Protection Engineer must design and submit all required drawings for CAL FIRE review. The contractor shall be licensed by the State of California, California Fire Code. A licensed alarm company shall monitor all fire protection and hazardous conditions systems.
Private Water System Requirements
<input checked="" type="checkbox"/> Commercial fire suppression system water storage tanks must be steel and located a minimum of 20 feet from structures. NFPA Standard 22 Water tanks for private Fire Protection, NFPA Standard 24 Installation of Private Fire Service mains and their Appurtenances, NFPA Standard 25 Inspection, Testing and Maintenance of Water-Based Fire Protection Systems shall be utilized for this project.
<input checked="" type="checkbox"/> The amount of emergency water required for fire suppression will be determined and approved by a registered licensed Fire Protection Engineer in cooperation with CAL FIRE/County Fire. Water required to be held in storage for domestic and/or landscaping purposes will be in addition to or separate from that required for fire suppression.
PRESSURIZED System and Hydrant Specifications
<input checked="" type="checkbox"/> Plans shall be submitted to the County Fire Department for approval of the distribution system and hydrant locations. Fire hydrants shall have two, 2 1/2 inch outlets with National Standard Fire threads and one 4 inch suction outlet with National Standard Fire threads and comply with County Standard W-1. Each hydrant shall be identified by a blue reflective dot located on a non-skid surface located just off of center on the fire hydrant side. Hydrants must be protected from vehicle impact with the use of curbing or bollards.

Attachment 4 – Referral Responses

FDC <input checked="" type="checkbox"/> The fire department connections (FDC) supporting the required fire protection systems shall be located within 20 feet of a San Luis Obispo County Dept. of Public Works/County Fire standard fire hydrant and visible on fire engine approach to the building.
Additional/Special Conditions

ALARMS

NFPA 72 Alarm systems <input checked="" type="checkbox"/> A centralized interlinked Fire Alarm System is required for this project. The alarm system shall terminate at a 24-hour monitoring point. Two sets of plans shall be submitted to CAL FIRE/San Luis Obispo County Fire for review and approval. California Fire Code Chapter 15 section 907. Fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved supervising station listed by Underwriters Laboratory for receiving fire alarms in accordance with NFPA 72. The supervising station shall contact and notify the Fire Chief or their call receiving location immediately on notification of an alarm and prior to making contact with the protected premises. <input checked="" type="checkbox"/> Alarm system must be centralized and interlinked for the entire facility and include monitoring for all site alarm systems including; all on site Fire Protection Systems, and any and all hazardous materials, monitoring of hazardous materials, compressed gases, flammable and combustible liquids, liquefied petroleum gases, storage, delivery and processing areas. <input checked="" type="checkbox"/> A Fire Alarm System is required throughout the site for the various fire suppression systems and required hazardous conditions monitoring. The alarm system shall terminate at a 24-hour monitoring point. Two sets of plans shall be submitted to the County Fire Department for review and approval. California Fire Code Chapter 15 section 907.

General Fire Precautions and Signage

Portable Fire Extinguishers <input checked="" type="checkbox"/> Portable fire extinguishers shall be installed in all the occupancies in compliance with the California Fire Code section 906 and Title 19. The contractor shall be licensed by the State Fire Marshal.
Storage, Stockpiles and Enclosures <input checked="" type="checkbox"/> Areas must meet all applicable California Fire Code requirements and be labeled with NFPA 704 required placarding.
Electrical <input checked="" type="checkbox"/> Electrical wiring and equipment shall be installed and maintained in accordance with California Fire Code section 605 and the California Electrical Code. Hazards and fire prevention concerns relational to Electrical equipment, wiring shall be abated as specified in the aforementioned Fire Code.
Fire Safety during Construction: <input checked="" type="checkbox"/> Prior to construction, an operational water supply system and established access roads must be installed in accordance with CFC Section 501.4. During construction all applicable Public Resources Codes must be complied with to prevent a wildfire. These will include the use of spark arresters, adequate clearance around welding operations, smoking restrictions and having extinguishers on site. The <u>Industrial Operations Fire Prevention Field Guide</u> will assist the applicant.

Inspector

Travis Craig
Fire Captain

Attachment 4 – Referral Responses

9/9/2016

Re: DRC2016-00002 MONARCH DUNES, South County E-Referral, Min... - Jay Johnson

- 9) Provide plans which clearly show the structural design to verify compliance with the 2013 California Building Code and referenced standards. The plans and supporting calculations will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design.
- 10) The project will require a soils report and structural calculations for the design of the buildings. All structural elements to be detailed on the plans to comply with CBCS and adopted referenced codes.
- 11) Provide isometric / single line drawings for the electrical, plumbing, and mechanical elements to verify compliance with the current versions of the California Electrical, Plumbing, and Mechanical Codes.
- 12) Provide a plumbing fixture analysis on the plans to verify the number of fixtures provided is sufficient for the proposed use and complies with CPC Chapter 4 and Table A and Table 422.
- 13) Energy Calculations will need to be provided to verify compliance with current California Energy Code.
- 14) Compliance with the current California Green Building Code and County of San Luis Obispo Green Building Ordinance will need to be show on the plans.
- 15) The building will need to be provided with fire sprinklers and an alarm system under a separate permit. At the time of the permit application provide plans and calculations showing the design of the system.

thanks

Michael Stoker, CASp
Building Division Supervisor
805.781.1543





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

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE November 18, 2016 LOCAL EFFECTIVE DATE December 2, 2016 APPROX FINAL EFFECTIVE DATE December 23, 2016	CONTACT/PHONE Brandi Cummings, Project Manager 805-781-1006 bcummings@co.slo.ca.us	APPLICANT Mary Maher and Madelynn Rigopoulos	FILE NO. DRC2015-00133
SUBJECT A request by Mary Maher & Madelynn Rigopoulos for a Minor Use Permit/Coastal Development Permit (DRC2015-00133) to allow for the demolition of an existing 1,288 square-foot single family residence and the construction of a 3,024 square-foot single-family residence with a 404 square-foot attached garage, and 561 square-feet of deck. The project will result in the permanent disturbance of approximately 3,200 square-feet of a 7,104 square-foot parcel. The project is within the Residential Single Family land use category and is located at 1835 Wales Road, approximately 1 mile west of the Ardath Drive and CA Highway 1 intersection, in the community of Cambria. The site is in the North Coast planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2015-00133 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION Class 1 and Class 3 Categorical Exemptions were issued on August 9, 2016.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Archaeologically Sensitive Area, Geologic Study Area, Local Coastal Plan, Terrestrial Habitat	ASSESSOR PARCEL NUMBER 023-133-013	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Monterey Pine Forest Terrestrial Habitat (SRA), Water Conservation Requirements, Cambria Community Services District Review, Cambria Fire Department Review, Erosion Control, Landscaping, Exterior Lighting, Archaeological Resource Protection, Residential Single-Family Standards <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Appeals to the Coastal Commission, Environmentally Sensitive Habitat, Geologic Study Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
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 γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

EXISTING USES: Single Family Residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residences <i>East:</i> Residential Single Family/residences <i>South:</i> Residential Single Family/residences <i>West:</i> Residential Single Family/residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: North Coast Advisory Council, Public Works, Building Division, Cambria Fire, Cambria Community Services District, and California Coastal Commission	
TOPOGRAPHY: Moderately sloping	VEGETATION: Monterey Pines, Oaks, Grasses
PROPOSED SERVICES: Water supply: Cambria Community Services District Sewage Disposal: Cambria Community Services District Fire Protection: Cambria Fire	ACCEPTANCE DATE: August 9, 2016

PROJECT DESCRIPTION:

The project includes the demolition of an existing 1,288 square-foot single family residence and the construction of a new two-story 3,024 square-foot single-family residence with a 404 square-foot attached garage, and 561 square-feet of deck.

PLANNING AREA STANDARDS:

As described below, the project complies with applicable Combining Designations, Cambria Urban Area, and the Residential Single Family development standards of the North Coast Area Plan.

Monterey Pine Forest Terrestrial Habitat (SRA) (TH). The purpose of these standards is to minimize tree removal and avoid impacts to the sensitive Monterey pine forest habitat. All development within Monterey pine forest (TH) shall include the following minimum standards:

- A. **Establishment of a ‘project limit area.’** A project limit area shall be established in a manner that avoids Monterey pine forest impacts to the maximum extent feasible, is located on the least sensitive portion of the site, and safeguards the biological continuance of the habitat. The project limit area shall include all areas of the site where vegetation will need to be trimmed or removed for fire safety purposes.
- B. **New Development siting.** Applications for new development within the Monterey pine forest shall demonstrate that no native vegetation outside the “project limit area” shall be removed, except for trees identified as hazardous by a qualified professional.
- C. **Plan Requirements.** All site, construction and grading plans submitted to the County shall identify by species and diameter all Monterey pine trees that are six inches or more in diameter 4.5 feet above ground and oak trees four inches or more in diameter 4.5 feet above ground identified by species and diameter. The plans shall indicate which trees are to be retained and which trees are proposed for removal.
- D. **Construction Practices.** Construction practices to protect Monterey pines, oak trees and significant understory vegetation shall be implemented.

- E. **Replacement of Vegetation.** Any Monterey pine trees that are six inches or more in diameter 4.5 feet above the ground shall be replaced at a 4:1 ratio for each tree removed, and at a 2:1 ratio for each tree impacted but not removed. Any oak trees that are four inches in diameter 4.5 feet above ground shall be replaced at a 6:1 ratio for each tree removed, and at a ratio of 3:1 ratio for each tree impacted but not removed. All open areas of the site disturbed by project construction are to be seeded with native, drought and fire resistant species that are compatible with the habitat value of the surrounding forest.
- F. **Understory Vegetation Removal.** No understory vegetation shall be removed until a permit has been issued or unless an immediate hazardous condition exists. Understory vegetation removal to create, improve, or maintain adequate defensible space and Fire Hazard Fuel Reduction shall be the minimum necessary

Staff comments: Because the proposed single family residence will replace an existing single family residence, the project will not require the removal of any vegetation from the project site. The proposed project is in compliance with these standards because the project will not result in any impacts to Monterey pine trees, oaks, or their understory.

Limitation on Development

- A. Water Service in Cambria. Until such time as may be otherwise authorized through a coastal development permit approving a major public works project involving new potable water sources for Cambria, new development not using CCSD connections or water service commitments existing as of November 15, 2001 (including those recognized as "pipeline projects" by the Coastal Commission on December 12, 2002 in coastal development permits A-3-SLO-02-050 and A-3-SLO-02-073, shall assure no adverse impacts to Santa Rosa and San Simeon Creeks;
- B. Water Conservation Requirements. New development resulting in increased water use shall offset such increase through the retrofit of existing water fixtures within the Cambria Community Service District's service area, or through other verifiable actions to reduce existing water use in the service area. All coastal development permits authorizing such development shall be conditioned to require applicants to provide to the Planning Director for review and approval prior to construction, written evidence of compliance with CCSD Ordinance 1-98, as approved by the CCSD Board of Directors on January 26, 1998, and modified on November 14, 2002, and as codified in the CCSD Code Chapter 4.20 in 2004. Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from the CCSD. Also prior to final building inspection the applicant shall submit a water and sewer service condition compliance letter from the CCSD.

Staff comments: The proposed project is a replacement dwelling with an active water service commitment from the CCSD and therefore complies with this standard. The applicant submitted a Confirmation of Water & Sewer Availability letter from the Cambria Community Services District dated May 17, 2016 and also paid a retrofit in-lieu fee of \$1,750.

Cambria Community Services District Review. Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from

the Cambria Community Services District. A water and sewer service condition compliance letter from the Cambria Community Services District shall be provided to the Department of Planning and Building prior to final building inspection.

Staff comments: The proposed project is consistent with this standard because the applicant submitted a Confirmation of Water & Sewer Availability letter from the Cambria Community Services District dated May 17, 2016.

Cambria Fire Department Review. All new development shall comply with applicable state and local Cambria fire codes. Prior to application acceptance, land use and building permit applications shall include a fire plan review from the Cambria Fire Department.

Staff comments: The applicant submitted a Fire Plan Review from the Cambria Fire Department dated May 6, 2016.

Erosion Control. In addition to other applicable requirements of the Coastal Zone Land Use Ordinance, all runoff from impervious surfaces such as roofs, driveways, walks, patios, and/or decks shall be collected and retained on-site to the greatest extent possible. Run-off not able to be retained on-site shall be passed through an effective erosion control device or filtration system approved by the Public Works Department. Impermeable surfaces should be minimized in order to maximize the amount of on-site run-off infiltration.

Staff comments: The applicant is required and conditioned to submit drainage, erosion, and sedimentation control plans at the time of construction permit application.

Landscaping. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. Non-native, invasive, fire prone, and water intensive (i.e. turf grass) landscaping shall be prohibited on the entire site. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials shall be used to mimic or enhance naturally occurring vegetation. Materials shall be propagated from appropriate native stock to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building. Use of plants listed in the California Invasive Plant Council (Cal IPC) Invasive Plant Inventory is prohibited.

Staff comments: This project is conditioned to provide a landscape plan at time of construction permit application.

Exterior Lighting. Use only the minimum amount necessary to achieve essential illumination. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries source. Particular care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases. All light fixtures are required to be fully shielded.

Staff comments: No exterior lighting is proposed at this time. Lighting plans will be checked at time of construction permit application for compliance with this standard.

Archaeological Resource Protection. New development projects that have the potential to impact archaeological resources shall be referred to the affected Native American tribe. In the event archaeological resources are unearthed or discovered during any construction activities, 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. Construction activities shall not commence until a mitigation plan, prepared by a qualified professional archaeologist in consultation with appropriate Native American representatives and reviewed and approved by the Planning Director, is completed and implemented. The mitigation plan shall include measures to avoid the resources to the maximum degree feasible and shall provide mitigation for unavoidable impacts. A report verifying that the approved mitigation plan has been completed shall be submitted to the Planning Director prior to occupancy or final inspection, whichever occurs first. 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.

Staff comments: The applicant submitted a Phase 1 surface survey, Cultural Resources Assessment (Anastasio, May 2014), for this project. The report identified that the "project property lies within the ascribed boundaries of a known and highly significant prehistoric resource, CA-SLO-177, and two other significant sites are located within a few hundred feet." The report further identified that "...there is a strong probability that the cultural material observed on the steep slope of the project parcel does not represent intact deposits of the site, but rather is a product of material gradually washing down slope..." The recommendation of the Cultural Resources Assessment was that a Phase 2 study should be conducted. A Phase 2 Archaeological Testing Preliminary Report (Anastasio, September 2016) was submitted. The Phase 2 study found additional midden material, though no "...diagnostic artifacts such as projectile points or shell beads were recovered..." Additionally, no human remains were discovered. The Phase 2 study recommended controlled monitoring by a qualified archaeologist and Native American observer during grading and mechanical excavation, in addition to monitoring of the demolition of subsurface components of the existing house. The project is conditioned, per ordinance, to require monitoring during ground-disturbing activities, and to cease construction if archaeological resources are unearthed.

Residential Single-Family

The following table shows the project’s compliance with the applicable setbacks, height, gross structural area (GSA), and footprint standards of the North Coast Area Plan:

Lot Size: 7,104 square feet
 Area: Forested Lot
 Oversized lot adjustment: 1.35

Slope: approximately 10%
 Number of trees to be removed: 0
 Base: 5,250 SF Footprint

PROJECT REVIEW	ALLOWABLE	TOTAL PROPOSED	STATUS
FOOTPRINT (SQUARE FEET)	2,165	2,409	OK w/ TDCs
GSA (SQUARE FEET)	3,248	3,024	OK
HEIGHT (FEET)	28		OK
TRANSFER DEVELOPMENT CREDITS	541	244	OK
DECKS (SQUARE FEET)			
PERMEABLE	650	204	OK
SOLID	241	154	OK
SETBACKS (FEET)			
FRONT AND REAR COMBINED	25		OK
FRONT	10	14.25	OK
REAR	10	50	OK
SIDE	5	7 (left) 5 (right)	OK
SIDES COMBINED (FOR LOTS W/50 FEET OR GREATER FRONTAGE)	12	12	OK

Transfer of Development Credits. The Transfer of Development Credit Program (TDC’s) may be used to transfer allowable footprint and GSA for lots within certain areas to more suitable sites within Cambria.

(1) Eligible Purchasers of TDC'S. Purchasers of TDC's may include the following:

- a. Owners of small lots within Lodge Hill. Through the transfer of development credits (TDC's), owners of property on Lodge Hill (specifically those areas identified as West Lodge Hill and East Lodge Hill) may be allowed an increase in the allowable footprint and gross structural area on their property.
- b. Owners of other small lot properties within the Cambria Urban Reserve Line. Properties with sewer or water service by the Cambria Community Services District (CCSD), may participate in the TDC Program (May include Park Hill and Happy Hill).
- c. Other properties. Owners of properties that have been required by planning area standards, conditions of development approval, or other provisions of the

Local Coastal Program to offset impacts of development through purchase of TDC's may also participate.

- (2) **Payment of Fees.** Under this program, a fee may be paid to the Land Conservancy of San Luis Obispo County or another TDC program administrator approved by the Director of Planning and Building. The fee must be adequate to allow for purchase of typical lots within the preservation (special study) areas, plus sewer assessments and administrative costs.
- (3) **Resale Provisions.** With the concentration of purchases in specific preservation areas, the program may propose lot consolidation and eventual sale of portions of the preserved area to adjacent property owners. The preserved areas sold to adjacent property owners shall be consolidated with the adjacent property and guaranteed to maintain as open space through a recorded, permanent open-space easement granted to the county. Money collected from the sale of the preserved areas shall be used for the retirement of additional lots.

Staff comments: The project is required to utilize 244 TDCs to increase the allowed footprint area of the project. The parcel is eligible to utilize up to 541 TDCs and will use 296, and therefore complies with this standard. The project is conditioned to provide proof of TDC purchase at the time of construction permit application.

Parking and Access Standards. Two off-street spaces are required for each single-family dwelling. At least one space shall be covered (garage or carport), and the other space may be located within the front setback.

Staff comments: The proposed project includes a two-car garage and complies with this standard.

Residential Design Criteria. The North Coast Area Plan contains discretionary design criteria for single-family residential development in Cambria. As described below, the proposed residence is consistent with applicable design criteria.

- A. **Impermeable Surfaces.** The project will result in approximately 3,142 square-feet of new impermeable area. The project is conditioned to submit a Storm Water Control Plan Application and Coversheet at the time of construction permit application.
- B. **Parking Drives and Garages.** The proposed project provides for a two-car garage, driveway, and approach. Though prominent the garage does not dominate the design of the residence.
- C. **Topography.** The subject parcel is moderately sloping, with an average slope of 15%. The proposed project will not result in abrupt grade changes.
- D. **Drainage.** The project complies with this guideline as it will be designed and constructed to retain water on-site, and the project is conditioned to provide a drainage plan, consistent with the North Coast planning area standards, to Public Works for review and approval.

- E. **Building Design Standards.** The proposed residence and garage include articulation to break up the bulk of the structure, compatible in design and materials with the neighborhood design patterns. The design has a low pitched roof and is on a down sloping lot, which appears as a single-story house from the street.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.07.120: Local Coastal Program

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

Section 23.01.043c.(3)(i): Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the subject parcel is located in an Environmentally Sensitive Habitat Area (Terrestrial Habitat).

Section 23.07.170e.(1-5) Environmentally Sensitive Habitat (ESH) Development Standards

1. New development within or adjacent to the habitat shall not significantly disrupt the resource.
2. New development within the habitat shall be limited to those uses that are dependent upon the resource.
3. Where feasible, damaged habitats shall be restored as a condition of development approval.
4. Development shall be consistent with the biological continuance of the habitat.
5. Grading adjacent to Environmentally Sensitive Habitats shall conform to the provisions of Section 23.05.034.c (Grading Standards.)

Staff comments: Because the proposed single-family residence will replace an existing single family residence, the project will not result in the removal of any vegetation. The project meets these standards because all construction activities will not cause impacts to Monterey pine trees.

Section 23.07.080: Geologic Study Area

The project site is located within the Geologic Study Area (GSA) combining designation, and is subject to the provisions of the CZULO. All land use permit applications for projects located within a Geologic Study Area (except those exempted by Section 23.07.082) shall be accompanied by a report prepared by a certified engineering geologist and/or registered civil engineer (as to soils engineering), as appropriate.

Staff comments: The applicant submitted a Geotechnical Engineering Report (Beacon Geotechnical Inc., March 3, 2015). The report was submitted to the Department's Geologist for review and comment. A Review of Geotechnical Engineering Report (LandSet Engineers, Inc., August 15, 2016) was prepared by the Department Geologist and concluded that the susceptibility for land sliding at the site is low and no further investigation is required.

COASTAL PLAN POLICIES:

Shoreline Access: N/A
Recreation and Visitor Serving: N/A
Energy and Industrial Development: N/A
Commercial Fishing, Recreational Boating and Port Facilities: N/A
Environmentally Sensitive Habitats: Policy No(s): 1, 3, 29, and 30
Agriculture: N/A
Public Works: Policy No: 1
Coastal Watersheds: Policy No(s): 8, 9, 10, and 11
Visual and Scenic Resources: Policy No(s): 1 and 2
Hazards: Policy No(s): 1 and 2
Archeology: Policy No(s): 1, 4, and 6
Air Quality: N/A

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

COASTAL PLAN POLICY DISCUSSION:

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: *The proposed project is consistent with this policy because no Monterey pine or oak trees will be removed or impacted.*

Policy 3: Habitat Restoration: *The proposed project is consistent with this policy because no Monterey pine or oak trees will be removed or impacted and will not require mitigation for habitat restoration.*

Policy 29: Protection of Terrestrial Habitats: *The project is consistent with this policy because the proposed residence is a permitted use on the site. The proposed project is consistent with this policy because no Monterey pine or oak trees will be removed or impacted.*

Policy 30: Protection of Native Vegetation: *The proposed project is consistent with this policy because no Monterey pine or oak trees will be removed or impacted and all native vegetation will remain protected.*

Public Works:

Policy 1: Availability of Service Capacity. *The proposed project is consistent with this policy because this project is a replacement dwelling with an active water service commitment from the CCSD and therefore complies with this standard. The applicant submitted a Confirmation of Water & Sewer Availability letter from the Cambria Community Services District dated May 17, 2016 and also paid a retrofit in-lieu fee of \$1,750.*

Coastal Watersheds:

Policy 8: Timing of Construction and Grading. *The proposed project is conditioned to comply with this policy as the project shall have an erosion and sedimentation control plan where grading is conducted or left in an unfinished state during the period from October 15 through April 15.*

Policy 9: Techniques for Minimizing Sedimentation. *The proposed project is conditioned to comply with this policy as the applicant shall apply Best Management Practices in the selection and implementation of site maintenance.*

Policy 10: Drainage Provisions. *The proposed project is conditioned to comply with this policy as the applicant shall provide a drainage plan to San Luis Obispo County Public Works Department for review and approval, and shall implement the approved drainage plan, showing that construction of the guesthouse and garage will not increase erosion or runoff.*

Policy 11: Preserving Groundwater Recharge. *The proposed project is consistent with this policy as the project shall retain groundwater on-site to the extent feasible.*

Visual and Scenic Resources:

Policy 1: Protection of Visual and Scenic Resources. *The proposed project complies with this policy, as the project will be developed on a residential lot. The lot is within a developed section of Cambria and shall be in character and scale with the surrounding neighborhood, and will not significantly block existing scenic vistas.*

Policy 2: Site Selection for New Development. *The proposed project complies with this standard, as the proposed residence will be developed on an existing residential lot, and the development will not block existing public views.*

Hazards

Policy 1: New Development. *The proposed project complies with this standard because the applicant submitted a Geotechnical Engineering Report (Beacon Geotechnical Inc., March 3, 2015). The report was submitted to the Department's Geologist for review and comment. A Review of Geotechnical Engineering Report (LandSet Engineers, Inc., August 15, 2016) was prepared by the Department Geologist and concluded that the susceptibility for land sliding at the site is low and no further investigation is required.*

Policy 2: Erosion and Geological Stability. *The proposed project complies with this standard because the applicant submitted a Geotechnical Engineering Report (Beacon Geotechnical Inc., March 3, 2015). The report was submitted to the Department's Geologist for review and comment. A Review of Geotechnical Engineering Report (LandSet Engineers, Inc., August 15, 2016) was prepared by the Department Geologist and concluded that the susceptibility for land sliding at the site is low and no further investigation is required.*

Archaeology

Policy 1: Protection of Archaeological Resources. *The proposed project complies with this standard because the project is conditioned to retain a qualified archaeologist to monitor ground-disturbing activities and to halt construction in the event archaeological resources are discovered.*

Policy 4: Preliminary Site Survey for Development within Archeologically Sensitive Areas. *The proposed project complies with this standard because the applicant conducted a Cultural Resources Assessment (Anastasio, May 2014). Applicant submitted a Phase 1 surface survey, Cultural Resources Assessment (Anastasio, May 2014), for this project. The*

report identified that the “project property lies within the ascribed boundaries of a known and highly significant prehistoric resource, CA-SLO-177, and two other significant sites are located within a few hundred feet.” The report further identified that “...there is a strong probability that the cultural material observed on the steep slope of the project parcel does not represent intact deposits of the site, but rather is a product of material gradually washing down slope...” The recommendation of the Cultural Resources Assessment was that a Phase 2 study should be conducted. A Phase 2 Archaeological Testing Preliminary Report (Anastasio, September 2016) was submitted. The Phase 2 study found additional midden material, though no “...diagnostic artifacts such as projectile points or shell beads were recovered...” Additionally, no human remains were discovered. The Phase 2 study recommended controlled monitoring by a qualified archaeologist and Native American observer during grading and mechanical excavation, in addition to monitoring of the demolition of subsurface components of the existing house. The project is conditioned, per ordinance, to require monitoring during ground-disturbing activities, and to cease construction if archaeological resources are unearthed.

Policy 6: Archaeological Resources Discovered during Construction or through Other Activities.
The proposed project is conditioned to comply with this standard.

COMMUNITY ADVISORY GROUP COMMENTS:

The North Coast Advisory Council (NCAC) considered this item at their July 20, 2016 regular meeting. The NCAC voted to recommend approval of this project.

AGENCY REVIEW:

Building Division – the referral response received June 7, 2016 from Mike Stoker included comments that require the applicant to comply with all current building and safety codes.

Public Works – the referral response received June 13, 2016 from Tim Tomlinson included comments regarding access, drainage, and a Storm Water Control Plan.

Cambria Fire – no comments received.

Cambria Community Services District – no comments received.

California Coastal Commission – no comments received.

LEGAL LOT STATUS:

The one existing lot is Lot 4, 5, 35, and 36 of Block 231 of Tract 8 and was legally created by a recorded map (Book 5, Page 21 of Maps) at a time when that was a legal method of creating lots.

Staff report prepared by Kacey Hass and reviewed by Brandi Cummings and Karen Nall.

**EXHIBIT A – FINDINGS
MAHER / DRC2015-00133**

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the project consists of the demolition of an existing single family residence and the construction of a new 3,024 single-family residence.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because a single-family residence 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 and construction of the single-family residences 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 single-family residence 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 Wales Road, 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.

Sensitive Resource Area (Terrestrial Habitat)

- H. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because the project will not remove or impact any Monterey pine or oak trees.
- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements because the project will not remove or impact any Monterey pine or oak trees.

ATTACHMENT 01

- J. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because the project will not remove or impact any Monterey pine or oak trees.
- K. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff, because the project is conditioned to provide a Storm Water Control Plan Application, drainage plan, and sedimentation and erosion control plan at time of construction permit application.

Archeological Sensitive Area

- L. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because the project is conditioned to have a qualified archaeologist on site to monitor all ground-disturbing activities.

ATTACHMENT 02
EXHIBIT B - CONDITIONS OF APPROVAL
MAHER / DRC2015-00133

Approved Development

1. This approval authorizes
 - a. Demolition of an existing 1,288 square-foot single family residence.
 - b. Construction of a 3,024 square-foot single-family residence with a 404 square-foot attached garage, and 561 square-feet of deck.
 - c. Use of 244 Transfer Development Credits to increase allowable footprint area.
 - d. Maximum height allowed is 28 feet from average natural grade.

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

Site Development

2. **At the time of application for construction permits**, submit a revised landscape plan to the Department of Planning and Building for review and approval. The revised plan shall indicate the following and development shall be consistent with this revised and approved plan:
 - a. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. Non-native, invasive, fire prone, and water intensive (i.e. turf grass) landscaping shall be prohibited on the entire site. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials shall be used to mimic or enhance naturally occurring vegetation. Materials shall be propagated from appropriate native stock to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building. Use of plants listed in the California Invasive Plant Council (Cal IPC) Invasive Plant Inventory is prohibited.
3. **At the time of application for construction permits**, submitted plans shall conform to the approved site plan, architectural plans, and elevations.
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.

Access

5. **At the time of application for construction permits**, in accordance with Streets and Highway Code Section 1480.5 & 1481 the applicant shall submit an application to the Department of Public Works for an Encroachment Permit to:
 - a. Reconstruct, if necessary, the access driveway in accordance with County Public Improvement Standard B-1a rural driveway standards.

ATTACHMENT 02

- b. To remove or relocate all existing non-permitted obstructions from within the public right-of-way of the project frontage. Known obstructions include, but are not limited to rock walls and rock planters

Drainage

6. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 23.05.040 (Drainage) of the Land Use Ordinance.
7. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
8. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with their Storm Water Control Plan.

Storm Water Control Plan

9. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Storm Water Management. Applicable projects shall submit a Storm Water Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.
10. **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Storm Water Conveyance Management and Maintenance System" exhibit for review and approval by the County.

Fire Safety

11. **At the time of application for construction permits**, 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 the Cambria Fire Department for this proposed project and dated January 12, 2016.

Services

12. **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.

Conditions to be completed prior to issuance of a construction permit

Transfer Development Credits

13. **Prior to issuance of a construction permit**, the applicant shall provide satisfactory evidence that 244 Transfer Development Credits (TDCs) have been purchased for this project.

Fees

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

Storm Water Control Plan

15. **Prior to issuance of construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Storm Water Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Conditions to be completed during project construction

Building Height

16. The maximum height of the project is 28 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 licensed surveyor 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. This certification shall be prepared by a licensed surveyor or civil engineer.

Archaeology

17. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American observer to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during construction, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator. A final report on compliance shall be submitted by the archaeologist **prior to final inspection/occupancy**.
18. **During construction**, in the event archaeological resources are unearthed or discovered, 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 evaluated by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. The applicant shall implement the mitigation as required by the Environmental Coordinator.
 - 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.

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

Site Development

19. Landscaping in accordance with the approved landscaping plan shall be installed before ***final building inspection***. All landscaping shall be maintained in a viable condition in perpetuity.

Fire Safety

20. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.

Inspection

21. **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.

Archaeology

22. **Upon completion of all monitoring/mitigation activities, and prior to final inspection**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that any recommended mitigation measures have been met.

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

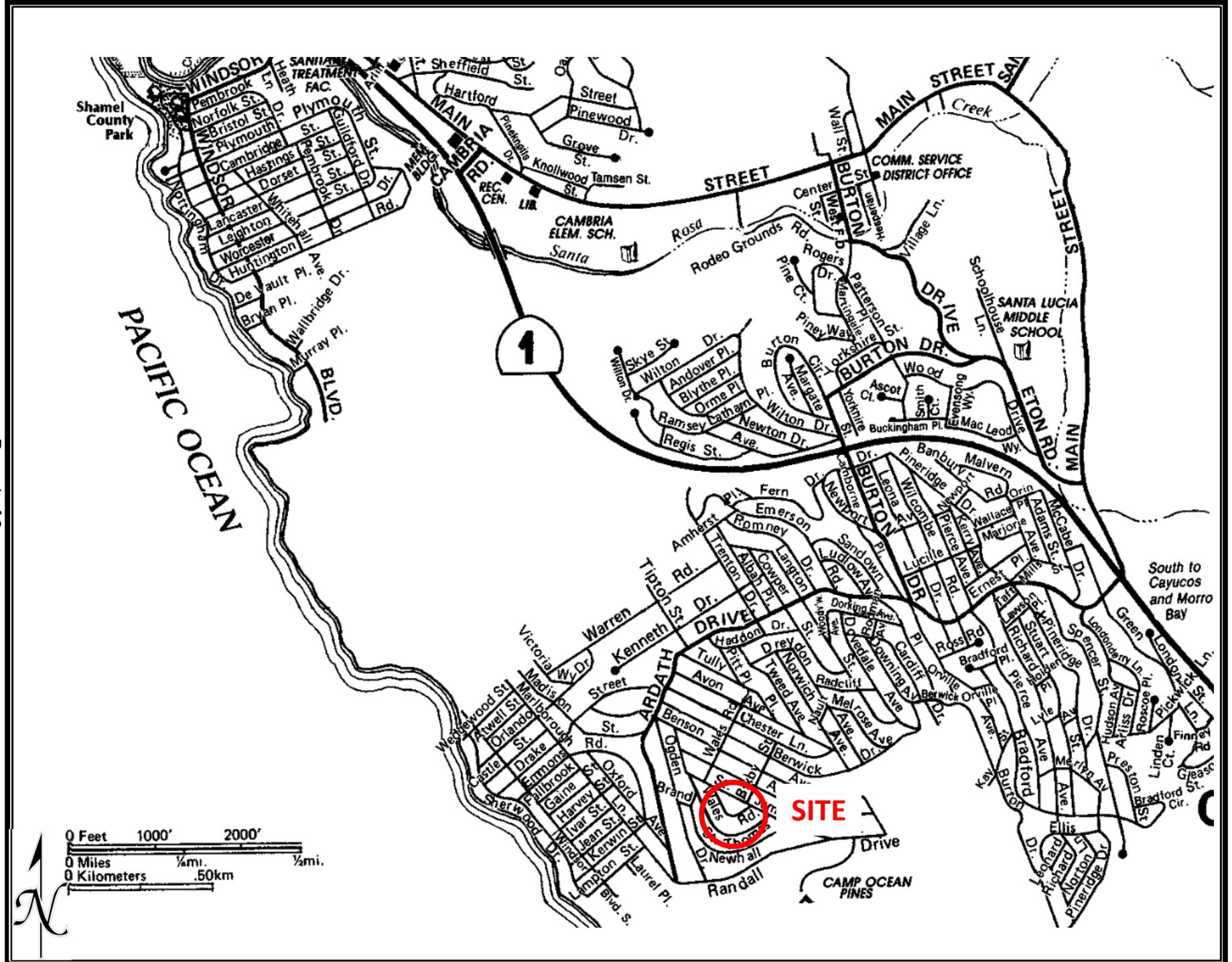
23. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued 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.
24. 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.

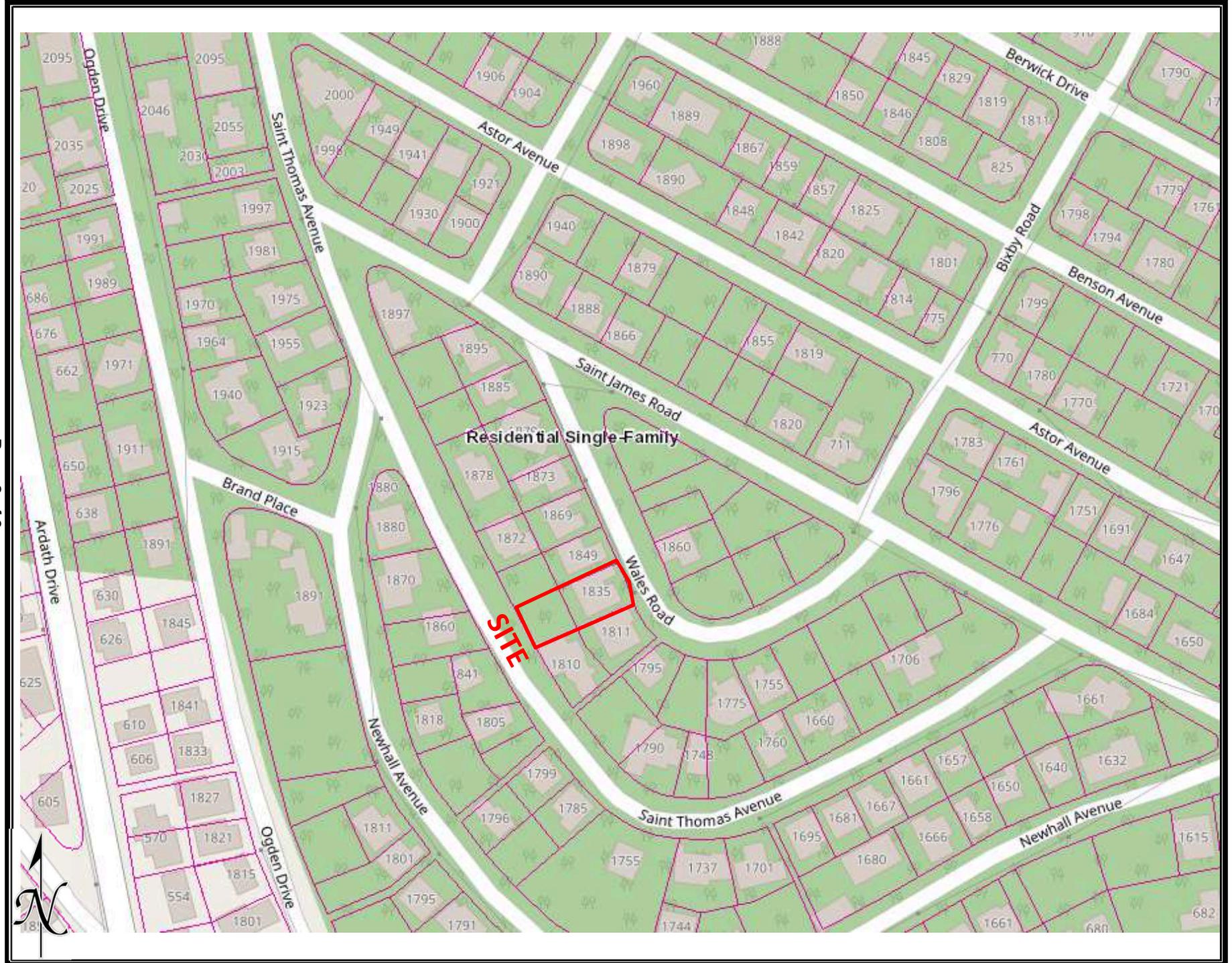
Fees

25. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the North Coast Road Impact Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of application for building permits.

Drainage

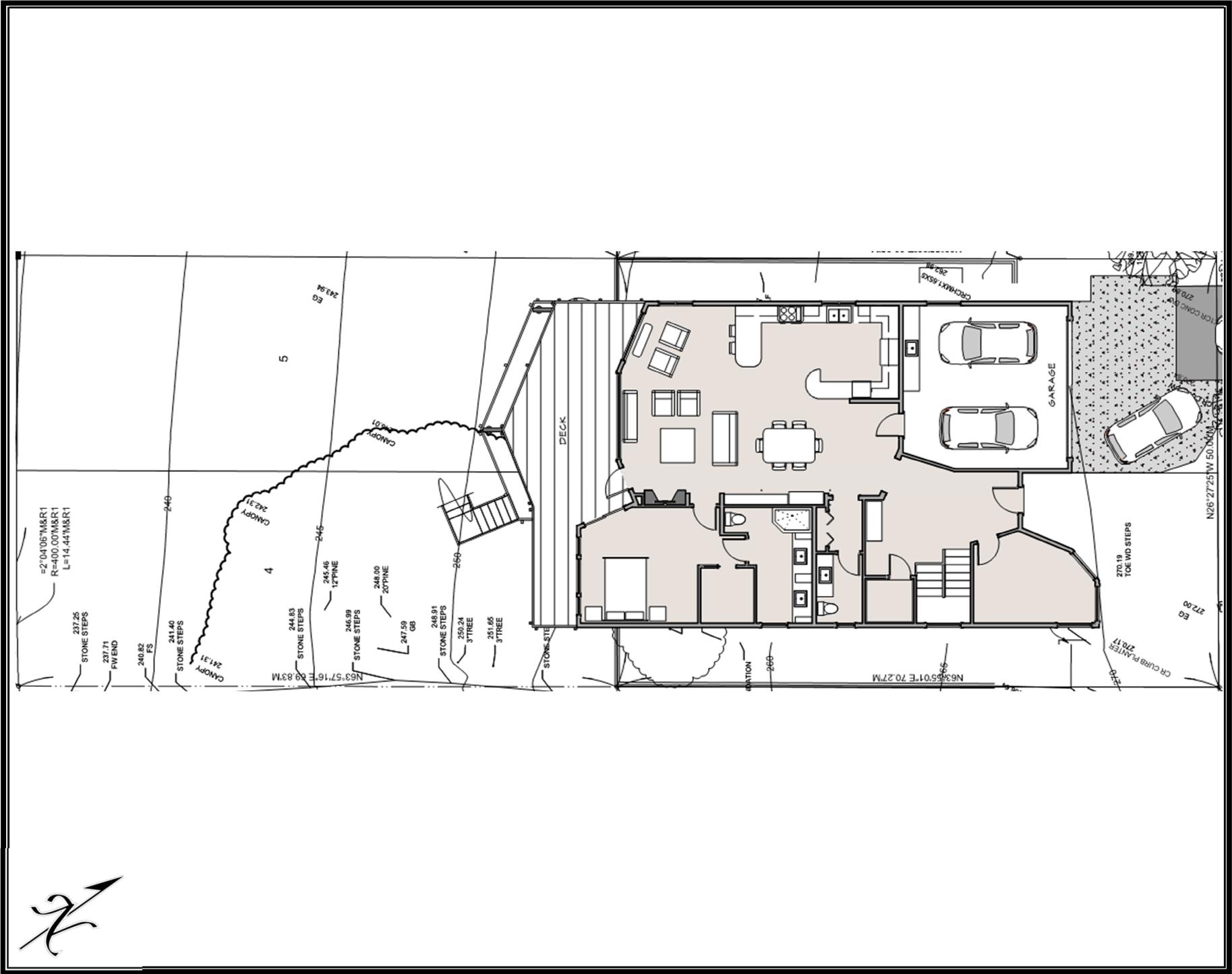
26. **On-going condition of approval (valid for the life of the project)**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

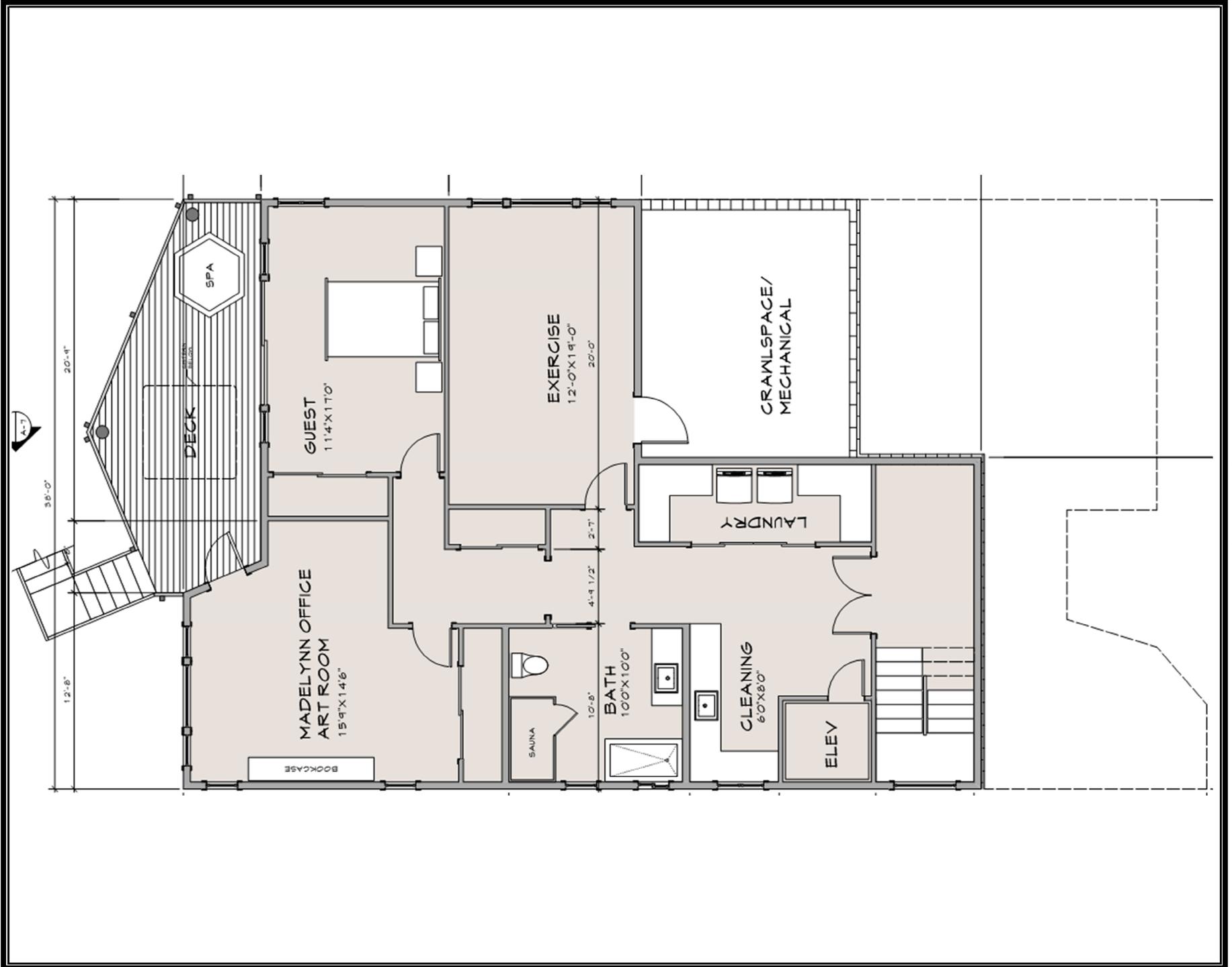


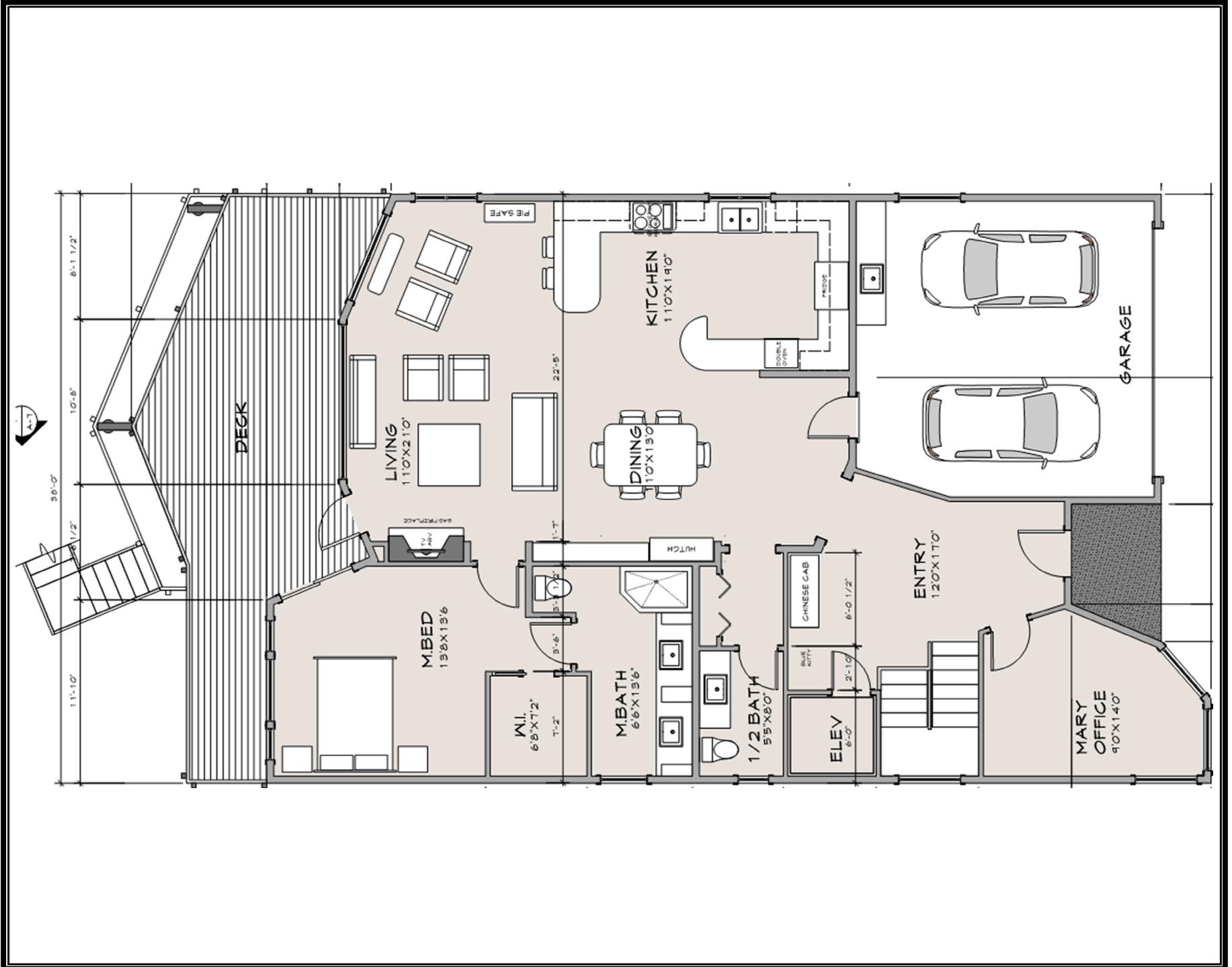


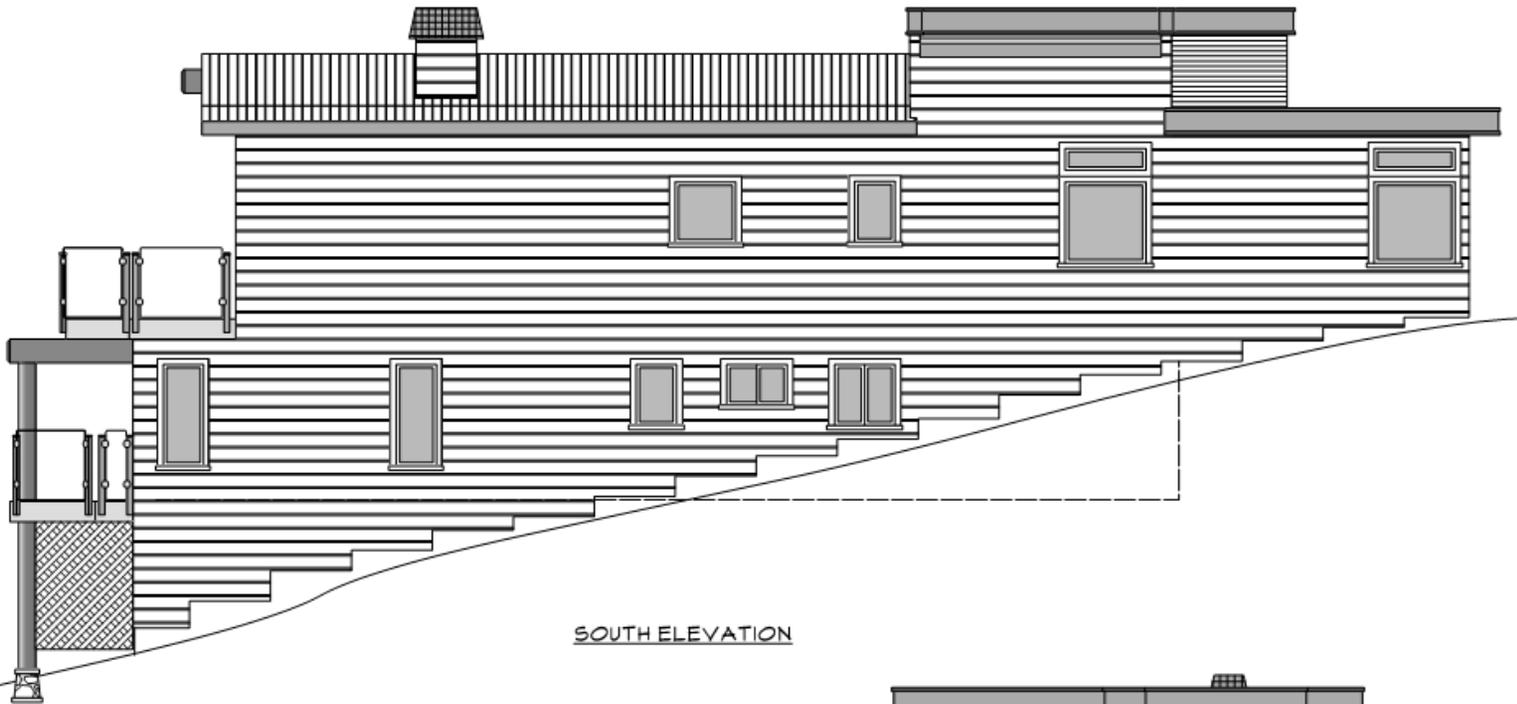


DRC2015-00133 – MAHER – AERIAL VIEW

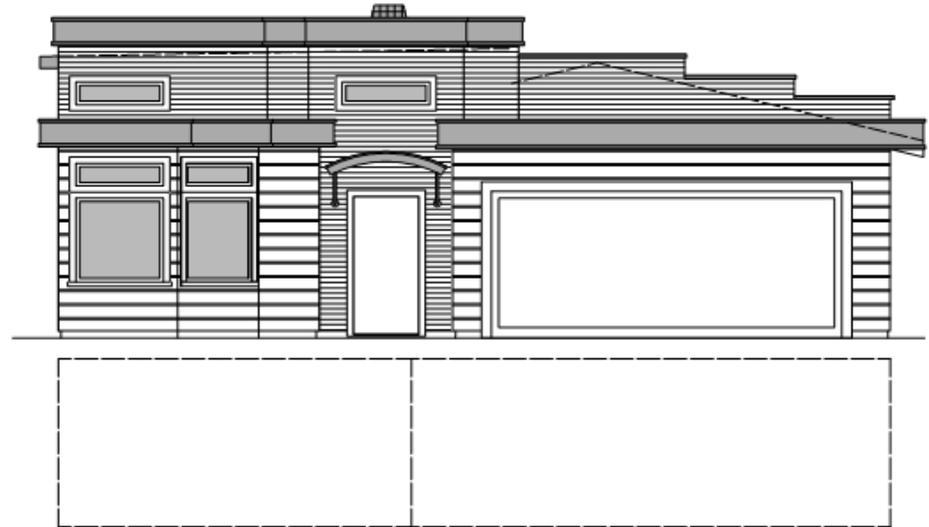




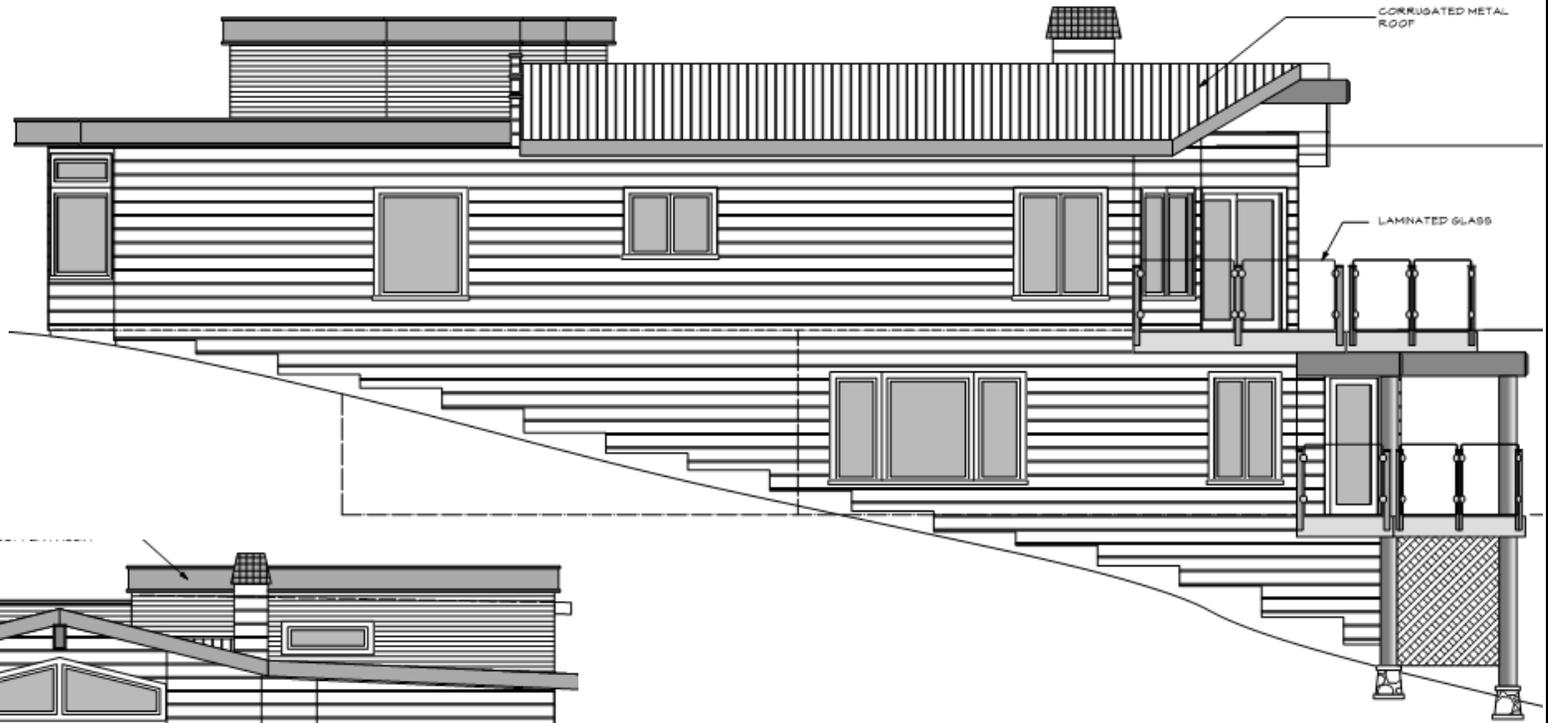




SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

NEST ELEVATION



ATTACHMENT 04
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Wade Horton, Director

County Government Center, Room 206 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us



Date: June 13, 2016
To: Brandi Cummings, Project Planner
From: Tim Tomlinson, Development Services
Subject: **Public Works Comments on DRC2015-00133 Maher MUP, Wales Rd., Cambria, APN 023-133-013**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

PUBLIC WORKS REQUESTS THAT AN INFORMATION HOLD BE PLACED ON THIS PROJECT UNTIL THE APPLICANT PROVIDES THE FOLLOWING DOCUMENTS FOR PUBLIC WORKS REVIEW AND COMMENT:

1. In accordance with the Land Use Ordinance, as the project is located in a Storm Water Management (MS4) Area, it is considered a regulated project and required to submit a Storm Water Control Plan Application and Coversheet.

Public Works Comments:

- A. The proposed project is within a drainage review area. Drainage plan is required and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 23.05.040 of the Land Use Ordinance prior to future submittal of development permits.
- B. The project meets the applicability criteria for Storm Water Management. Therefore, the project is required to submit a Storm Water Control Plan Application and Coversheet. The Storm Water Control Plan application and template can be found at:
<http://www.slocounty.ca.gov/Assets/PL/Forms+and+Information+Library/Construction+Permit+Documents/Grading+and+Drainage+Documents/SWCP+Application+Pkg.pdf>

The Post Construction Requirement (PCR) Handbook can be found at:
http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new_stormwater/PCR+Handbook+1.1.pdf

- C. You must itemize the different impervious areas that make up the total new or replaced impervious area entered on the SWCP. Areas such as: all building footprints (residences, garages, shops, storage, decks, shade structures), concrete, asphalt or paver* driveways,

patios, walk ways or other flatwork, driveway approaches (even in the road right of way), and any other impervious items shown on the plans.

Recommended Project Conditions of Approval:

Access

1. **At the time of application for construction permits**, and in accordance with Streets and Highway Code Section 1480.5 & 1481 the applicant shall submit an application to the Department of Public Works for an Encroachment Permit to:
 - a. Reconstruct, if necessary, the access driveway in accordance with County Public Improvement Standard B-1a rural driveway standards.
 - b. To remove or relocate all existing non-permitted obstructions from within the public right-of-way of the project frontage. Known obstruction include, but are not limited to rock walls and rock planters.

Drainage

2. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section or 23.05.040 (Drainage) of the Land Use Ordinance.
3. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
4. **On-going condition of approval (valid for the life of the project)**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Storm Water Control Plan

5. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Storm Water Management. Applicable projects shall submit a Storm Water Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.
6. **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Storm Water Conveyance Management and Maintenance System" exhibit for review and approval by the County.
7. **Prior to issuance of construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Storm Water Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Re: DRC2015-00133 MAHER, Coastal E-Referral, MUP, Cambria

Michael Stoker

Tue 6/7/2016 8:21 AM

To: Brandi Cummings <bcummings@co.slo.ca.us>;

Cc: Martin Mofield <mmofield@co.slo.ca.us>; Cheryl Journey <cjourney@co.slo.ca.us>;

Brandi,

Please find buildings comments for DRC2015-00133 below. Also, I added the comments to Tidemark. Let me know if you have any questions.

In regards to this preliminary review, a building permit is required. The drawings specify the work to be completed consists of demolishing the existing house and the construction of a new single family residence 2,840 sq. ft, attached garage of approximately 404 sq. ft, and decks of 561 sq. ft.. The project shall comply with current codes adopted by the County of San Luis Obispo (2013 California Building Standards Codes and Title 19 of the SLO County Codes).

While a thorough plan review will be conducted at time of building permit application, the following items are noted to assist design review;

- 1) Please revise the projects "scope of work" and area summary on sheet A-1 to include the floor area and description for the attached garage.
- 2) Revise the occupancy group listed on sheet A-1 from an "R-3" to an "R-3/U" for a residence with an attached garage.
- 3) Please add a reference to the Type of Construction (VB) to the project data on sheet A-1.
- 4) The fireplace being installed needs to be a gas or be EPA Certified Phase II device.
- 5) The design of the openings, projections, wall rating based on fire separation distance will need to be shown on the plans to comply with CRC Section 302, including Table 302.1(2) for buildings with sprinklers.
- 6) The stairs, handrails, and guardrails need to be detailed on the plans to show compliance with the 2013 California Residential Code.
- 7) Provide plans which clearly show the structural design to verify compliance with the prescriptive requirements of the 2013 California Residential Code or any structural element not complying with the prescriptive requirements will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design
- 8) Provide electrical plans with notes to show the location of the main electrical panel, sub-panels, receptacles, lights, switches, and smoke detectors and Co alarms to verify compliance with the 2013 California Electrical Code.
- 9) Provide notes and information on the plans for the plumbing fixtures requirements, the design of the waste lines, vents, and water lines will all need to comply with the 2013 California Plumbing Code.
- 10) Energy calculation will need to be submitted to verify compliance with the 2013 California

Energy Code.

- 11) The plans will need show compliance with the 2013 California Green Building Code and the County of San Luis Obispo's Green Building Ordinance.
- 12) Fire sprinklers will be required under a separate permit application. Provide plans showing the design and layout for the sprinkler system.
- 13) A grading plan may be required depending on the total area of disturbance.

Thanks

Michael Stoker, CASp
Building Division Supervisor
805.781.1543



From: Mail for PL_Referrals Group
Sent: Thursday, June 2, 2016 1:07 PM
To: Brandi Cummings
Cc: Airlin Singewald
Subject: DRC2015-00133 MAHER, Coastal E-Referral, MUP, Cambria

**San Luis Obispo County
Planning & Building Department**

**DRC2015-00133 MAHER, Coastal E-Referral, Minor Use Permit, Cambria
APN(s): 023-133-013**

This application was recently filed with the Planning Department for review and approval. Because the proposal may be of interest or concern to your agency or community group, we are notifying you of the availability of a referral on the project.

Community Advisory Groups: You will want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant/agent are provided in the link below.

[Direct Link to MAHER Referral Package](#)

Link to webpage for all referral packages: <http://www.slocounty.ca.gov/planning/referrals.htm>

Please comment on all issues associated with this project **within 14 days** of receiving this e-mail.

Community Advisory Groups: please respond within 60 days.

Direct your comments to the project manager(s), Brandi Cummings (805-781-1006 or bcummings@co.clo.ca.us)

Referral Response:

As part of your response to this referral, please answer the following questions:

Are there significant concerns, problems or impacts in your area of review?

If Yes, please describe the impacts along with any recommendations to reduce the impacts in your response.

If your community has a "vision" statement in the Area Plan - does the community feel this project helps to achieve that vision? If No, please describe.

What does the community like or dislike about the project or proposal?

Is the project compatible with surrounding development, does it fit in well with its surroundings? If No, are there changes in the project that would make it fit in better?

Does the community believe the road(s) that provide access to the site is(are) already overcrowded?

Does the community wish to have a trail in this location?

If the proposal is a General Plan Amendment, does the community feel the proposed change would encourage other surrounding properties to intensify, or establish intense uses that would not otherwise occur?

Please feel free to include information or questions other than those listed above. You may also choose to respond that you have no comments regarding the proposal.

Thank you,
Hilary Brown
AAILI - Current Planning
Planning and Building
County of San Luis Obispo
Direct: (805) 788-2009
hbrown@slo.co.ca.us

Connect with us online:

<http://sloplanning.org>

<http://www.facebook.com/SLOplanning>

<http://twitter.com/SLOCoPlanning>



NOTICE OF EXEMPTION

ATTACHMENT 05

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805)781-5600

Project Title and No.: Maher/Minor Use Permit/Coastal Development Permit; DRC2015-00133 (ED15-301)

Project Location (Specific address [use APN or description when no situs available]): 1835 Wales Road, Cambria, CA 93428, County of San Luis Obispo

Project Applicant/Phone No./Email: Mary Maher and Madelynn Rigopoulos/714-330-0436/calpennhb@aol.com
Applicant Address (Street, City, State, Zip): 1835 Wales Road, Cambria, CA 93428

Description of Nature, Purpose and Beneficiaries of Project

A request by MARY MAHER & MADELYNN RIGOPOULOS for a Minor Use Permit/Coastal Development Permit to allow for the demolition of an existing 1,288 square-foot single family residence and the construction of a 3,024 square-foot single-family residence with a 404 square-foot attached garage, and 561 square-feet of deck. The project will result in the permanent disturbance of approximately 3,200 square-feet of a 7,104 square-foot parcel. The project is within the Residential Single Family land use category and is located at 1835 Wales Road, approximately 1 mile west of the Ardath Drive and CA Highway 1 intersection, in the community of Cambria. The site is in the North Coast planning area.

Name of Public Agency Approving Project: County of San Luis Obispo

Exempt Status: (Check One)

- Ministerial {Sec. 21080(b)(1); 15268}
- Declared Emergency {Sec. 21080(b)(3); 15269(a)}
- Emergency Project {Sec. 21080(b)(4); 15269(b)(c)}
- Categorical Exemption. {Sec. 15301 15303; Class: 1 and 3 }
- Statutory Exemption {Sec. _____}
- General Rule Exemption. {Sec. 15061(b)(3)}
- Not a Project _____

Reasons why project is exempt: The proposed project is exempt under CEQA because it consists of the demolition and removal of a single-family residence, and the construction of one new single-family residence. The project will not remove or impact oaks or Monterey Pine trees. Archaeological monitoring is required per ordinance.

Brandi Cummings (bcummings@co.slo.ca.us)

(805)781-5600

Lead Agency Contact Person

Telephone

If filed by applicant:

1. Attach certified document of exemption finding
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Signature: Brandi Cummings Date: August 9, 2016

Name: Brandi Cummings Title: Planner II

On _____ the project was Approved by:

- Board of Supervisors
- Subdivision Review Board
- Other _____
- Planning Commission
- Planning Dept Hearing Officer

Nicole Retana

To: msg2jt@gmail.com
Cc: Brandi Cummings
Subject: Response to Request for Hearing_MAHER_DRC2015-00133

Mr. Townsend:

We have received your request for hearing on **MARY MAHER & MADELYNN RIGOPOULOS (DRC2015-00133)**. The hearing will be held on November 18, 2016 at 9:00am.

The draft agenda will be available online at <http://www.slocounty.ca.gov/planning/meetings.htm?>, **Monday, November 7, 2016**, close of business.

If you have any questions please feel free to contact the Project Manager, Brandi Cummings at (805) 781-1006 or myself at the number below.

Thank you,

Nicole Retana, Secretary
NRetana@co.slo.ca.us



976 Osos Street, Room 300
San Luis Obispo, Ca 93408
805-781-5718

From: Brandi Cummings
Sent: Thursday, November 03, 2016 3:20 PM
To: Nicole Retana <nretana@co.slo.ca.us>
Subject: Fw: DRC2015-00133

Hearing request for Maher 11/18

Brandi Cummings
Planner II
Department of Planning & Building
County of San Luis Obispo
(805) 781-1006

From: John Townsend <>
Sent: Thursday, November 3, 2016 3:18 PM
To: Brandi Cummings
Subject: DRC2015-00133

I would like to request a formal hearing on this matter.