



Attachment 11  
**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*

<b>MEETING DATE</b> March 1, 2013 <b>LOCAL EFFECTIVE DATE</b> March 15, 2013 <b>APPROX FINAL EFFECTIVE DATE</b> April 5, 2013	<b>CONTACT/PHONE</b> Airlin M. Singewald (805) 781-5198 asingewald@co.slo.ca.us	<b>APPLICANT</b> Kingston Bay Senior Living, LLC	<b>FILE NO.</b> DRC2012-00024
<b>SUBJECT</b> Hearing to consider a request by Kingston Bay Senior Living, LLC for a Minor Use Permit/Coastal Development Permit to establish a 28,266 square foot, 31 unit senior care facility. The proposed building will have a development footprint of 19,482 square feet and will result in the disturbance of approximately 1 acre on a 1.26-acre parcel. The proposed project is within the Residential Multi Family land use category, and is located between Londonderry and Green Streets, directly south of Ardath Drive, approximately 50 feet west of Highway One, in the community of Cambria. The site is in the North Coast planning area.			
<b>RECOMMENDED ACTION</b> Approve Minor Use Permit DRC2012-00024 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator found that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA. Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162) an Addendum to the adopted Negative Declaration was prepared as the following conditions apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) no new information of substantial importance which was not known or could not have been known at the time of the adopted Negative Declaration has been identified. No new mitigation measures have been proposed.			
<b>LAND USE CATEGORY</b> Residential Multi Family	<b>COMBINING DESIGNATION</b> Local Coastal Program Area, Geological Study Area, Terrestrial Habitat Protection	<b>ASSESSOR PARCEL NUMBER</b> 024-191-038,024,052,056-059	<b>SUPERVISOR DISTRICT</b> 2
<b>PLANNING AREA STANDARDS:</b> Limitation on Development, Cambria Community Services District Review, Cambria Fire Department Review, Limitation on Use, Erosion Control, Exterior Lighting, Landscaping, Height <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
<b>LAND USE ORDINANCE STANDARDS:</b> Coastal Appealable Zone, Local Coastal Program, Geologic Study Area, Terrestrial Habitat Protection, Nursing and Personal Care, Landscaping, Fencing and Screening, Solid Waste Collection and Disposal <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

EXISTING USES: Vacant, undeveloped parcel	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Multi Family/ residences, church <i>South:</i> Residential Multi Family/ residences <i>East:</i> Agriculture/ undeveloped <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, Air Pollution Control District (APCD), Cambria Community Services District (Water/Sewer), Cambria CSD (Fire), Cal Trans, Regional Water Quality Control Board, and the California Coastal Commission.	
TOPOGRAPHY: Level to moderately sloping	VEGETATION: Monterey pines, coast live oaks
PROPOSED SERVICES: Water supply: Cambria Community Services District Sewage Disposal: Cambria Community Services District Fire Protection: Cambria Community Services District	ACCEPTANCE DATE: January 14, 2013
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.	

## DISCUSSION

### BACKGROUND / PROPOSED PROJECT

In August 2006, the County approved a minor use permit/coastal development permit (DRC2005-00103) authorizing the establishment of a 40,000 square foot, 31 unit senior care facility named Kestral Pointe on the subject property. Due to the economic downturn that followed, the applicant was not able to construct the facility and the minor use permit eventually expired in April 2012, after receiving a third and final time extension.

In 2012, Kingston Bay Senior Living, an experienced and well-established developer and operator of senior care facilities throughout California, acquired the property and submitted this minor use permit application to construct a scaled-down version of the expired project. This revised project remains within the previously approved building envelope, has increased setbacks, and is sited to minimize tree removal.

Table 1, below, describes the development characteristics of the proposed project relative to the previously approved and now expired Kestral Pointe project. The proposed facility will have the same number of units (31) as the previous project, but will have fewer beds (41 compared to 62), due to fewer double occupancy units. Kingston Bay will include 24 assisted living units and 7 memory care units.

The proposed building will have a floor area of 28,000 square feet, which is about 28 percent smaller than the previous project. The building footprint of 19,000 square feet is 17 percent smaller. The building height remains 25' in conformance with the North Coast Area Plan height limitation for projects visible from Highway One.

**Table 1: Comparison between Kestral Pointe and Kingston Bay**

Project Characteristic	Kestral Pointe (expired project)	Kingston Bay (proposed project)	Change
Site Area (SF)	54,705	54,705	--
Building Footprint (SF)	23,574	19,482	-17%
Building Floor Area (SF)	39,390	28,266	-28%
Building Height	25'	25'	--
Hardscape (SF)	11,250	12,889	+15%
Landscape and Preserved Habitat (SF)	19,881	22,334	+12%

The most noticeable difference between the two projects is the change in architectural styles. With two large turret features, an ornate stone wall, and prominent massing, Kestral Pointe had the appearance of a landmark or gateway entrance to the Lodge Hill neighborhood. This architectural style was generally compatible with the character of Cambria and it used colors and materials to complement the surrounding pine forest setting, but it seemed to dominate, rather than blend with, the landscape. The proposed project, on the other hand, has a more modest appearance incorporating façade features, such as exposed timber roof beams and gable roof-forms, which are reflective of a craftsman style consistent with the historic vernacular of Cambria. The building façade is articulated to appear like a number of smaller forms. The project will include a combination of fire-resistant shingles and siding that will mimic a natural wood finish. Colors will be earth-tones to blend with the surrounding pine forest. When viewed from Highway One, the project will be mostly screened by existing topography and mature vegetation. It will be visible from the Highway One/Adrath Drive intersection, but will blend with and appear subordinate to the tall pine trees in the background.

## PLANNING AREA STANDARDS

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

### ***Combining Designations***

#### Local Coastal Program Area (LCP)

In accordance with CZLUO section 23.07.120 the project is within the California Coastal Zone as determined by the California Coastal Act of 1976.

#### Geologic Study Area (GSA)

The project is within a designated GSA due to high landslide potential. CZLUO Section 23.07.080 requires proposed projects within a GSA to include an engineering geology report. The report shall identify, describe and illustrate, where applicable, potential geologic hazards.

The project complies with this standard because the applicant submitted an Engineering Geology Review (GeoSolutions, Inc.; June 13, 2012) and Geotechnical Engineering Report (Mid-Coast Geotechnical, Inc.; June 28, 2012) for the proposed project. These reports provide recommendations for grading, foundation design, perimeter slabs and garden walls, soil compaction, and roof gutters and downspouts. The applicant will be required to implement the conclusions and recommendations provided in the above referenced reports.

#### Terrestrial Habitat (TH) Protection

The following standards apply to new development proposed within the Terrestrial Habitat Protection (TH) combining designation:

1. **Protection of vegetation.** Vegetation that is rare or endangered, or that serves as habitat for rare or endangered species shall be protected. Development shall be sited to minimize disruption of habitat.
2. **Terrestrial habitat development standards:**
  - a) **Revegetation.** Native plants shall be used where vegetation is removed.
  - b) **Area of disturbance.** The area to be disturbed by development shall be shown on a site plan. The area in which grading is to occur shall be defined on site by readily-identifiable barriers that will protect the surrounding native habitat areas.
3. **Trails.** Any pedestrian or equestrian trails through the habitat shall be shown on the site plan and marked on the site. The biologist's evaluation required by Coastal Zone Land Use Ordinance Section 23.07.170(a) shall also include a review of impacts on the habitat that may be associated with trails.

The project site is in a designated Terrestrial Habitat (TH) Sensitive Resource Area because of the presence of the Monterey pine forest in the Cambria urban area. Native Monterey pines occur in only a few areas along the California coast. While there are 20 Monterey pine trees and 4 coast live oaks on the site, the site lacks understory vegetation and related habitat characteristic of quality forest habitat. The project site was previously used for through traffic at its northern edge as part of the old Highway One. Vehicles intermittently park on the abandoned roadway.

The project proposes to remove eight Monterey pines and one coast live oak for the development of the proposed senior care facility. The North Coast Area Plan requires removed pines to be replaced at a 4:1 ratio and removed oaks to be replaced at a 6:1 ratio. Based on these ratios, the project will be required to plant 32 new pines and six new oaks.

The applicant has submitted a proposed landscape plan showing the planting of replacement pines and oaks along Ardath and Green Streets and behind the building. Trees have been sited to mimic the structure and composition of undisturbed Monterey pine forests around Cambria, as recommended by the biologist. The proposed landscaping has the added benefit of screening the facility from Highway One to the north and neighboring residences to the south.

As conditioned, the project will include protective measures to avoid impacts to pine and oaks during grading and construction activities and accepted arborist's techniques will be used when removing tree limbs, if necessary.

With implementation of the aforementioned project features and conditions of approval, the proposed facility will comply with the TH development standards.

***Cambria Urban Area Standards - Community Wide***

Limitation on Development – Water Conservation Requirements

New development resulting in increased water use shall offset such increase through the retrofit of existing water fixtures within the CCSD's service area, or through other verifiable actions to reduce existing water use in the service area.

The proposed project is conditioned to comply with this standard.

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 CCSD. A water and sewer service condition compliance letter from the CCSD shall be provided to the Department of Planning and Building prior to final building inspection.

The proposed project has an intent to serve letter for water and sewer service from the CCSD in the amount of 11.78 EDUs. The proposed project consists of 42 beds, requiring 11.78 EDUs. The proposed project is considered a 'pipeline project' as it was already in process with the CCSD at the time the CCSD Board of Directors declared a Water Code 350 emergency. In addition, the project is conditioned to comply with the requirements of the intent to serve letter and the applicant shall provide a water and sewer service condition compliance letter from the CCSD prior to final inspection.

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.

The proposed project complies with this standard. The applicant provided a fire plan review, dated January 6, 2013, from the Cambria Fire Department and a detailed fire safety plan (Dudek; November 2012) that identifies the fire risk associated with the proposed project and emergency response and evacuation procedures. The fire safety plan recommends a dedicated transport van be housed at the project site to allow for evacuation of residents and staff during an emergency and the establishment of a shelter-in-place area in the project kitchen and dining room when early off-site relocation is not feasible. The plan also includes recommendations on building materials, construction practices, defensible space vegetation management, and access/egress. The recommendations of the fire safety plan have been incorporated into the project description and business operations for the proposed facility. The Cambria Fire Department issued a letter stating that the proposed fire safety plan "meets or exceeds all of our expectations by addressing all of the key areas of concern outlined in our earlier correspondence" (M. Miller; January 9, 2013).

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.

The proposed project complies with this standard because the applicant will be required to submit a sedimentation and erosion control plan and a drainage plan prior to issuance of a construction permit.

Landscaping

All areas of the site disturbed by project construction shall be re-vegetated 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.

The proposed landscape plan has been prepared in compliance with this standard.

Exterior Lighting

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 direct illumination does not fall onto or across any public or private street or road.

The proposed project is conditioned to comply with this standard.

Archaeological Resource Protection

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.

The proposed project is conditioned to comply with this standard.

***Cambria Urban Area Standards – Residential Multi Family (RMF) Land Use Category***

Height Limitation

The maximum height for structures is 28 feet from average natural grade. Development visible from Highway One shall not exceed two stories, or 25 feet in height.

The proposed project, which is visible from Highway One, complies with this standard because it has a maximum height of 25 feet.

Limitation on Use

This standard prohibits single family dwellings on lots designated RMF that meet the 6,000 square foot minimum site area for multiple family dwellings.

The proposed project complies with this standard because it is for a 31-unit senior care facility.

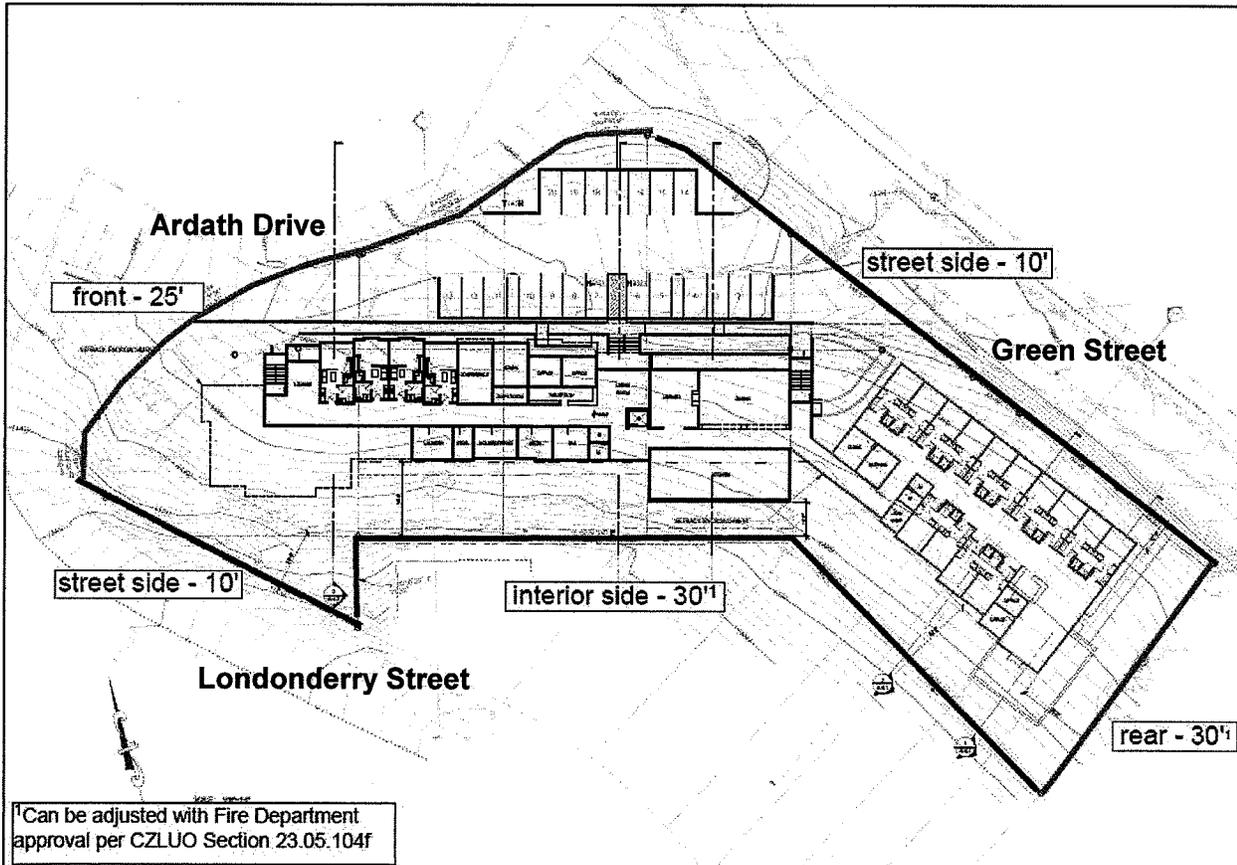
LAND USE ORDINANCE STANDARDS

**Section 23.04.100 – Setbacks**

The irregularly shaped parcel is considered a “corner lot” for the purpose of determining setback requirements. The front of a corner lot is the narrowest frontage facing the street, regardless of the building’s orientation. In this case, the front of the lot is Ardath Drive, which is the narrower of the two frontages at the Ardath Drive / Green Street intersection (see Figure 1, below).

The proposed facility meets the required front, street side, and rear setbacks. The southerly building wall (kitchen area) would encroach 16’ into the required 30’ interior side setback; however, it would be mostly below grade and the Cambria Fire Department has authorized a side setback exception, based on proposed mitigation including built-in fire safety systems and building construction features, pursuant to CZLUO Section 23.05.10f.

**Figure 1: Required Setbacks**



**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 (Monterey Pine Forest - Terrestrial Habitat). The proposed facility is sited and designed to minimize impacts on the pine forest. It includes a landscape plan showing the planting of 32 new pine trees and six new oak trees to mitigate the planned removal of 8 pines and one oak.

**Section 23.07.120 – Local Coastal Program (LCP)**

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 23.07.176 – Terrestrial Habitat Protection (TH)**

The project site is in a mapped Terrestrial Habitat area and is subject to the provisions of terrestrial habitat development standards in accordance with CZLUO section 23.07.176(b). The intent of that section is to preserve and protect rare and endangered species of terrestrial plants and animals by preserving their habitat.

The proposed project complies with this standard because: a) it has been sited and designed to minimize impacts to the Monterey pine forest; b) includes a landscape plan showing the planting of 32 new pines and six new oaks in accordance with the required replacement ratios established in the North Coast Area Plan; and c) will include measures to avoid impacts to live pine and oak trees during grading and construction activities.

**Section 23.07.080 – Geologic Study Area (GSA)**

The proposed project is located within a Geologic Study Area (GSA) combining designation, and is subject to Section 23.07.080 Geologic Study Area. This section requires projects located within a GSA to include a report prepared by a certified engineering geologist. The report must identify, describe, and illustrate, where applicable, potential hazards of surface fault rupture, seismic shaking, and liquefaction or landslide.

The Geotechnical Engineering Report (Mid-Coast Geotechnical, Inc.; June 28, 2012) prepared for the project concluded that no geologic or geotechnical conditions exist that would preclude the proposed development when constructed in accordance with the report recommendations.

**Section 23.08.110 – Nursing and Personal Care**

The proposed use is defined as Nursing and Personal Care in Framework for Planning. It is a "special use" requiring Minor Use Permit approval. The CZLUO contains development standards for this use including: 1) location within an urban or village reserve line; 2) minimum site area of 20,000 square feet; and 3) one parking space per 4 beds.

The project is consistent with these requirements as it is located within an urban reserve line, has a site area of 1.26 acres, and provides 19 parking spaces.

**Section 23.04.180 – Landscaping, Screening, and Fencing**

In accordance with this section, the applicant has submitted a preliminary landscape plan. Landscaping is provided in all setback areas and all areas of the site not identified as intended for a specific use or purpose. The landscaping relates to the architectural design elements of the structures on the site and will serve to reduce the apparent massing of the structures. Fencing and screening is required for mechanical equipment. A final landscaping plan is required prior to issuance of a grading or construction permit.

**Section 23.04.280 – Solid Waste Collection and Disposal**

This section requires refuse collection areas to be located outside of the front setback, but within 100 feet of the building to be serviced, and to be screened from the view of public streets and adjoining properties.

The current site plan does not meet this standard because the refuse collection area is shown within the front setback. However, the project is conditioned to require a revised site plan, before issuance of a construction permit, showing the refuse area relocated outside of the front setback. The applicant is aware of this requirement and has already submitted an alternative site plan showing the refuse enclosure in a location about 50 feet north of the proposed building, within the side setback, along Green Street. The proposed enclosure will screen the refuse containers from nearby streets and adjoining properties in compliance with section 23.04.280.

**COASTAL PLAN POLICIES:**

The project is in compliance with the Coastal Plan Policies. The most relevant policies are discussed below:

**Environmentally Sensitive Habitats**

*Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats. New development within or adjacent to locations of environmentally sensitive habitats (within 100 feet unless sites further removed would significantly disrupt the habitat) shall not significantly disrupt the resource. Within an existing resource, only those uses dependent on such resources shall be allowed within the area. This project complies with this policy because it will not disrupt resources on the site and will replace removed Monterey pine trees at a 4:1 ratio.*

*Policy 2: Permit Requirement. As a condition of permit approval, the applicant is required to demonstrate that there will be no significant impact on sensitive habitats and that proposed development or activities will be consistent with the biological continuance of habitat. This shall include an evaluation of the site prepared by a qualified professional which provides: a) the maximum feasible mitigation measures (where appropriate), and b) a program for monitoring and evaluating the effectiveness of mitigation measures where appropriate. The project is consistent with this policy because it will not significantly disrupt the habitat, and tree removal and site disturbance have been minimized. The property currently contains 20 Monterey pines and 4 coast live oaks. The majority of these trees will be retained, with only 8 pines and one oak proposed for removal. Removed trees will be replaced at the required ratios of 4:1 for pines and 6:1 for oaks as specified in the North Coast Area Plan. This results in a tree replacement requirement of 32 pines and six oaks. The applicant has submitted a landscape plan showing the planting of these replacement trees, as well as native understory shrubs in the open areas around the proposed facility. The landscape plan will mimic the structure and composition of understory pine forests around Cambria. The biological assessment prepared for the project (V.L. Holland; September 12; 2012) reviewed the proposed landscape plan and determined that it adequately mitigates the project's impacts on the Monterey pine forest.*

**Policy 3: Habitat Restoration.** The County or Coastal Commission should require the restoration of damaged habitats as a condition of approval where feasible. *The project is consistent with this policy because the proposed landscape plan will enhance the quality of the Monterey pine forest on the project site.*

**Policy 30: Protection of Native Vegetation.** Native trees and plant cover shall be protected wherever possible. Native plants shall be used where vegetation is removed. *The project is consistent with this policy because it has been sited and designed to minimize tree removal and includes a landscape plan showing the planting of native pines, oaks, and understory shrubs around the proposed facility. Pinus radiata var. macrocarpa, the native Monterey pine tree, shall be used for replanting of removed pines.*

**Policy 35: Protection of Vegetation.** Vegetation which is rare or endangered or serves as cover for endangered wildlife shall be protected against any significant disruption of habitat value. All development shall be designed to disturb the minimum amount possible of wildlife or plant habitat. *The project is consistent with this policy because it has been sited and designed to minimize tree removal and includes a landscape plan showing the planting of native pines, oaks, and understory shrubs around the proposed facility. Pinus radiata var. macrocarpa, the native Monterey pine tree, shall be used for replanting of removed pines.*

**Policy 29: Protection of Terrestrial Habitats.** Designated plant and wildlife habitats are environmentally sensitive habitat areas and emphasis for protection should be placed on the entire ecological community. Only uses dependent on the resource shall be permitted within the identified sensitive habitat portion of the site. *The project is consistent with this policy because it will not significantly disrupt the habitat, and tree removal and site disturbance have been minimized. The property currently contains 20 Monterey pines and 4 coast live oaks. The majority of these trees will be retained, with only 8 pines and one oak proposed for removal. Removed trees will be replaced at the required ratios of 4:1 for pines and 6:1 for oaks as specified in the North Coast Area Plan. This results in a tree replacement requirement of 32 pines and six oaks. The applicant has submitted a landscape plan showing the planting of these replacement trees, as well as native understory shrubs in the open areas around the proposed facility. The landscape plan will mimic the structure and composition of understory pine forests around Cambria. The biological assessment prepared for the project (V.L. Holland; September 12; 2012) reviewed the proposed landscape plan and determined that it adequately mitigates the project's impacts on the Monterey pine forest.*

#### **Public Works**

**Policy 1: Availability of Service Capacity.** New development shall demonstrate that adequate public or private service capacities are available to serve the proposed development. *Adequate public service capacities are available to serve the proposed development because the proposed project has an intent to serve letter for water and sewer service from the CCSD in the amount of 11.78 EDU's. The proposed project is considered a 'pipeline project' as it was already in process with the CCSD at the time the CCSD Board of Directors declared a Water Code 350 emergency (November 2001).*

#### **Coastal Watersheds**

**Policy 7: Siting of New Development.** Grading for the purpose of creating a site for a structure or other development shall be limited to slopes of less than 20 percent. *The project*

*complies with this policy as the proposed development will take place on an existing lot of record in the Residential Multi Family category on slopes less than 20 percent.*

Policy 8: Timing of Construction and Grading. Land clearing and grading shall be avoided during the rainy season if there is a potential for serious erosion and sedimentation problems. All slope and erosion control measures should be in place before the start of the rainy season. Soil exposure should be kept to the smallest area and the shortest feasible period. *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. The project is also required to have a Storm Water Pollution Prevention Plan (SWPPP) since it involves the disturbance of more than one acre.*

Policy 9: Techniques for Minimizing Sedimentation. Appropriate control measures (such as sediment basin, terracing, hydro-mulching, etc.) shall be used to minimize erosion and 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. Site design shall ensure that drainage does not increase erosion. This may be achieved either through on-site drainage retention, or conveyance to storm drains or suitable watercourses. *The proposed project is conditioned to comply with this policy as the applicant shall provide a drainage plan to the San Luis Obispo County Department of Public Works for approval, and shall implement the approved drainage plan, displaying that construction of the proposed facility will not increase erosion or runoff.*

Policy 11: Preserving Groundwater Recharge. In suitable recharge areas, site design and layout shall retain runoff on-site to the extent feasible to maximize groundwater recharge and to maintain in-stream flows and riparian habitats. *The proposed project is consistent with this policy as the project shall retain groundwater on-site.*

### **Visual and Scenic Resources**

Policy 1: Protection of Visual and Scenic Resources. Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved protected, and in visually degraded areas restored where feasible. *The proposed project is consistent with this policy because tree removal and site disturbance have been minimized through project design. The proposed facility will be constructed in a craftsman style consistent with the historic vernacular in Cambria. It will use fire resistant wood-appearing siding and earth-tone colors that blend with the background forest. The project also includes a landscape plan to assimilate the facility into the pine forest and partially screen it from Highway One.*

Policy 7: Preservation of Trees and Native Vegetation. The location and design of new development shall minimize the need for tree removal. When trees must be removed to accommodate new development or because they are determined to be a safety hazard, the site is to be replaced with similar species which are reflective of the community character. *The proposed project is consistent with this policy because tree removal and site disturbance have been minimized through project design. It includes a landscape*

*plan showing the planting of 32 new pine trees and six new oak trees to mitigate the planned removal of 8 pines and one oak.*

**Hazards**

*Policy 1: New Development: All new development proposed within areas subject to natural hazards from geologic or flood conditions (including beach erosion) shall be located and designed to minimize risks to human life and property. The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property. Geotechnical Engineering Report (Mid-Coast Geotechnical, Inc.; June 28, 2012) prepared for the project concluded that no geologic or geotechnical conditions exist that would preclude the proposed development when constructed in accordance with the report recommendations.*

*Policy 2: Erosion and Geologic Stability. New development shall ensure structural stability while not creating or contributing to erosion or geological instability. The proposed project is consistent with this policy because the structure is required to be designed to ensure structural stability while not creating or contributing to erosion of geological instability. The Geotechnical Engineering Report (Mid-Coast Geotechnical, Inc.; June 28, 2012) prepared for the project concluded that no geologic or geotechnical conditions exist that would preclude the proposed development when constructed in accordance with the report recommendations.*

*Policy 3: Development Review in Hazard Areas. The County shall provide a detailed review of development proposals within a geologic study area and flood hazard combining designations as indicated on the Land Use Element maps for the coastal zone. The proposed project is consistent with this policy because a Geotechnical Engineering Report (Mid-Coast Geotechnical, Inc.; June 28, 2012) was prepared for the project and reviewed by the County Geologist.*

**Archaeology**

*Policy 4: Preliminary Site Survey for Development within Archaeologically Sensitive Areas. The County shall provide for the protection of both known and potential archaeological resources. The proposed project is consistent with this policy because an archaeological survey (Gibson; March 3, 1984) was completed and no resources were found. Although it is unlikely archaeological resources exist on the property, in the event that possible resources are found, the project shall halt, as conditioned in Exhibit B.*

**COMMUNITY ADVISORY GROUP COMMENTS:**

At their October 16, 2012 meeting, the North Coast Advisory Council supported the project, with a number of conditions. These conditions and staff's responses are provided below.

1. Relocate refuse containers and access for garbage trucks.

*The proposed trash receptacle area is located in the front setback on Ardath Drive adjacent to the parking lot. The project includes a condition requiring the trash receptacle to be relocated so that it is outside of the front setback, in accordance with CZLUO Section 23.04.280(C)(1). The trash receptacle area will be screened from public view and adjoining properties by a solid wall.*

2. Construct full right turn lane from Ardath to Highway One.

*The project's traffic study (ATE; November 2, 2012) estimated that the proposed senior care facility would generate 112 average daily vehicle trips, with 7 trips occurring during the a.m. peak hour and 12 trips during the p.m. peak hour. The study concluded that these additional trips would not significantly impact the local Cambria street network, including the Highway One/Ardath Drive intersection. The project's impacts therefore do not warrant the construction of a full right turn lane from Ardath to Highway One. However, since the project is located in the North Coast Road Fee Area, it will be required to pay road impact fees, which will be used to offset the project's incremental impacts on Cambria's street network.*

3. Construct 8 foot shoulder improvement on Green Street.

*The County's Public Improvement Standards would require a 4 to 8 foot gravel shoulder on Green Street based on average daily traffic and adjusted for on-street parking requirements. The proposed site plan includes a gravel shoulder in conformance with this standard.*

4. Construct sidewalks on Ardath.

*Development in the Residential Multi Family land use category is required to provide curbs, gutters, and sidewalks (CZLUO Section 23.05.106). However, the applicant intends to apply for a waiver of this requirement since no such improvements exist anywhere near the project site, making it unlikely that the subject property would ever connect with a larger curb, gutter, and sidewalk system. Although a waiver may be granted the developer will still be required to provide some level of frontage improvements, including aggregate base shoulders, in accordance with the County's Public Improvement Standards.*

5. Add more parking spaces within the facility.

*The proposed site plan includes 19 on-site parking spaces. The parking requirement in the CZLUO for a senior care facility is one space for every four beds. Based on a capacity of 41 beds, the project is required to provide 10 parking spaces. The project's traffic study (ATE; November 2, 2012) estimated the project's average peak parking demand to be 13 parking spaces. Therefore, the 19 on-site parking spaces exceed both the County's requirement and the facility's estimated parking demand.*

6. Keep water collection on site.

*The project is conditioned to require submittal of a drainage plan for review and approval by the Department of Public Works. The drainage plan shall incorporate measures to achieve no net increase in runoff volume or velocity leaving the site. The applicant's preliminary drainage plan includes a subsurface cistern which will be used to retain rainwater for irrigation purposes.*

7. Improve sight distance coming around Ardath.

*The site plan provides driveway intersections at Green Street and Ardath Drive. Based on the project's traffic study, adequate site distance eastbound and westbound is provided at the Ardath Drive driveway location. However, due to topography and roadway geometrics, inadequate northbound sight distance is provided at the Green Street / Ardath driveway location. In lieu of relocating this driveway location, the traffic study recommends that the driveway be restricted to inbound only. To ensure that adequate sight distance be provided,*

*fences, walls, screens, etc. shall not be placed within the sight triangle for the driveway on Ardath Drive.*

**AGENCY REVIEW:**

**Public Works** – In a referral response dated January 17, 2012 the Department of Public Works had the following comments:

1. The project triggers curb, gutter, and sidewalk improvements (per CZLUO Section 23.05.106) on Londonderry Lane, Ardath Drive, and Green Street.
2. The proposed landscaping in the right-of-way will be subject to approval by the Department of Public Works.
3. The proposed project is within the North Coast Road Fee Area and will require the payment of road impact fees.
4. The project will be subject to drainage plan review and approval before issuance of a construction permit.
5. The will be disturbing more than one acre so will be subject to the requirements of the Construction General Permit when they process their SWPPP with the RWQCB.
6. Although the old county road right-of-way running through the property was vacated (per 2667 OR 499), but the underlying utility easement may have not been. Prior to issuance of a construction permit, the applicant will be required to submit evidence from each of the utility providers and CCSD that the proposed buildings and improvements may be constructed in their easements.

*The proposed project is conditioned to comply with these requirements. The applicant has indicated that they intend to request a waiver of the requirement for curb, gutter, and sidewalk improvement since the project is located in a semi-rural area where no such improvements currently exist. If the curb, gutter, and sidewalk waiver is approved, the applicant may still be required to construct frontage improvements including a gravel shoulder for parking and pedestrian purposes.*

**Building Department** – In a referral email dated October 24, 2012 the Building Department noted that the project's construction plans will be reviewed for compliance with various local, state, and federal regulations during plan check.

**Air Pollution Control Board (APCD)** – APCD's initial referral response indicated that the project would likely exceed APCD thresholds for construction-related emissions and therefore would be required to implement BACT (Best Available Control Technology) to reduce those impacts to a less than significant level. However, after reviewing the project's construction and staging plan, APCD concluded that standard mitigation packages for dust control and diesel idling would reduce construction-related emissions to less than significant levels. As indicated in the APCD referral, the project's operational and GHG emissions are anticipated to fall below levels warranting mitigation.

**Cambria CSD (Water / Sewer)** – The project is conditionally supported, per an Intent to Provide Water and Sewer Service letter dated November 1, 1998, and time extension dated August 1, 2011 (see attached).

**Cambria CSD Fire Department** – The project is conditionally supported, per a fire plan review letter, dated January 9, 2013.

**California Department of Transportation** – In a referral response dated October 30, 2012, Cal Trans requested: a) a traffic analysis evaluating the project's impacts on Highway One and the intersection with Ardath Drive; and b) a storm water flow and hydrology analysis to determine the project's impacts on Highway One.

*The traffic study (ATE; November 2, 2012) determined the project would only generate 12 P.M. peak hour trips and only 6 will be assigned to the Highway One/Ardath Drive intersection. This is far below the 50 peak hour trip threshold of significance for determining impacts to State highway intersections that are currently operating at acceptable levels of service.*

*The proposed project will be required to submit a drainage plan before issuance of a construction permit. The drainage plan shall incorporate measures to achieve no net increase in runoff volume or velocity leaving the site. As conditioned, the drainage plan will be subject to review and approval by both the Department of Public Works and Cal Trans.*

**California Coastal Commission** – The Coastal Commission made several comments in an email referral response dated October 10, 2012. These comments and staff's responses are provided below:

1. What does RCFE mean exactly and is it allowed in the Residential Multi Family land use category according to Table O?

*RCFE stands for Residential Care Facility for the Elderly. The equivalent use category in Table O is "Nursing and Personal Care" which is a special use in the RMF land use category.*

2. It appears that 9 trees are to be removed. Please ensure that tree removal is minimized and that all trees are permitted to be removed according to the LCP's tree removal policies (including Coastal Zone Policy 5 and 7 and CZLUO Section 23.05.034d, 064e, 064b and 064d, and any applicable policies in the North Coast Area Plan.

*The project is sited and designed to minimize tree impacts, will replace removed pines and oaks at the required ratios, and will incorporate measures to minimize impacts to the Monterey pine forest during construction and site disturbing activities. The analysis in this staff report describes how the project complies with applicable LCP policies and standards pertaining to development within the Monterey pine forest.*

3. It appears that the project will require approximately 1,731.7 gallons per day and require 2 water connections and that it has a valid will-serve letter. It is unclear where the water connections will come from or how new connections will be allowed. Is it a transfer? Is it through conservation, or retrofitting fixtures in Cambria? Is it grandfathered from the waiting list?

*The proposed project has an intent to serve letter for water and sewer service from the CCSD in the amount of 11.78 EDUs. The proposed project consists of 41 beds, requiring 11.78 EDUs. The proposed project is considered a 'pipeline project' as it was already in process with the CCSD at the time the CCSD Board of Directors declared a Water Code 350 emergency. The project is conditioned to submit evidence that the anticipated water use of this development has been completely offset through the retrofit of existing water fixtures within the CCSD's service area or other verifiable action to reduce existing water use in the service area.*

4. It appears there was an earlier application for the same type of project in 2005 and that an archeological investigation was done at this time. This will need to be updated, if not done so. Did this permit expire? Is this new proposal a reflection of public comment or concern about the location or nature of the project in any way?

*The previous archaeological investigation (Gibson; March 3, 1984), which surveyed the entire parcel, found no evidence of cultural material on the site. Baseline conditions related to archaeological resources have not changed since the last investigation was completed.*

*Minor Use Permit DRC2005-00103, which authorized a similar facility on the same site, expired in April 2012, after receiving a third and final time extension. That project was approved without significant public comment or concern.*

5. It appears that the proposed project could have significant view impacts from Highway One. Please ensure that visual simulations are submitted showing views from Highway One (going north and south) and how any proposed or required mitigation will screen the proposed project (including parking) as much as possible from sight views from Highway One. Please ensure that visual policies are complied with, related to any public viewsheds and/or the Highway One corridor in this location.

*The applicant submitted photo-simulations showing that the project would not significantly impact views from Highway One. When viewed from Highway One, the project blends with the backdrop Monterey pine forest and will be partially screened by proposed landscaping along Ardath Drive and Green Street. The Coastal Plan Policies section of this staff report describes the project's consistency with applicable visual and scenic resources LCP policies.*

6. It appears that the project will be located on 7 individual parcels. Please ensure that documents are included which discuss the legality of these parcels and any documents showing how these lots were created in the past (e.g. subdivision approvals, map act compliance, etc.).

*The seven (7) underlying lots were legally created by a recorded map (Cambria Pines Manor) at a time when that was a legal method of creating lots.*

**Heal SLO – Health Communities Work Group** – In a response dated November 14, 2012 Heal SLO indicated they have no significant concerns with this proposed project but questioned how walkable the area is. The site plan includes some internal walkways around the property. There is no safe pedestrian access from the project site to downtown; however, the proposed facility will have an on-site shuttle available to take residents to various destinations in and around Cambria, including nearby parks and trails.

Staff report prepared by Airlin M. Singewald and reviewed by Bill Robeson.

**EXHIBIT A - FINDINGS**

*Environmental Determination*

- A. The previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA. Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162) an Addendum to the adopted Negative Declaration was prepared as the following conditions apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) no new information of substantial importance which was not known or could not have been known at the time of the adopted Negative Declaration has been identified. No new mitigation measures have been proposed.

*Minor Use Permit*

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. A side setback adjustment is granted pursuant to CZLUO Section 23.05.104f allowing the kitchen area wall to extend 16' into the required 30' interior side setback. The Cambria Fire Department has reviewed the proposed site plan and approved the requested setback adjustment based on proposed mitigation, including built-in fire safety systems and building construction features, as outlined in the project fire safety plan (*Dudek; November 2012*).
- E. 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 construction of the senior care facility will 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.
- F. 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 senior care facility is similar to, and will not conflict with, the surrounding lands and uses.
- G. 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 Ardath Drive and Green Street, an arterial and a local road constructed to a level able to handle any additional traffic associated with the project. The project's traffic study (ATE; November 2, 2012) estimated that the proposed senior care facility would generate 112 average daily vehicle trips, with 7 trips occurring during the a.m. peak hour and 12 trips during the p.m.

peak hour. The study concluded that these additional trips would not significantly impact the local Cambria street network, including the Highway One/Ardath Drive intersection.

*Coastal Access*

- H. 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.

*Terrestrial Habitat*

- I. The project or use 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 tree removal has been minimized, and if trees are removed or impacted they will be replaced.
- J. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed structure has been designed to minimize tree removal and site disturbance.
- K. Any proposed clearing of topsoil, trees, or other features 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 tree removal and site disturbance have been minimized, and if pine trees are removed, they will be replaced on a four-to-one basis.
- L. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because, as conditioned, the project or use meets drainage and erosion control standards specified by the County Public Works Department.
- M. There will be no significant negative impact to the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat because the project or use will require replacement of removed oaks and pines on a six-to-one basis and four-to-one basis respectively.
- N. The project or use will not significantly disrupt the habitat, because it is a senior care facility with minimal site disturbance.

*Archaeology*

- O. The project design and development incorporates adequate measures to ensure protection of significant archaeological resources because no indications of prehistoric resources or early historic archaeological resources were found during the preliminary surface survey.

**EXHIBIT B - CONDITIONS OF APPROVAL**

**Approved Development**

1. This approval authorizes a Minor Use Permit/Coastal Development Permit to allow the following:
  - a. Construction of a 28,266 square foot, 31 unit senior care facility.
  - b. One acre of site disturbance on a 1.26 acre parcel.
2. Maximum height is 25 feet (as measured from average natural grade).

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

3. **At the time of application for construction permits**, the applicant shall submit a revised site plan, floor plans, and architectural elevations 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. Relocate the proposed refuse enclosure outside of the front setback.
4. **At the time of application for a construction permits**, the applicant shall submit a color and materials board for the proposed facility. Colors shall be muted earth-tones to blend with the Monterey pine forest. Materials shall have patterns or texture, such as wood or wood-appearing siding, for example board and batten siding or fire-resistant shingles, as primary materials for exterior walls.
5. **At the time of application for construction permits**, all project conditions shall be clearly printed on the plans.
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.
7. **At the time of application for construction permits**, the following noise mitigation measures shall be incorporated into the project design:
  - a. Air conditioning or a mechanical ventilation system
  - b. Windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications)
  - c. Solid core exterior doors with perimeter weather stripping and threshold seals
  - d. Exterior walls shall consist of wood or wood-appearing siding with a ½ inch minimum thickness fiberboard ("soundboard") underlayer.
  - e. Glass in both windows and doors should not exceed 20% of the floor area in a room.
  - f. Roof or attic vents facing the noise source should be baffled

**Access**

8. **At the time of application for construction permits**, public improvement plans shall be prepared and a performance bond posted in compliance with Section 23.05.106 (Curbs, Gutters and Sidewalks) of the Coastal Zone Land Use Ordinance; and San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works. The plan/s is/are to include, as applicable:
- a. Street plan and profile for widening **Ardath Drive, Green Street and Londonderry Lane** to complete the project side of an A-2 urban street section fronting the property. All proposed driveways shall be located a minimum of 50-feet from any existing street intersection and constructed in accordance with County Standard B-series drawings.
    - i. The applicant may apply to the Department of Planning and Building for an adjustment to this requirement in accordance with 23.05.106(d). If approved, the Curb, gutter and/or sidewalk improvement requirements may be waived, modified or delayed. If a Curb Gutter and Sidewalk waiver is approved the applicant may still be required to construct these frontage improvements in accordance with the A-1 rural road standards which would include a gravel shoulder for parking and/or pedestrian purposes.
  - b. Pedestrian easements as necessary to contain all slope, shoulder, sidewalk, driveway and curb ramp improvements that extend beyond the existing right-of-way. Offers are to be recorded by separate document with the County Clerk-Recorder upon review and approval by Public Works.
  - c. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - d. Public utility plan, showing all existing utilities and installation of all new utilities to serve the site.
  - e. A landscaping plan showing all proposed landscaping within the public right-of-way
  - f. The Green Street access driveway shall be marked and signed for project ingress only in accordance with the recommendations project traffic report prepared by ATE and dated November 2, 2012 (copy on file with the Department of Public Works).
9. **At the time of application for construction permits**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with the local fire agency standards and specifications back to the nearest public maintained roadway.
10. **At the time of application for construction permits**, the applicant shall enter into an agreement and post a cash deposit with the County for the cost of checking the improvement plans and the cost of inspection of any such improvements by the County or its designated representative. The applicant shall also provide the County with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish

construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

**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 both the Fire Plan Review (*Cambria Fire Department; January 6, 2013*) and the Fire Safety Plan for Kingston Bay Senior Living (*Dudek Consulting; January 2013*).

**Water and Sewer Service**

12. **At the time of application for construction permits**, the applicant shall comply with the conditions from the Cambria Community Services District, including but not limited to those on the Intent to Provide Water and Sewer Service letter dated November 1, 1998, and time extension dated August 1, 2011 (see attached).

**Grading, Drainage, Sedimentation and Erosion Control**

13. **At the time of application for construction permits**, the applicant shall submit a complete erosion and sedimentation control plan for review and approval.
14. **At the time of application for construction permits**, the applicant shall submit to the complete drainage calculations prepared by a licensed civil engineer for review and approval in accordance with Section 23.05.040 (Drainage) of the Coastal Zone Land Use Ordinance. All drainage must be retained or detained on-site and the design of the basin shall be approved by the Department of Public Works. The analysis shall include an evaluation of drainage impacts on the existing culvert under Highway One at post mile 47.64.
15. **At the time of application for construction permits**, the applicant shall submit to the California Department of Transportation for review and approval a hydrogeologic analysis of the project's drainage impacts on the existing culvert under Highway One at post mile 47.64.
16. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plans for review and approval.

**Stormwater Pollution Prevention**

17. **At the time of application for construction permits**, the applicant shall demonstrate the project has incorporated County approved LID structural practices into the project. Refer to the brochure *Interim Low Impact Development Guidelines* for further information and references for LID design.
18. **At the time of application for construction permits**, the project shall comply with the post-construction requirements of the Construction General Permit (CGP). A "Private Stormwater Conveyance Management and Maintenance System" shall be submitted to the Department of Public Works for review and approval. Upon approval, the applicant shall record with the County Recorder's Office the "*Private Stormwater Conveyance Management and Maintenance System*" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

**Conditions to be completed prior to issuance of a construction permit**

***Fees***

19. **Prior to issuance of construction permits**, the applicant shall pay all applicable school and public facilities fees.

***Water and Sewer Service***

20. **Prior to issuance of construction permits**, the applicant shall submit to the Department of Planning and Building for review and approval, evidence that the anticipated water use of this development has been completely offset through the retrofit of existing water fixtures within the Cambria Community Service District's service area or other verifiable action to reduce existing water use in the service area (e.g., replacement of irrigated landscaping with xeriscaping). The documentation shall include written evidence that the Cambria Community Service District (CCSD) has determined that the applicant has complied with CCSD Ordinance 1-98, as approved by the CCSD Board of Directors on January 26, 1998, and further modified by CCSD Board approval on November 14, 2002 (CCSD board item VIII.B), subject to the limitation that no retrofit credits shall have been obtained by any of the following means: a) extinguishing agricultural water use, or b) funding leak detection programs. Evidence of compliance with CCSD Ordinance 1-98 shall be accompanied by written confirmation from the CCSD that any in-lieu fees collected from the applicant have been used to implement projects that have reduced existing water use within the service area in an amount equal or greater to the anticipated water use of the project.
21. **Prior to issuance of construction permits**, the applicant shall apply to merge lots 1, 5, 6, 7 and 8 of Parcel Map 51-5 and lots 13, 14 & 15 of Cambria Pines Manor Unit 6, Block 137.

***Air Quality***

22. **Prior to issuance of construction permits**, the applicant shall submit the results of a geologic evaluation conducted to determine if naturally occurring asbestos is present within the area proposed for disturbance. If naturally occurring asbestos is not present, an exemption request shall be filed with the APCD. If naturally occurring asbestos is present, the applicant shall comply with all requirements outlined in the Asbestos Air Toxics Control Measure (ATCM). Compliance may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for APCD approval.
23. **Prior to issuance of construction permits**, the applicant shall submit verification from APCD that the following measures have been incorporated into the project to control dust:
- a. Reduce the amount of the disturbed area where possible;
  - b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
  - c. All dirt stock-pile areas should be sprayed daily as needed;
  - d. 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;

- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;
  - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD;
  - g. All roadways, driveways, sidewalks, etc to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
  - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
  - i. 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 CVC Section 23114;
  - j. Install wheel washers where vehicles enter and exist unpaved roads onto streets, or wash off trucks and equipment leaving the site;
  - k. 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;
  - l. All PM10 mitigation measures required should be shown on grading and building plans; and
  - m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.
24. In addition to the State required diesel idling requirements, the project applicant shall comply with the these more restrictive requirements to minimize impacts to nearby sensitive receptors:
- a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
  - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
  - c. Use of alternative fueled equipment is recommended; and
  - d. Signs that specify the no idling areas must be posted and enforced at the site.
25. **Prior to any site disturbance or issuance of construction permits**, the applicant shall provide evidence of a California statewide portable equipment registration or an APCD permit for any portable equipment, 50 horsepower (hp) or greater, that will be used during construction. Contact APCD at 805-781-5912 for permitting requirements.

***Grading, Drainage, Sedimentation and Erosion Control***

26. **Prior to issuance of construction permits**, if grading is to occur between October 15 and April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
27. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan for review and approval by the County Public Works Department, which shall conform to

the "National Pollutant Discharge Elimination System" storm water management program regulations.

**Geology and Soils**

28. **Prior to any site disturbance or issuance of construction permits**, the following conditions shall be included on all building plans and grading plans:
- a. The project Engineering Geologist shall inspect work on-site and verify that building construction, including all foundation work, has been performed in a manner consistent with the intent of the plan review and engineering geology report.
  - b. The project Engineering Geologist shall issue a final engineering geology compliance report as required by the Uniform Building Code which identifies changes observed during construction, recommendations offered for mitigation, and confirmation that construction was completed in compliance with the intent of the engineering geology report.
  - c. Should the services of the project Engineering Geologist be terminated prior to final inspection and/or issuance of occupancy permits, the applicant shall submit a transfer of responsibility statement to the County Planning Department from the new Certified Engineering Geologist as per the Uniform Building Code.
29. The applicant shall implement the conclusions and recommendations as described in the Geotechnical Engineering Report (Mid-Coast Geotechnical, Inc.; June 28, 2012) and the engineering geology report. All conclusions and recommendations shall be implemented as requirements not recommendations except in the instance where the recommendation is stated as an alternative building technique. **Prior to issuance of construction permits**, all conclusions and recommendation related to the above referenced geotechnical reports shall be incorporated into the project design and printed on the cover page of the grading and construction plans.
30. **Prior to issuance of construction or grading permits**, the applicant shall submit a copy of the approved Stormwater Pollution Prevention Plan (SWPPP) to the Department of Planning and Building.
31. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan (CZLUO Section 23.05.040) for review and approval by the County Public Works Department. The drainage plan shall
32. **Prior to issuance of construction permits**, the project Engineering Geologist shall review the project foundation plans and acknowledge in a letter to the County Geologist that their recommendations are properly addressed in the plans.

**Offers**

33. **Prior to issuance of construction permits**, the applicant may be required to offer for dedication to the public right-of-way easements by separate document for road widening purposes a sufficient width as necessary to contain all elements of the roadway prism including slopes, shoulders, sidewalks, driveway aprons, curb ramps and other improvements. Offers are to be recorded by separate document with the County Clerk-Recorder after review and approval by Public Works.

34. **Prior to issuance of construction permits**, the applicant may be required to offer for dedication to the public drainage easement(s) as necessary to contain both existing and proposed drainage features where those features accept public road storm flows. Offers are to be recorded by separate document with the County Clerk-Recorder after review and approval by Public Works.

***Easements***

35. **Prior to issuance of construction permits**, the applicant shall submit evidence satisfactory to the Department of Planning and Building that the Cambria Community Services District and each public utility (PG&E, Gas Company, Telephone Company, etc) has reviewed and is in agreement with the proposed project constructing buildings and other improvements atop the existing utility easement within the vacated portion of the Ardath Drive right-of-way. Alternatively, the applicant may be required to quitclaim all or a portion of the public utility easement prior to permit issuance.

**Conditions to be completed during project construction**

***Grading, Drainage, Sedimentation and Erosion Control***

36. **Prior to or concurrently with on-site grading activities**, permanent erosion control devices shall be installed.
37. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control device or drainage system approved by the County Engineer.
38. Grading, filling or site disturbance of existing soil and vegetation shall be limited to the minimum areas necessary.
39. Stockpiles and other disturbed soils shall be protected from rain and erosion by plastic sheets or other covering.
40. All areas disturbed by grading activities shall be revegetated with temporary or permanent erosion control devices in place.
41. Appropriate sedimentation measures to be implemented at the end of each day's work.

***Archaeology***

42. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
- a. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
  - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

***Building Height***

43. The maximum height of the project is 25 feet (as measured 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 the center line of the fronting street at a point midway between the two side property lines and set a reference point (benchmark).
  - b. 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.
  - 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.

***Geology and Soils***

44. **During project construction/ground disturbing activities**, the applicant shall retain a project Engineering Geologist of record and shall provide the engineering geologist's written certification of adequacy of the proposed site development for its intended use to the Department of Planning and Building.

***Tree Protection/Replacement***

45. The applicant shall limit tree removal to no more than 8 Monterey pine trees with an eight inch diameter or larger at four feet from the ground. Construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed.
46. Any trenching for utilities that may occur within the dripline of trees on the project site shall be hand dug to avoid the root system of the tree.
47. All trees bordering the proposed project that are to remain shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil.

**Conditions to be completed prior to occupancy or final building inspection**

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

49. **Prior to occupancy or final inspection, whichever occurs first**, the applicant shall implement approved color board, site plan, floor plan, and elevations as shown on the attached exhibits.
50. **Prior to final inspection**, the project Engineering Geologist shall verify that construction is in conformance with the engineering geology report recommendations and that the project Engineering Geologist is satisfied that his recommendations for footing embedment are met. This verification shall be submitted in writing to the Department of Planning and Building for review and approval.
51. **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.
52. The applicant shall submit for final plumbing inspection from Cambria Community Services District upon completion of the project.
53. **Prior to final inspection**, the applicant shall record the voluntary lot merger of lots 1, 5, 6, 7 and 8 of Parcel Map 51-5 and lots 13, 14 & 15 of Cambria Pines Manor Unit 6, Block 137.

***Tree Protection/Replacement***

54. **Prior to final inspection**, the 8 Monterey pine tree removed as a result of construction shall be replaced at a 4:1 ratio. A total of 32 Monterey pine trees shall be planted. Monterey pine replacement trees shall be one gallon saplings grown from the Cambrian stand; *Pinus radiata macrocarpa*.
55. These newly planted trees shall be maintained until successfully established. This shall include caging from animals (e.g., deer, rodents), periodic weeding and adequate watering (e.g., drip-irrigation). 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. Once the replacement trees have been planted, the applicant shall retain a qualified individual 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.
56. To promote the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) 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 County Environmental Coordinator 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 agree to complete any necessary remedial measures identified in the report and approved by the Environmental Coordinator.

***Fire Protection***

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

**Public Works Review**

58. **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.

**Access**

59. **Prior to occupancy or final inspection**, a Registered Civil Engineer must certify to the Department of Public Works that the public improvements are made in accordance with all 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.

**Building Review**

60. **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)**

61. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Coastal Zone Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Coastal Zone Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
62. 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.
63. The property owner shall be responsible for operation and maintenance of public road frontage landscaping in a viable condition on a continuing basis into perpetuity or until specifically accepted for maintenance by a public agency.

**Drainage**

64. **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.

**Access**

65. **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 lighting, project signage; landscape planting; fences; etc without a valid Encroachment Permit issued by the Department of Public Works.

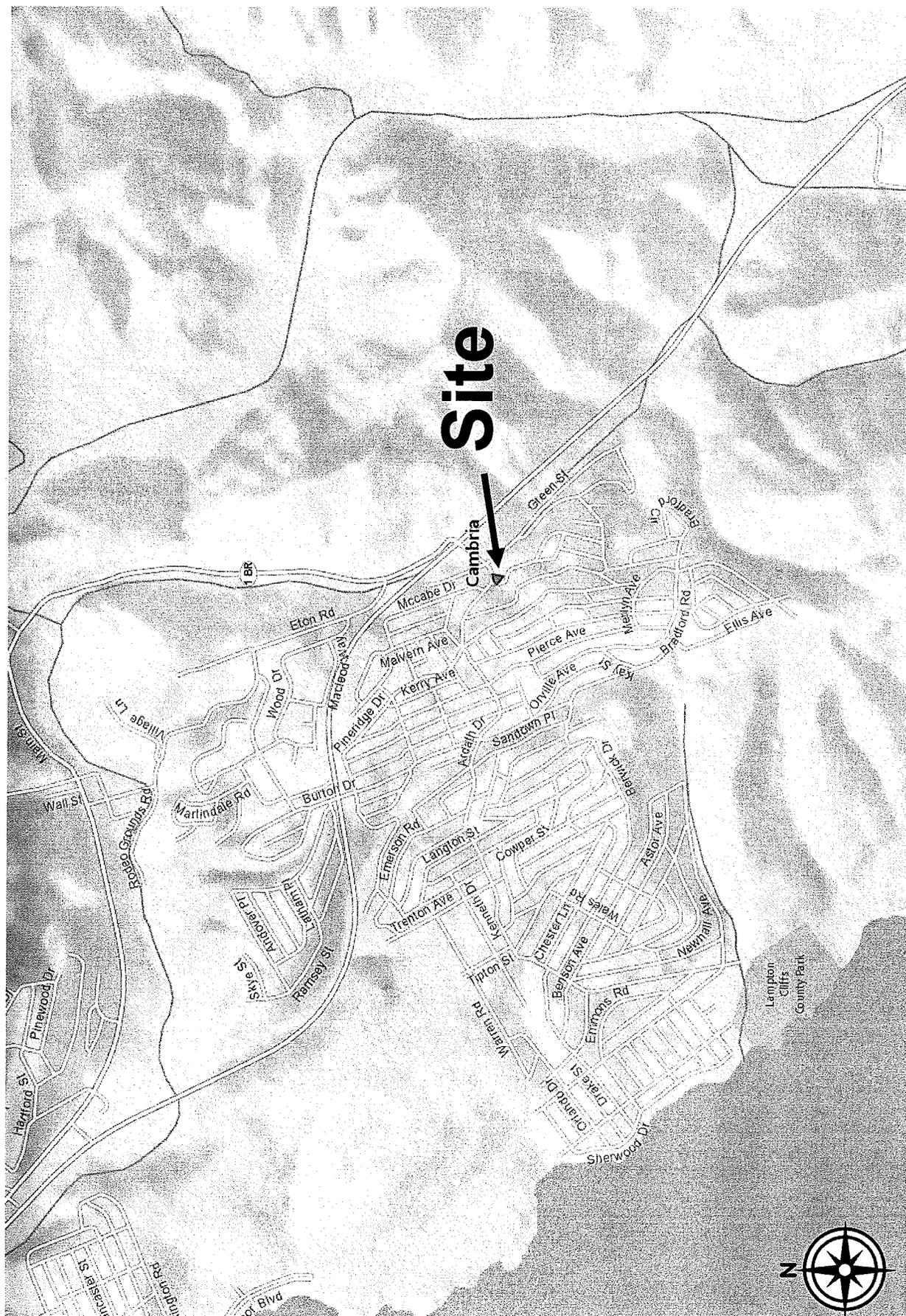
66. **On-going condition of approval (valid for the life of the project)**, the property owner shall be responsible for operation and maintenance of public road frontage sidewalks and landscaping in a viable condition and on a continuing basis into perpetuity or until specifically accepted for maintenance by a public agency.

***Fees***

67. **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 Area D Road Improvement Fee for each future building permit in the amount prevailing at the time of payment.

***Recycling***

68. **On-going condition of approval (valid for the life of the project)**, the applicants shall provide recycling opportunities to all facility users in accordance with Ordinance 2008-3 of the San Luis Obispo County Integrated Waste Management Authority (mandatory recycling for residential, commercial and special events).

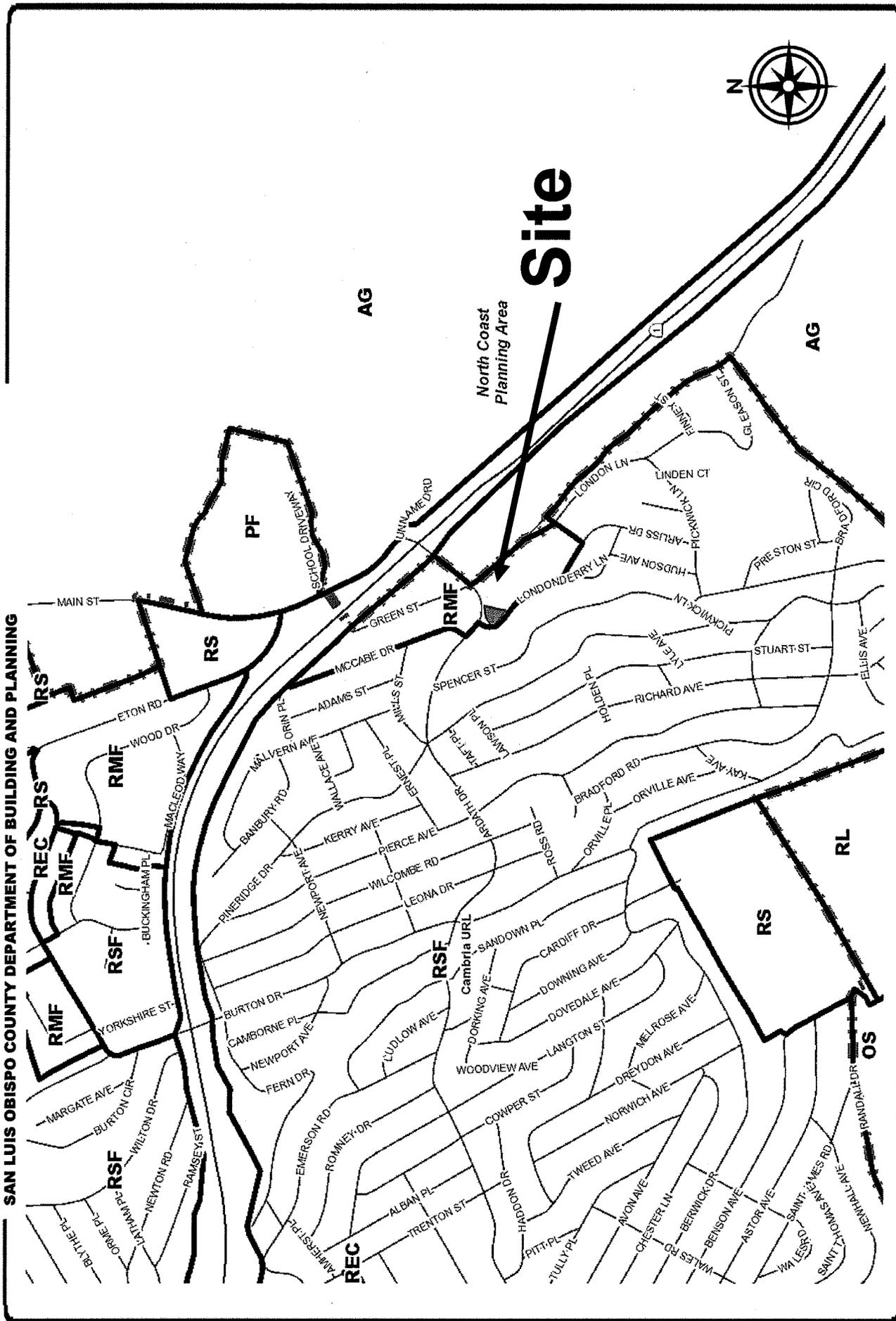


EXHIBIT

Vicinity Map



PROJECT  
 Minor Use Permit/Coastal Development Permit  
 Kingston Bay / DRC2012-00024



SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

EXHIBIT  
Land Use Category Map



PROJECT  
Minor Use Permit/Coastal Development Permit  
Kingston Bay / DRC2012-00024

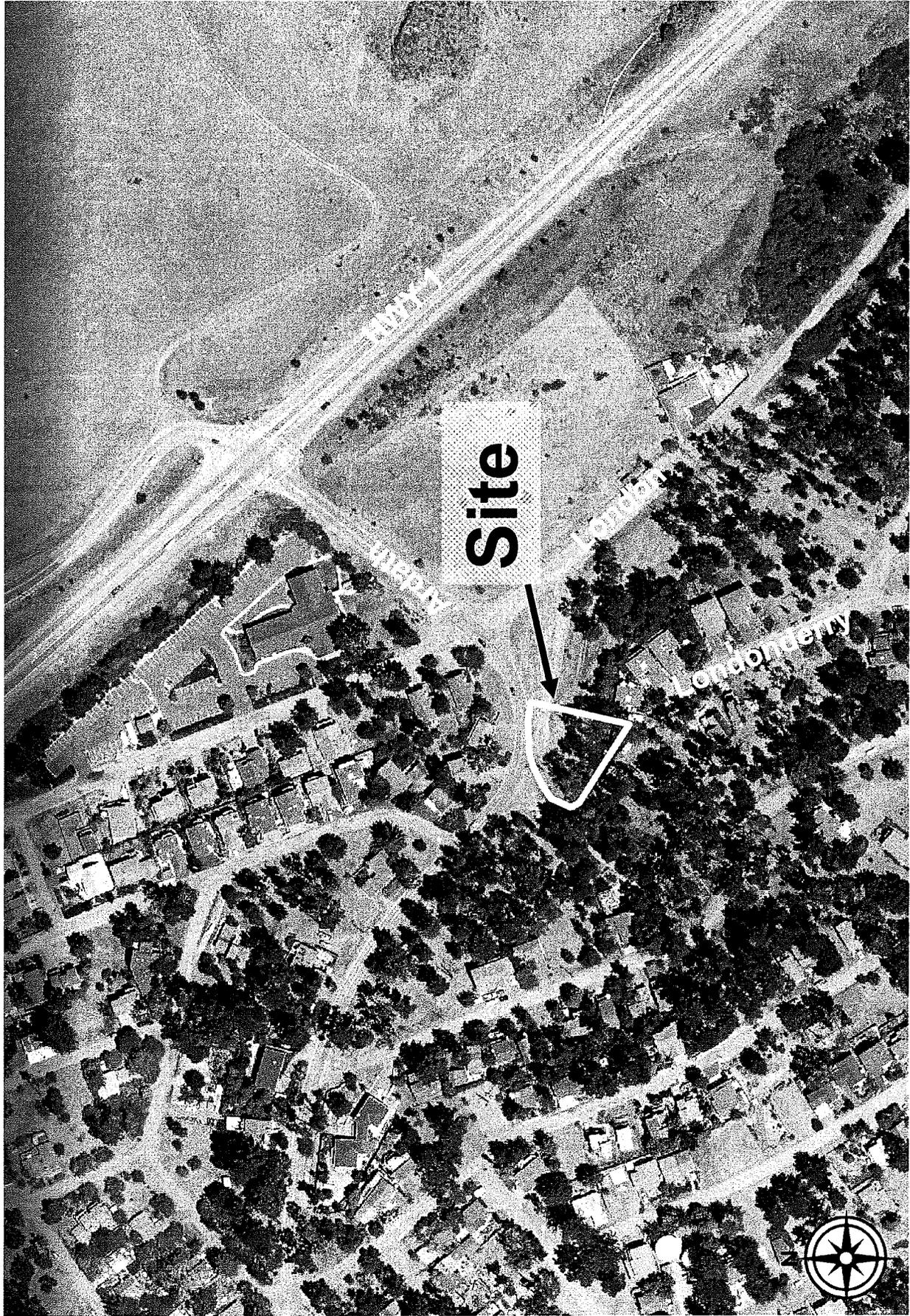


EXHIBIT  
**Aerial Photograph**



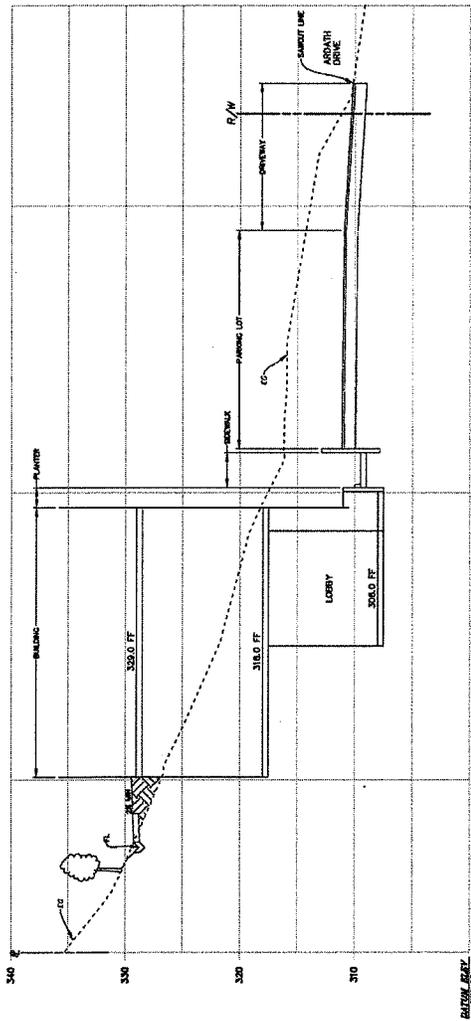
PROJECT  
 Minor Use Permit/Coastal Development Permit  
 Kingston Bay / DRC2012-00024



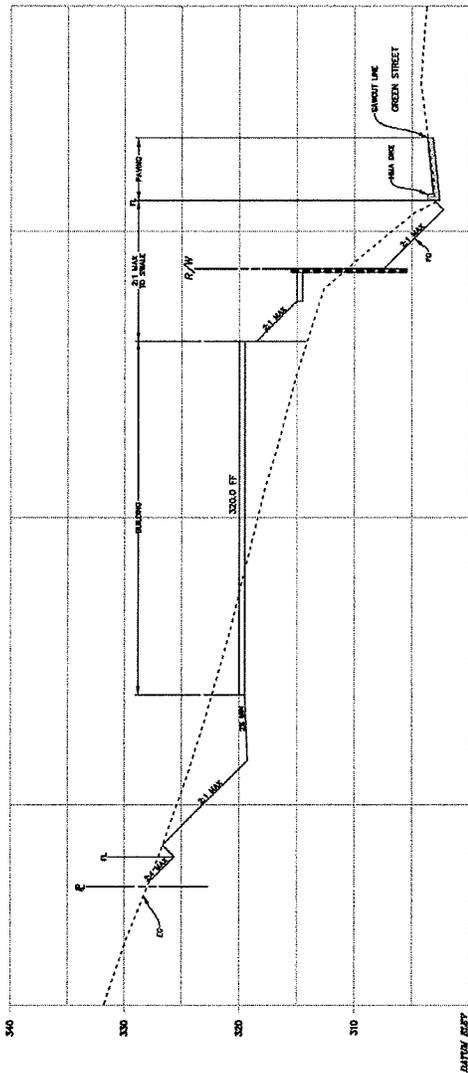




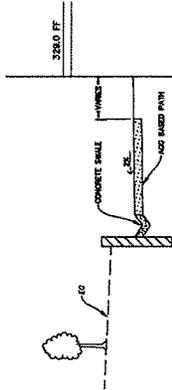
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



SITE SECTION  
VERTICAL 1" = 5'  
HORIZONTAL 1" = 10'



SITE SECTION  
VERTICAL 1" = 5'  
HORIZONTAL 1" = 10'



SECTION AT WEST WALL

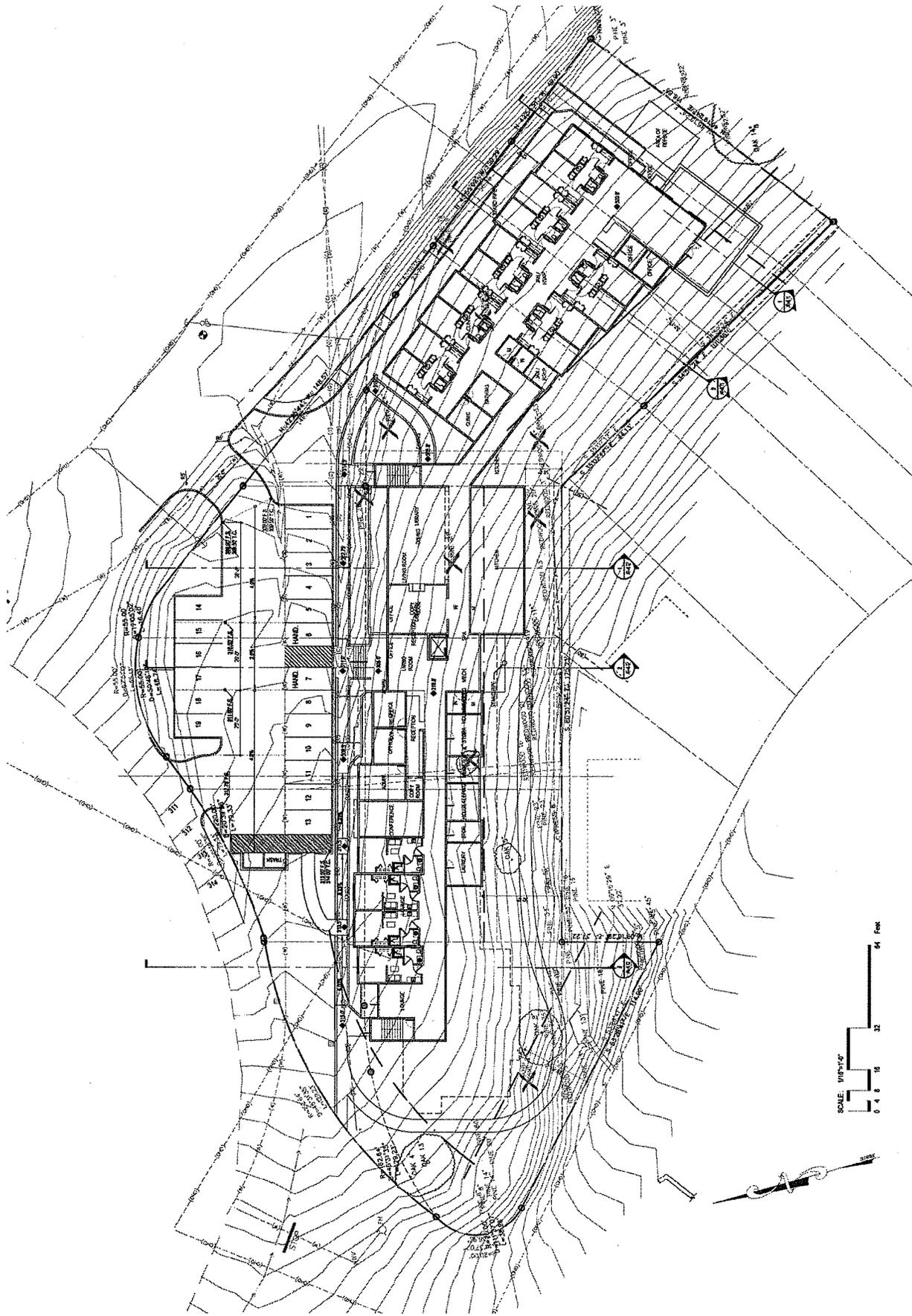
KINGSTON BAY SENIOR LIVING  
PRELIMINARY  
SITE CROSS SECTIONS  
APN # 024-191-052

EXHIBIT

Preliminary Site Cross Sections



PROJECT  
Minor Use Permit/Coastal Development Permit  
Kingston Bay / DRC2012-00024



EXHIBIT

Site Plan



PROJECT  
 Minor Use Permit/Coastal Development Permit  
 Kingston Bay / DRC2012-00024

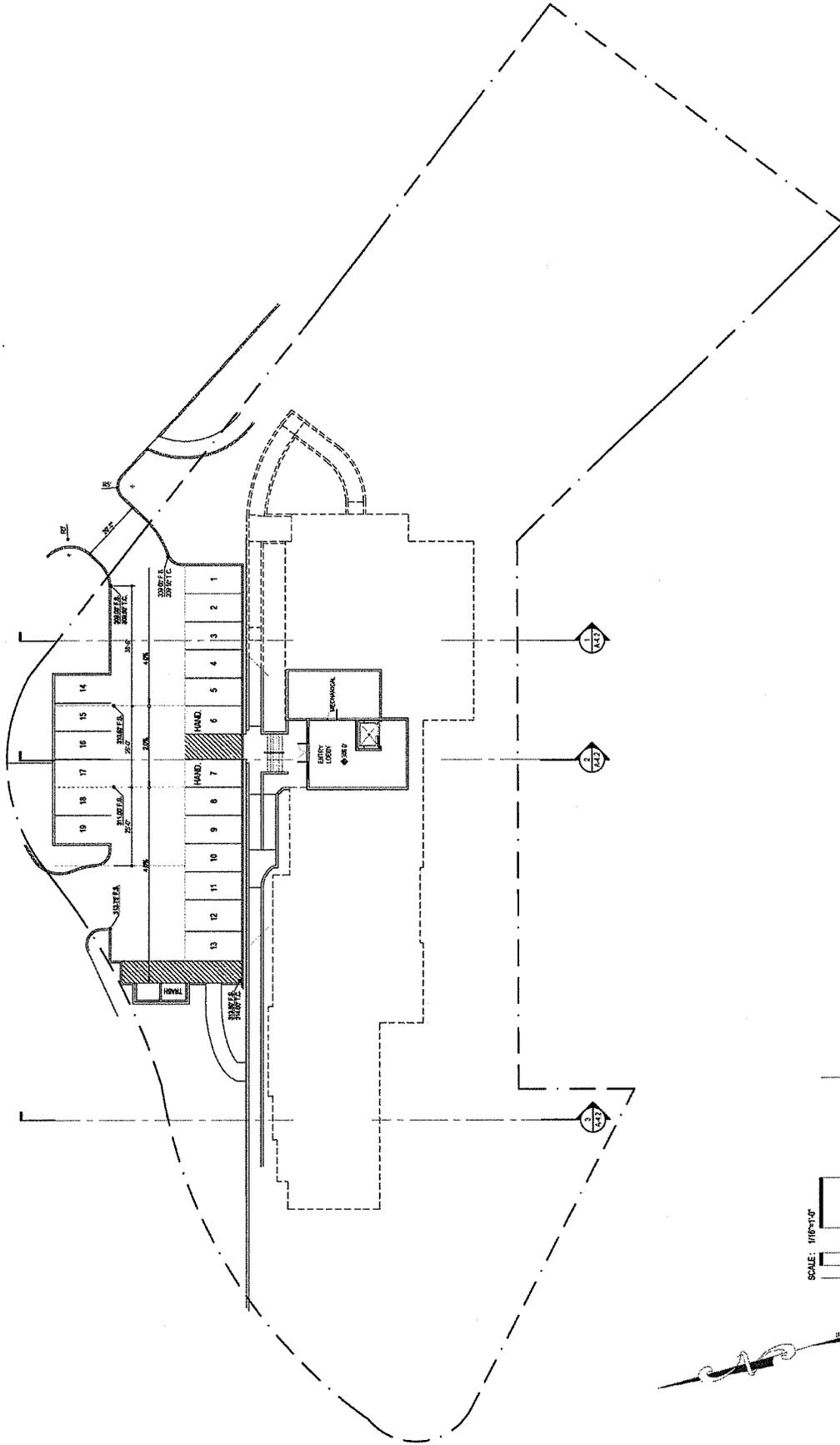
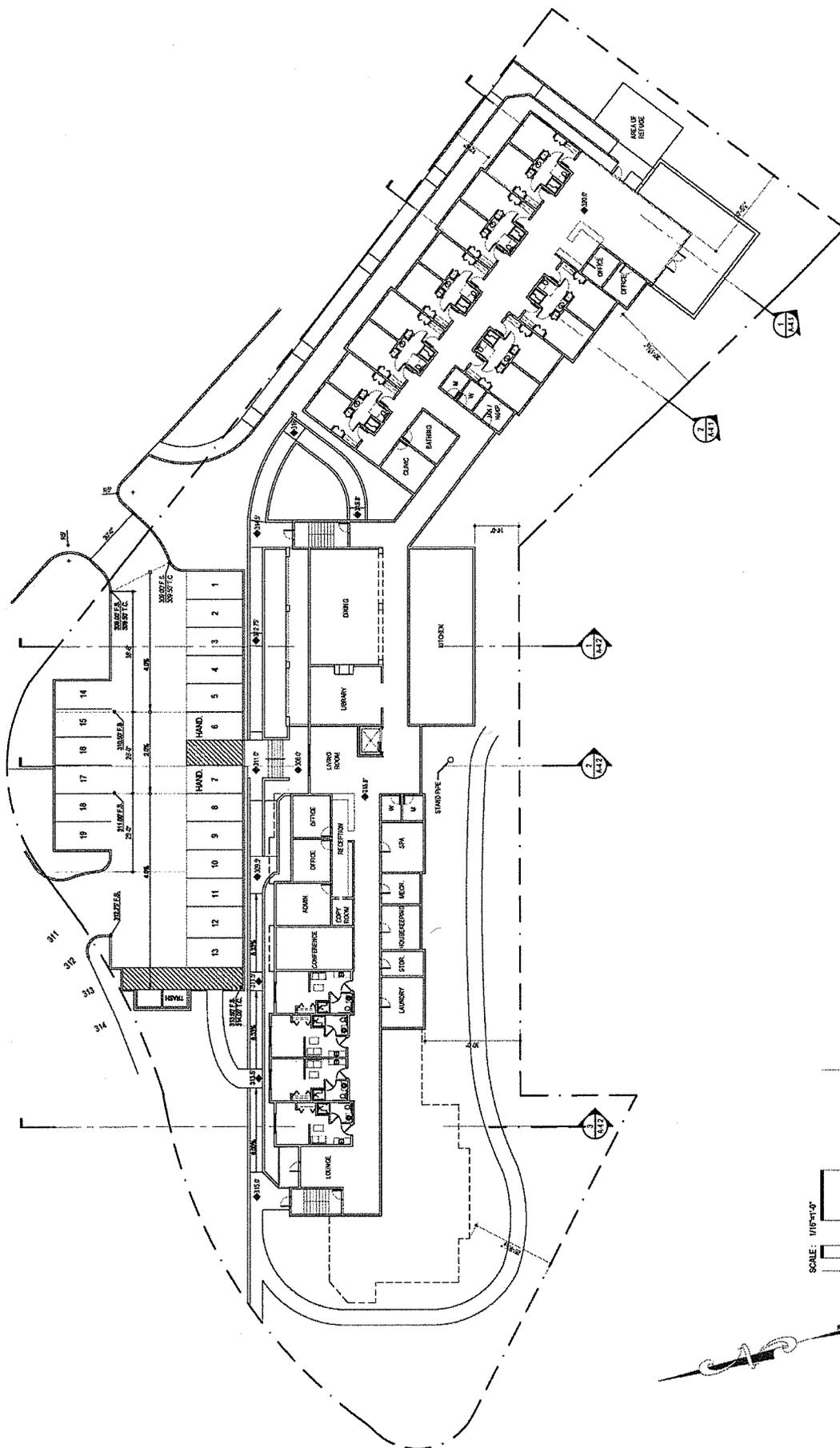


EXHIBIT Ground Floor Plan



PROJECT Minor Use Permit/Coastal Development Permit  
Kingston Bay / DRC2012-00024

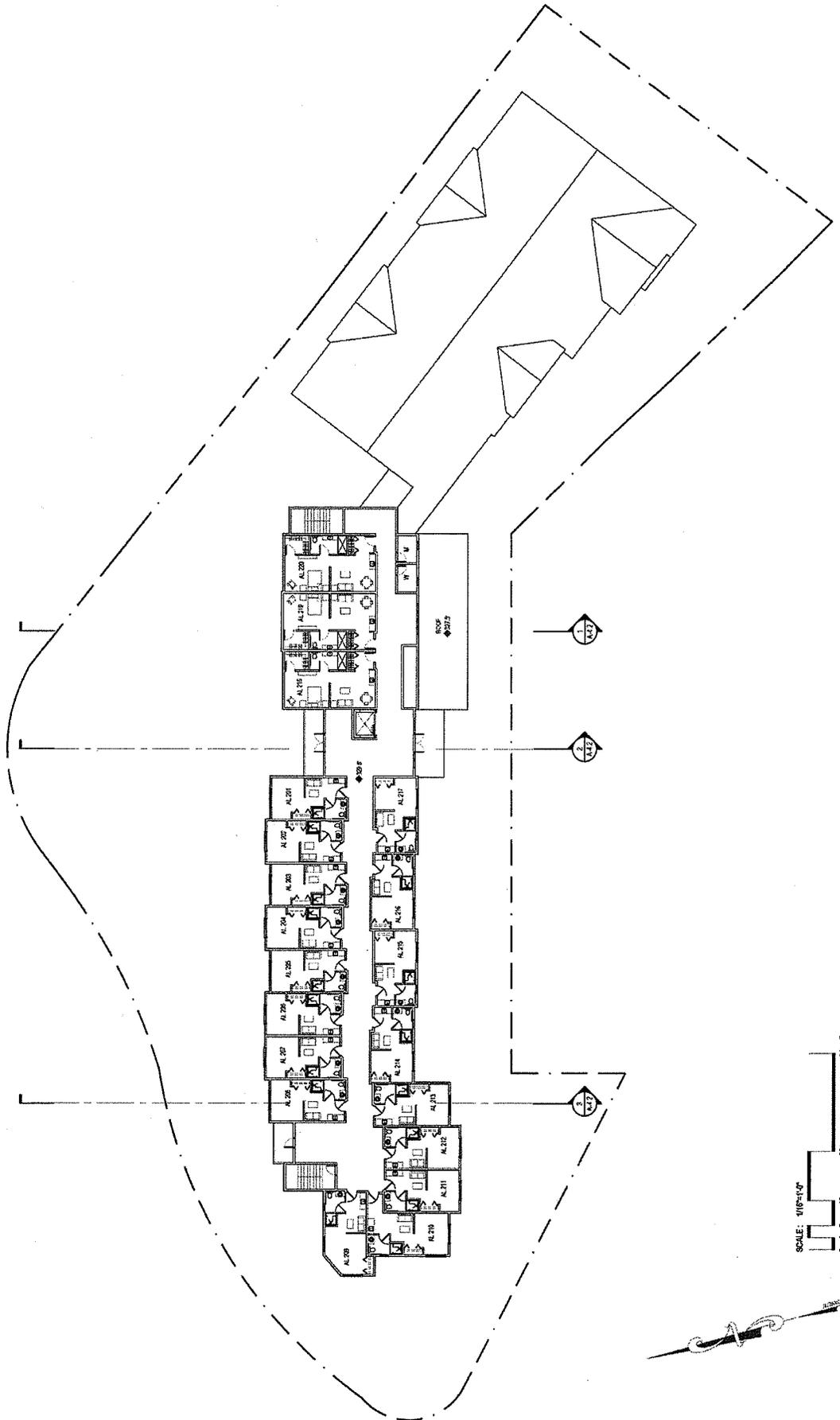


EXHIBIT

# First Floor Plan



**PROJECT**  
 Minor Use Permit/Coastal Development Permit  
 Kingston Bay / DRC2012-00024

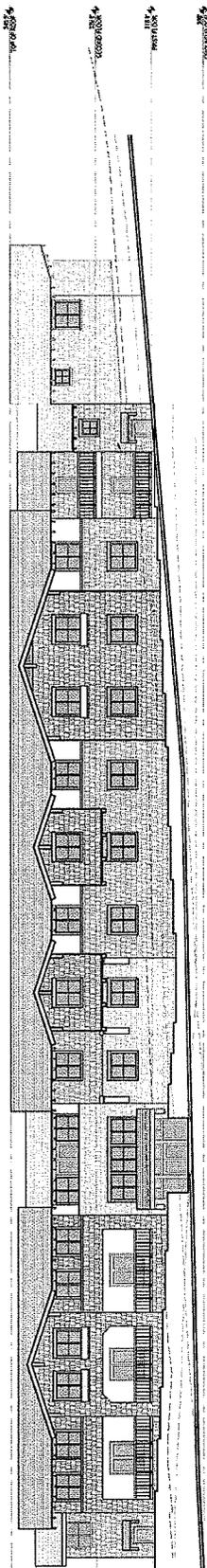


EXHIBIT

# Second Floor Plan

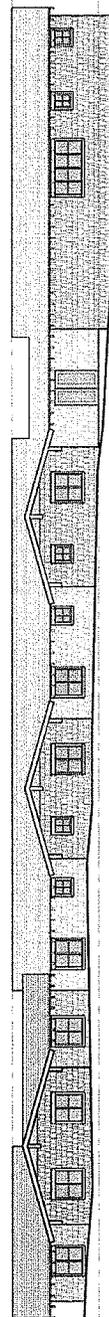


PROJECT  
 Minor Use Permit/Coastal Development Permit  
 Kingston Bay / DRC2012-00024

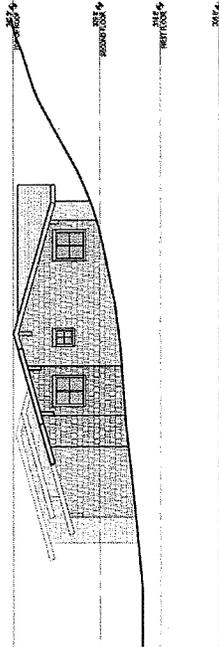


NORTH ELEVATION (ASSISTED LIVING WING) SECTION 1

ARCHITECT: [unreadable]  
 DATE: [unreadable]  
 SCALE: [unreadable]  
 SHEET: [unreadable]



SOUTH ELEVATION (ASSISTED LIVING WING) SECTION 2



WEST ELEVATION (ASSISTED LIVING WING) SECTION 3

PROJECT

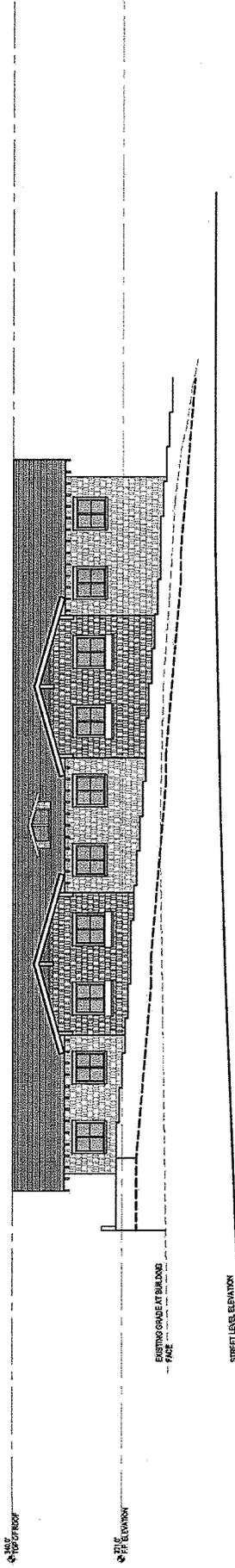
Minor Use Permit/Coastal Development Permit  
 Kingston Bay / DRC2012-00024

EXHIBIT

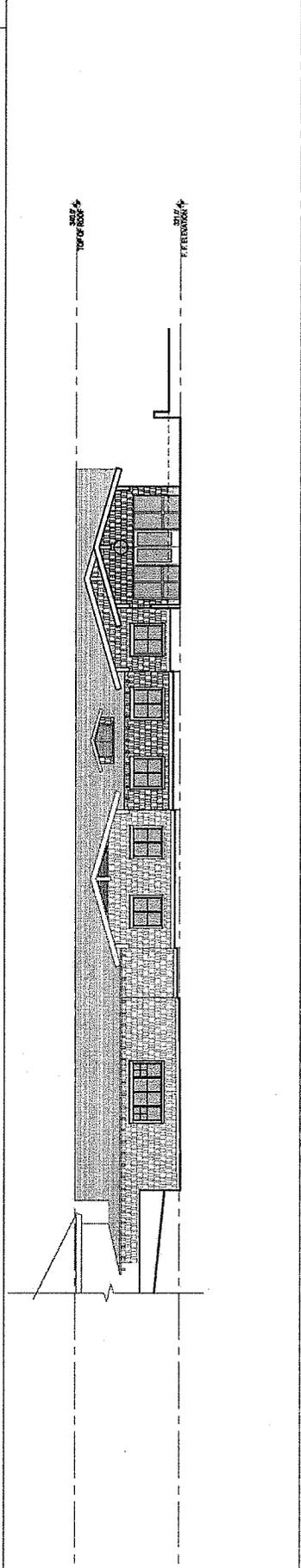
Elevations



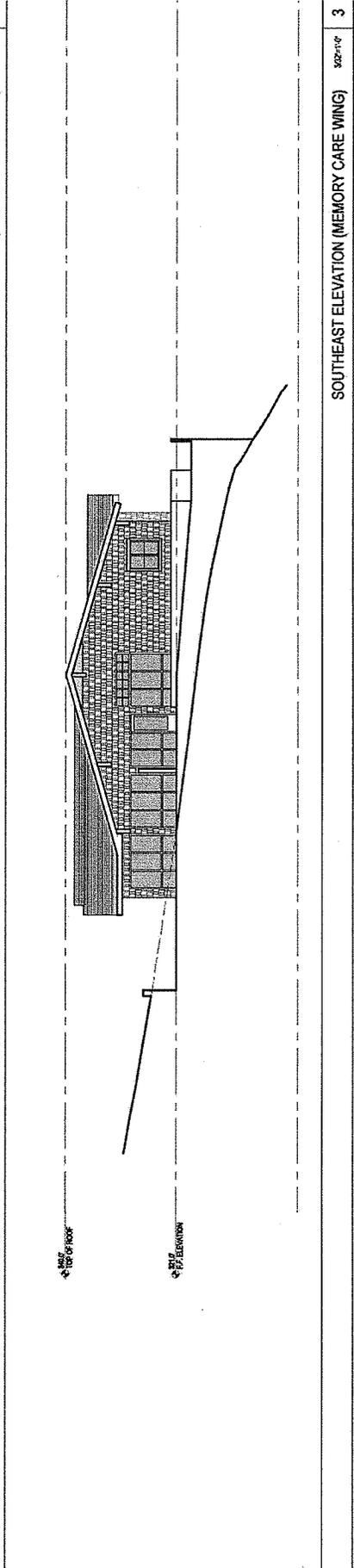
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



NORTHEAST ELEVATION (MEMORY CARE WING) 3/15/14 1



SOUTHWEST ELEVATION (MEMORY CARE WING) 3/15/14 2



SOUTHEAST ELEVATION (MEMORY CARE WING) 3/15/14 3

PROJECT

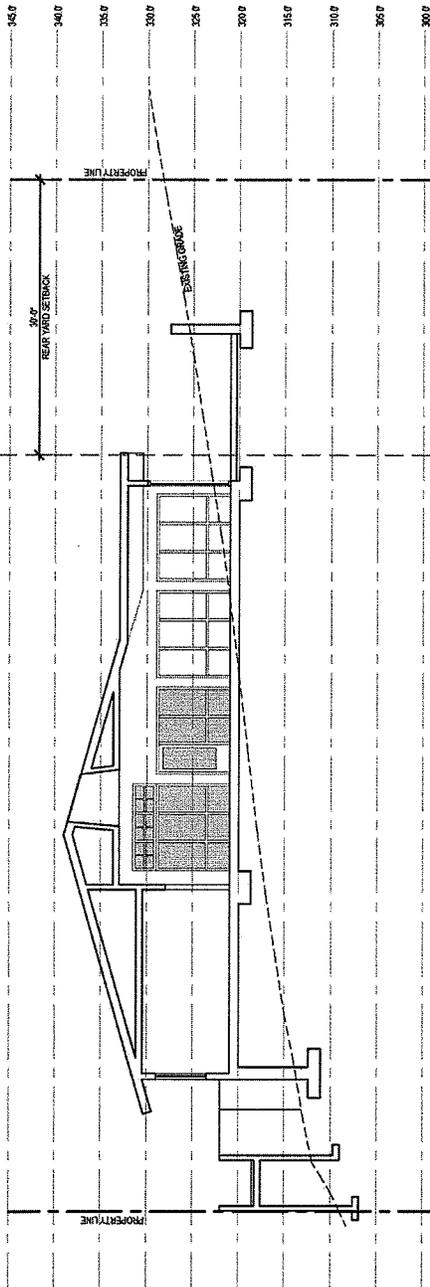
Minor Use Permit/Coastal Development Permit  
Kingston Bay / DRC2012-00024

EXHIBIT

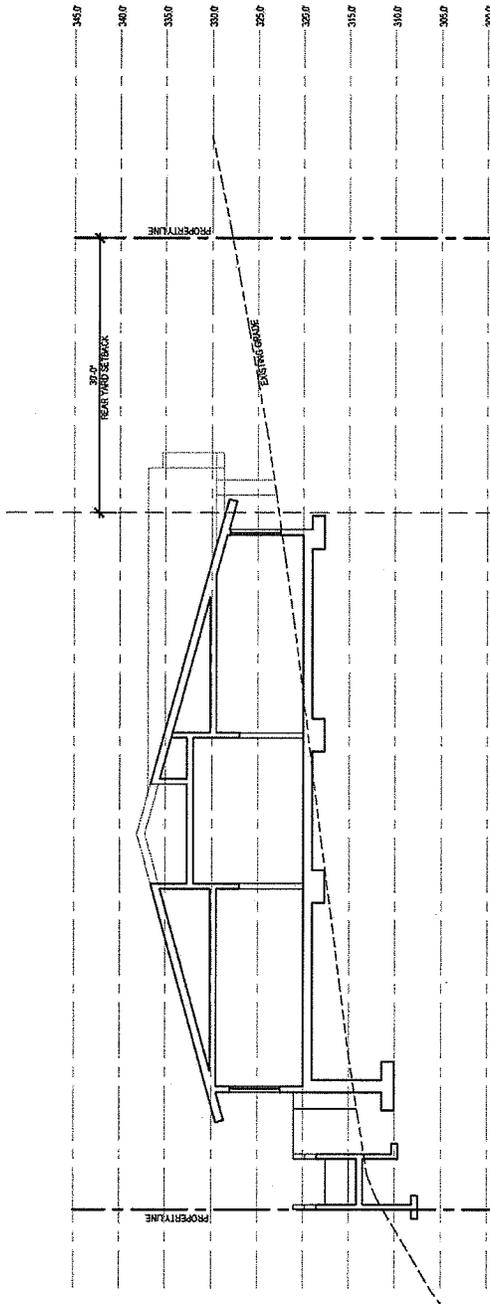
Elevations



SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



CROSS SECTION - MEMORY CARE 1 1/8"=1'-0"



CROSS SECTION - MEMORY CARE 2 1/8"=1'-0"

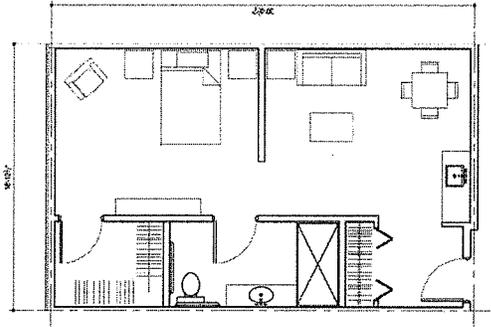


PROJECT  
 Minor Use Permit/Coastal Development Permit  
 Kingston Bay / DRC2012-00024

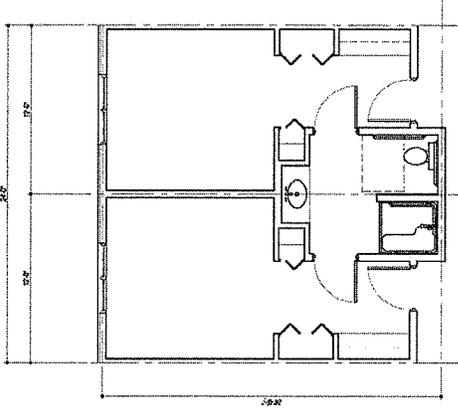
EXHIBIT  
 Cross Sections



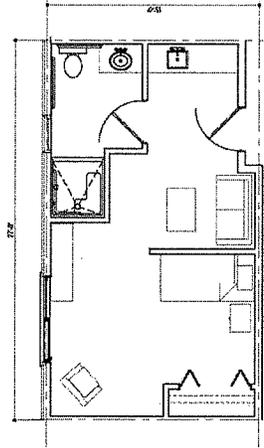
PREMIUM ASSISTED LIVING UNIT  
541 SQ. FT.



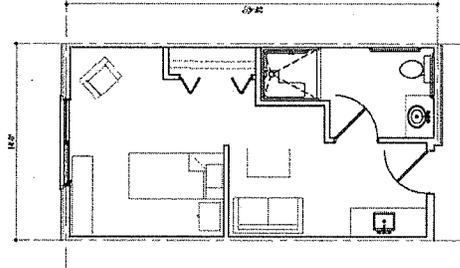
SHARED MEMORY CARE UNIT  
520 SQ. FT. SHARED  
260 SQ. FT. PER UNIT



ASSISTED LIVING UNIT ALTERNATE  
343 SQ. FT.



ASSISTED LIVING UNIT  
343 SQ. FT.



PROJECT

Minor Use Permit/Coastal Development Permit  
Kingston Bay / DRC2012-00024

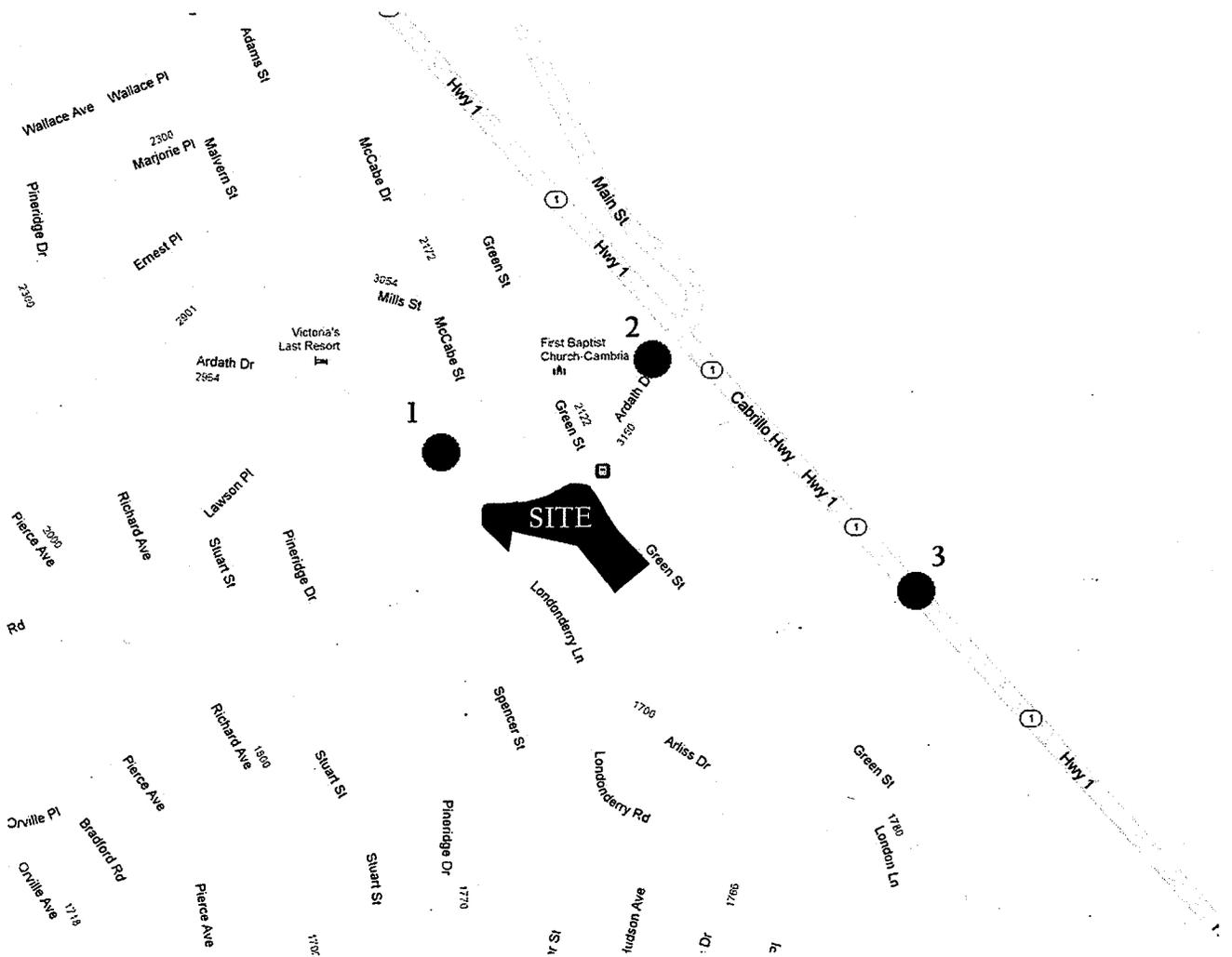


EXHIBIT

Unit Plans



# VIEW CORRIDOR STUDY



VIEWS TOWARD KINGSTON BAY SENIOR HOUSING

# VIEW CORRIDOR STUDY



**VIEW 1:  
VIEW TOWARD SITE FROM ARDATH DRIVE FACING EAST**

# VIEW CORRIDOR STUDY



**VIEW 2:  
VIEW TOWARD SITE FROM ARDATH DRIVE FACING SOUTH**

# VIEW CORRIDOR STUDY



**VIEW 3:**  
**VIEW TOWARD SITE FROM HIGHWAY 1 FACING WEST**



## NEGATIVE DECLARATION ADDENDUM

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*

**ENVIRONMENTAL DETERMINATION NO. ED12-111**

**DATE: December 26, 2012**

**PROJECT/ENTITLEMENT:** Kingston Bay Minor Use Permit; DRC2012-00024

**APPLICANT NAME:** Kingston Bay Senior Living LLC

**ADDRESS:** 530 Herndon Avenue Suite 101, Fresno, CA 93720

**CONTACT PERSON:** Julie McGeever, Hochhauser Blatter Arch. **Telephone:** (805) 962-2746

### **PROPOSED USES/INTENT:**

**Original Project:** The original project was a proposal by Michael Clark for a Minor Use Permit/Coastal Development Permit to establish a 39,391 square-foot, 31-unit senior care facility, which would have resulted in the disturbance of approximately 1 acre on a 1.26-acre parcel.

**Revised Project:** The revised project is a request by Kingston Bay Senior Living, LLC for a Minor Use Permit/Coastal Development Permit to establish a 28,266 square foot, 31 unit senior care facility. The proposed building will have a development footprint of 19,482 square feet and will result in the disturbance of approximately 1 acre on a 1.26-acre parcel.

When compared to original project, the revised project includes the following changes:

- A 17 percent reduction in the building footprint from 23,574 to 19,482 square feet.
- A 28 percent reduction in the total floor area from 39,390 to 28,266 square feet.
- A 12 percent increase in landscaped and undeveloped open space from 19,881 square feet to 22,334 square feet.
- A 34 percent reduction in the number of beds from 62 to 41. The number of units will remain the same. The reduction in beds is due to a fewer number of double occupancy units.
- Removal of two large turret features from the building façade and a reduction in the visible building mass. This results in a more modest "bungalow" architectural style, compared to the monumental style of the original project. The proposed changes will retain the natural appearing earth tone colors and materials to blend with the pine forest setting.

Due to the reduction in building size and resident capacity, the proposed changes are not anticipated to result in any additional environmental impacts beyond those identified in the original Mitigated Negative Declaration (ED05-248). Nevertheless, as described in this addendum, some important changes to local and State laws have occurred since the adoption of the original Mitigated Negative Declaration in August 2006. While these laws do not change the level of the project's impacts, they constitute an important change in the project's regulatory setting. The purpose of the addendum is to fully disclose those changes and to explain why they do not change any of the conclusions in the original environmental determination.

This addendum also references updated studies that have been prepared to evaluate the revised project. These studies do not identify new environmental impacts; rather, they substantiate that the project will not result in new or increased impacts beyond those identified in the original

MND.

**LOCATION:** The proposed project is within the Residential Multi-family land use category, and is located between Londonderry and Green Streets, directly south of Ardath Street, approximately 50 feet west of Highway 1, in the community of Cambria. The site is in the North Coast planning area.

**LEAD AGENCY:** County of San Luis Obispo Department of Planning & Building  
976 Osos Street, Rm. 300  
San Luis Obispo, CA 93408-2040

**FINDINGS:** Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162), the Lead Agency may prepare an addendum to an adopted negative declaration where all of the following apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) new information of substantial importance which was not known or could not have been known at the time of the adopted Negative Declaration.

Based on staff's determination that all of the above conditions apply, an addendum to the adopted Negative Declaration is appropriate. The basis for this conclusion is described in the following section. In addition, please refer to the original Mitigated Negative Declaration for further discussion about all potentially significant issues originally identified for the proposed project.

**BASIS FOR ADDENDUM:** The following describes why the proposed changes will not result in any significant additional impact.

**Aesthetics** – The original MND concluded that implementation of the proposed color board, lighting plan, and landscaping plan would reduce potential visual impacts to less than significant levels. The proposed changes will incorporate similar colors and materials to integrate the facility into the natural pine forest setting. The landscape plan will be enhanced with more open space and less tree removal. As required by ordinance, the project will use downward directed and shielded outdoor lighting. The architectural style of the building will be scaled down from a monument style building with two large turrets to a “bungalow” or “craftsman” style which is more compatible with the character of the surrounding residential neighborhood. Impacts will remain less than significant. No new mitigation is necessary.

**Air Quality** – The proposed changes will result in a 28 percent reduction in the total building floor area and a 34 percent reduction in the number of beds in the senior care facility. As described below, the proposed changes will therefore result in fewer air quality impacts:

Construction Emissions

The proposed project will result in temporary air quality impacts during construction. This includes the creation of dust during grading and site disturbing activities and diesel particulate matter and ozone precursors generated from construction equipment. After reviewing the construction phasing and staging plan for the project, the SLOAPCD concluded that the project's emissions would fall below the applicable thresholds of significant for these pollutants (M. Field; 1/10/2013). The project is subject to standard mitigation measures addressing dust and diesel idling.

Operational Emissions

Operational emissions occur after the project is constructed. Ozone is the pollutant of greatest concern in the county. It is a secondary pollutant, formed in the atmosphere by complex photochemical reactions involving precursor pollutants and sunlight. Reactive Organic Gases (ROG) and Nitrogen Oxides (NOx) are the primary precursors to ozone formation. ROG and NOx

result primarily from the combustion of fossil fuels due to automobile travel and residential energy use.

The San Luis Obispo County Air Pollution Control District (SLOAPCD) has established a 25 lbs/day threshold for ozone precursors (ROG and NOx). Table 1-1 of the SLOAPCD CEQA Air Quality Handbook establishes screening criteria for the type and scope of projects with the potential to exceed the 25 lbs/day threshold for ozone precursors. The proposed 31 unit facility falls well below the 157 unit threshold identified in Table 1-1 for an assisted living facility. Therefore, impacts related to operational emissions will be less than significant.

#### Greenhouse Gas Emissions

Since the MND was adopted in 2006, Senate Bill (SB) 97 was enacted to acknowledge that climate change is an environmental issue requiring analysis in CEQA documents. In December 2009, the California Resources Agency adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. In April 2012, SLOAPCD adopted a local GHG threshold of 1,150 metric tons of carbon dioxide equivalent (CO<sub>2</sub>E) per year from operational and amortized construction impacts. Table 1-1 of the SLOAPCD CEQA Air Quality Handbook establishes screening criteria for the type and scope of projects with the potential to exceed this threshold. The proposed 31 unit facility falls well below the 196 unit threshold identified in Table 1-1 for an assisted living facility. Therefore, GHG impacts will be less than significant.

**Biological Resources** – The 2006 MND identified the removal of 21 Monterey pine trees as the primary impact to on-site biological resources. The MND concluded that implementation of the standard mitigation measures provided in the Coastal Zone Land Use Ordinance Section 23.07.160 (Sensitive Resource Area) and North Coast Area Plan (Residential Single Family Planning Area Standard 6(c) Pine Forest Preservation) would reduce this impact to a less than significant level. These measures required replacement of any removed Monterey pine on a 2:1 basis.

The North Coast Area Plan was updated in 2008, subsequent to the adoption of the original MND. The update included enhanced standards for the protection of the Monterey pine forest habitat, including increased tree replacement ratios of 4:1 for pines and 6:1 for oaks.

The revised project will remove 8 Monterey pine trees and one Coast live oak. Based on the updated tree replacement ratios, the project will require the planting of 32 pines and 6 oaks. No mitigation measures beyond those required by ordinance are required.

**Geology and Soils** – The site is within an area designated as having a high landslide potential. The applicant submitted an Engineering Geology Review (GeoSolutions, Inc.; June 13, 2012) and Geotechnical Engineering Report (Mid-Coast Geotechnical, Inc.; June 28, 2012) to evaluate the revised project. These reports provide recommendations for grading, foundation design, perimeter slabs and garden walls, soil compaction, and roof gutters and downspouts. The applicant will be required to implement the conclusions and recommendations provided in the above referenced reports. These recommendations are similar to those in the geology reports for the original project. The revised geology reports have been reviewed and approved by the County Geologist (B. Papurello; 10/23/12) for compliance with the County's guidelines for preparing such reports.

**Hazards and Hazardous Materials** – The proposed changes will not result in any new or increased impacts related to hazards or hazardous materials. In a referral response dated September 28, 2012, Cambria Fire Chief Mark Miller raised concerns about the Cambria Fire Department's ability to provide emergency medical and evacuation services to the residents of the facility. In response to these concerns, the applicant submitted a detailed Fire Safety Plan (Dudek; November 2012) that identifies the fire risk associated with the proposed project and emergency response and evacuation procedures. The Fire Safety Plan recommends a dedicated transport van be housed at the project site to allow for evacuation of residents and staff during an emergency and the establishment of a shelter-in-place area in the project kitchen and dining room when early off-site relocation is not feasible. The plan also includes recommendations on building materials, construction practices,

defensible space vegetation management, and access/egress. The recommendations of the Fire Safety Plan have been incorporated into the project description and business operations for the proposed facility. The Cambria Fire Department issued a letter stating that the proposed fire safety plan "meets or exceeds all of our expectations by addressing all of the key areas of concern outlined in our earlier correspondence (M. Miller; January 9, 2013).

**Public Services/Utilities** - The proposed changes will not result in any new or increased impacts related to public services or utilities. As describes above under Hazards and Hazardous Materials, the recommendations of the Fire Safety Plan have been incorporated into the project description and business operations for the proposed facility. These recommendations address the concern raised by the Cambria Fire Department regarding the provision of emergency medical and evacuation services for facility residents.

**No change in impacts or new information** – The proposed changes will not result in any new or increased impacts, nor is any new information available regarding the project's impacts, for the following subject areas: Agriculture, Cultural Resources, Noise, Recreation, Traffic, Wastewater, Water, Land Use, and Mandatory Findings of Significance.

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

AIRLIN SINGEWALD		Project Manager	2/8/13	County of San Luis Obispo
Name	Signature	Title	Date	Public Agency

CAMBRIA COMMUNITY



SERVICES DISTRICT

August 1, 2011

DIRECTORS:

Michael Clark  
Po Box 419  
Cambria, CA 93428

Moore N. Clark  
*President*

Alice S. MacKinnon  
*Vice President*

James Behringst  
*Director*

Frank J. DeWitt  
*Director*

Michael Thompson  
*Director*

Dear Mr. Clark,

Subject: Time Extension, "Intent to Serve" Letter  
Commercial 11.78 EDU's  
APN: 024.191.052

OFFICERS:

Jerome Gruber  
*General Manager*

Timothy J. Carmel  
*District Counsel*

Ruby A. Choate  
*District Clerk*

Enclosed is verification that your request for extension of your "Intent to Serve" letter for 11.78 EDU's at the above referenced project has been APPROVED

Your "Intent to Serve" letter is now valid through June 1, 2012.

If you have any questions please do not hesitate to contact this office at 927-6223.

Sincerely,

Jerome D. Gruber  
General Manager

Enc: Approved Extension Application

CAMBRIA COMMUNITY SERVICES DISTRICT

DIRECTORS:  
DONALD VILLENEUVE, President  
HELEN MAY, Vice President  
LOU BLANCK  
PETER CHALDECOTT  
KAT MC CONNELL



OFFICERS:  
KENNETH C. TOPPING  
General Manager  
PAULETTE BECK  
District Secretary  
ROGER LYON  
Legal Counsel

2284 CENTER STREET, PO BOX 65, CAMBRIA, CA 93428  
Telephone: 805/927-6223 - FAX: 805-927-5584

November 1, 1998

MICHAEL CLARK  
PO BOX 419  
CAMBRIA CA 93428

Subject: INTENT TO PROVIDE WATER AND SEWER SERVICE for 6 EDU  
COMMERCIAL Project Under Water Conservation and Retrofit Program  
ASSESSOR'S PARCEL NO.: 024.191.052/~~054~~/056/057/058/059

Dear Applicant,

Pursuant to provisions of District Ordinance No. 2-95 and 1-98 the above referenced parcel has been approved for a water and sewer capacity allocation in the amount of Six Equivalent Dwelling Units (6 EDUs), for your Commercial Bed & Breakfast Project. On that basis, this letter serves as notification of this District's present intention to provide water and sewer service to the above referenced parcel.

This is also to inform you that the District's issuance to you of this "Intent to Serve" letter and subsequent issuance to you of water and sewer connection permits shall be subject to current and future rules, regulations, resolutions and ordinances of the Cambria Community Services District. This "Intent to Serve" letter may be revoked as a result of conditions imposed upon the District by a court or governmental agency of higher authority, or by a change in availability of resources, or by a change in ordinances, resolutions, rules or regulations adopted by the Board of Directors for the protection of the health, safety and welfare of the District. The Board of Directors of the District reserves the right to revoke this "Intent to Serve" letter at any time. **PLEASE NOTE: THE BOARD OF DIRECTORS IS CONDUCTING MID-YEAR REVIEWS OF THE RETROFIT PROGRAM IN OCTOBER AND DECEMBER, AT WHICH TIME IT MAY CONSIDER AMENDING THIS PROGRAM TO PLACE RESTRICTIONS ON THE ISSUANCE OF PERMITS.**

Consistent with the above limitations, the District requires that the applicant comply with Ordinance 1-98. Specific attention should be paid to Sections C-4 and 5 (page A-2) which require certain actions to be completed within strict time limits. Water usage under this program will be monitored and in the event a 2 to 1 savings is not achieved, the District may require additional action on your part prior to issuing a water and sewer connection. Also prior to issuance of a water & sewer connection permit, the additional "affordable housing" waiting list positions must be withdrawn from this property.

CCSD requires water conserving plumbing in all newly constructed residential and commercial buildings. A copy of these requirements, as well as our approved list of fixtures is attached for your information and should be forwarded to your architect or contractor.

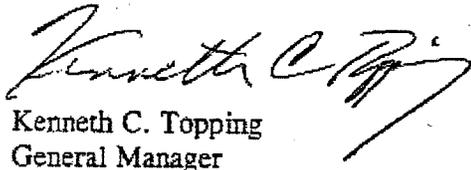
CCSD  
Intent to Serve  
page 2

Subject to earlier revocation for the reasons stated above, this "Intent to Serve" letter is valid for 18 months from date of issue. However, it is subject to consideration for a six-month extension. Application for such extension shall be subject to a non-refundable fee in the amount of \$200 and shall be submitted to the District office 30 days prior to expiration. The General Manager has full discretion to approve or disapprove the requested extension, and if granted it shall be subject to any conditions which may be imposed.

During the period that this "Intent to Serve" letter is valid (see date below), you must obtain water and sewer permits for the project by submitting signed application forms, and an approved County Building Permit, together with payment of any balance due on water and sewer connection fees. A water & sewer connection permit will then be issued to you. Failure to complete any of the requirements of this "Intent to Serve" letter within the proscribed time restraints may result in revocation of this "Intent to Serve" letter, forfeiture of fees and your project will be returned to the waiting list.

If you have any questions concerning this matter, please call this office for assistance.

Sincerely,  
CAMBRIA COMMUNITY SERVICES DISTRICT

  
Kenneth C. Topping  
General Manager

KCT/js

Enc. Agent Authorization Form  
New Construction Requirements  
Helpful Phone Numbers

IMPORTANT DEADLINES:

- ◆ Apply to District for Extension if needed  
..... 04/01/2000  
or
- ◆ Submit County Building Permit  
to District before  
"Intent Letter" expires ..... 05/01/2000

**CAMBRIA COMMUNITY SERVICES DISTRICT**

**DIRECTORS:**

ALLAN S. MAC KINNON, President  
MICHAEL THOMPSON, Vice President  
JIM BAHRINGER  
MURIL N. CLIFT  
GAIL ROBINETTE



**OFFICERS:**

JERRY GRUBER, General Manager  
KATHY A. CHOATE, District Clerk  
TIMOTHY J. CARMEL, District Counsel

1315 Tamsen Street, Suite 201 • P.O. Box 65 • Cambria CA 93428  
Telephone (805) 927-6223 • Facsimile (805) 927-5584

February 29, 2012

Michael Clark  
Po Box 419  
Cambria, CA 93428

Subject: **EXTENSION OF INTENT TO PROVIDE WATER AND SEWER SERVICE**  
**ASSESSOR'S PARCEL NO.: 024.191.052- 11.78 COMMERCIAL EDU'S**

Dear Mr. Clark,

Pursuant to provisions of Cambria Community Services District Code Section 8.04.070, the previously issued Intent to Serve Letter for the above referenced parcel has been approved for an extension. Accordingly, this letter serves as notification of the extension of the CCSD's present intention to provide water and sewer service to the above referenced parcel, subject to all of the terms and conditions of the previously issued Intent to Serve Letter and the conditions set forth below.

As previously stated in the Intent to Serve Letter issued on November 1, 1998 the CCSD's issuance to you of an "Intent to Serve" letter and subsequent issuance to you of water and sewer connection permits shall be subject to current and future rules, regulations, resolutions and ordinances of the Cambria Community Services District. The "Intent to Serve" letter may be revoked as a result of conditions imposed upon the CCSD by a court or governmental agency of higher authority, or by a change in availability of resources, or by a change in ordinances, resolutions, rules or regulations adopted by the Board of Directors for the protection of the health, safety and welfare of the District. The Board of Directors of the District reserves the right to revoke this "Intent to Serve" letter at any time.

**Please be advised that the CCSD requires water conserving plumbing in all newly constructed residential and commercial buildings. A copy of these requirements was previously provided with the original Intent to Serve Letter and should be provided by you to your architect or contractor.**

In accordance with Board action on January 19, 2011 this Extension of your Intent to Serve letter is valid until June 1, 2013. It may be considered for additional extensions, subject to meeting the requirements of the CCSD Code. Application for such extension are subject to a non-refundable fee in the amount set forth in the CCSD's applicable fee schedule and shall be submitted to the District office 30 days prior to expiration. The General Manager has full discretion to approve or disapprove the requested extension, and if granted it will be subject to any additional conditions which may be imposed at that time.

During the period that the "Intent to Serve" letter is valid, you must obtain a water and sewer connection permit for the project by submitting a signed application form, and an approved County Building Permit, together with payment of any balance due on retrofit, and water/sewer connection fees. Failure to complete any of the requirements of this Intent to Serve letter within the proscribed time restraints may result in its revocation, forfeiture of fees and your project will be returned to the waiting list.

If you have any questions concerning this matter, please call this office for assistance

CAMBRIA COMMUNITY



SERVICES DISTRICT

February 7, 2012

DIRECTORS:

Allan S. MacKinnon  
*President*

Michael Thompson  
*Vice President*

James Bahringer  
*Director*

Muriel N. Clift  
*Director*

Gail Robinette  
*Director*

OFFICERS:

Jerry Gruber  
*General Manager*

Timothy J. Carmel  
*District Counsel*

Kathy A. Choate  
*District Clerk*

Michael Clark  
Po Box 419  
Cambria, CA 93428

RE: **CONDITIONAL APPROVAL OF ASSIGNMENT**  
APN:024.191.038 Escrow # 4005-3870929

The Cambria Community Services District has received your application to assign your  
( )  
( X ) Intent to Serve Letter 11.78 EDU's  
( ) Water & Sewer Connection Permit  
( ) Grant for Water

For the above-referenced parcel.

YOU ARE HEREBY NOTIFIED that your application is **CONDITIONALLY APPROVED** subject to actual change of ownership of the property within one hundred and eighty (180) days of the above date.

In order to complete this assignment and to insure that your position is officially assigned to the new owner on our records, evidence of actual change of ownership (i.e. copy of the recorded grant deed) must be submitted to this office. In the event that the property does not change ownership within 180 days, or the person(s) indicated on the application changes, this conditional approval is null and void and a new application will be required.

Sincerely,

Monique Madrid  
Administrative Services Officer

Copy to Buyer: Kingston Bay Cambria  
Via FAX to: First American Title Co.

Sincerely,  
CAMBRIA COMMUNITY SERVICES DISTRICT



Monique Madrid  
Administrative Services Officer

- Enc. Approved Application for Extension  
Copy of retrofit program requirements  
New Construction Requirements  
Copy of original Intent to Serve Letter

---

CONDITIONS

1. The conditions contained in this Extension of Intent to Serve Letter are in addition to any and all conditions imposed on the original Intent to Serve Letter for this parcel, and any previously issued extensions. In the event of any conflict between conditions in the original letter and this Extension, the provisions in this Extension shall take precedence.
2. Any additional extensions shall be subject to the applicant having an active application for a building permit (residential) or an application accepted by the County for a minor use permit or development plan, if applicable and an active application for a building permit (commercial).
3. The applicant shall reimburse the CCSD for the costs of plan checking, construction inspection, project administration and legal assistance of any CCSD related improvement associated with the project. For all services rendered by CCSD personnel, the applicant shall be charged and pay to the CCSD the actual cost. The CCSD will invoice the applicant, and any amounts unpaid 30 days from the date of the invoice shall bear interest at the rate of 1 ½ % per month beginning 30 days after the date of said invoice.
4. The applicant expressly grants the CCSD, or its authorized agent, permission to enter upon the land that is the subject of the project for the purpose of inspection of any and/or all work related to the water and sewer improvements.
5. The applicant must agree to grant any required utility or access easements that may be reasonably required by the CCSD.
6. The applicant shall defend, indemnify and hold harmless the CCSD, its officers, agents, representatives and employees from any and all claims, demands, damages, costs expenses or liabilities, including attorney fees, occasioned by the performance or attempted performance of the provisions contained in the Intent to Serve Letter and this Extension.
7. In granting an intent to serve letter, CCSD, makes no determination as to land use entitlements required for the proposed project, and the issuance shall not be construed to be an expression of CCSD's position regarding the use or intensity of use of the development property.
8. The applicant agrees to pay all CCSD connection fees prior to connecting to the water and sewer system, and agrees to pay all monthly water and sewer service charges.

**APPLICATION FOR EXTENSION**

**INTENT TO SERVE LETTER CONNECTION PERMIT**

RESIDENTIAL  COMMERCIAL

Extension, if approved, is valid for 6 months on residential Intent to Serve Letters, and 12 months on Commercial Intent letters and all Connection Permits.

**INSTRUCTIONS:** Application for Extension shall be submitted at least thirty (30) days prior to expiration date of letter/permit. Applicant must provide proof that application(s) for a building construction permit and, if required for this project, a minor use permit, is/are actively being processed by the County Planning Dept. **Application must include payment of Extension Fee per District Fee Schedule.**

TODAY'S DATE: 1-5-2012 EXPIRATION DATE of LETTER/PERMIT JUNE 2012  
OWNER'S NAME MICHAEL CLAR PHONE # 203-5388  
OWNER'S MAIL ADDRESS P.O. BOX 419 CLASHA 9408 927-5088  
AGENT'S NAME/PHONE NO. JACK ROSEMSKY REAL ESTATE 927-4777  
ASSESSOR'S PARCEL NUMBER 024-191-052

INTENT TO SERVE LETTER FIRST ISSUED (DATE): \_\_\_\_\_ # OF EXTENSIONS PREVIOUSLY REQUESTED 14

(REQUIRED) • Attach **CURRENT** (no more than 30 days old) **COUNTY STATUS PRINT-OUT** showing RECENT activity on the project

(REQUIRED) • Building Permit/ Project No. B

(If applicable) • Minor Use Permit/ Project No. DEC 2005-00103

• Have you started the foundation or construction? Yes \_\_\_ No ✓

Reason for this request:

MORE TIME NEEDED TO PROCESS VARIOUS PROJECT

*I/We understand that the General Manager/Board of Directors (as applicable) shall have full discretion to approve or disapprove the requested extension, and if granted, the extension shall be subject to any conditions which may be imposed.*

Michl Clark 1-5-2012  
Signature of Applicant or Authorized Agent Date

----- for office use -----

Extension Fee Paid yes Extension DENIED \_\_\_\_\_  
All documentation received yes Reason for Denial \_\_\_\_\_  
Board Action Date (if applicable): 1/19/12  
Extension APPROVED unified yes  
New Expiration Date 6/1/13 Caitney Vatherson 2/22/12  
/s/Permits Specialist / for General Manager Date

P:\Admin\Conservation & Permits\EXTENSIONS\FORMS\Apd for Extension Form.doc

CAMBRIA COMMUNITY SERVICES DISTRICT

DIRECTORS:  
DONALD VILLENEUVE, President  
HELEN MAY, Vice President  
LOU BLANCK  
PETER CHALDECOTT  
KAT MC CONNELL



OFFICERS:  
KENNETH C. TOPPING  
General Manager  
PALLETTE BECK  
District Secretary  
ROGER LYON  
Legal Counsel

2284 CENTER STREET, PO BOX 65, CAMBRIA, CA 93428  
Telephone: 805/927-6223 - FAX: 805-927-5584

November 1, 1998

Mike Clark  
PO Box 419  
Cambria, CA 93428

**RE: COMPLETION OF RETROFIT PROGRAM REQUIREMENTS**

APN: 024.191.052.001 6 EDU Commercial Project

Dear Mike ,

This is to inform you that as of the above date:

The retrofits for your project under the District's plumbing retrofit program have been approved on final inspection.

We have received your payment "In Lieu of Retrofit" in the amount of \$42,900.00

You now meet the retrofit requirements of the Plumbing Retrofit Water Conservation Program Ordinance 1-98.

If you have any questions please contact me at the District office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joyce A Stone".  
Joyce A Stone  
Senior Clerical Assistant

Enc.

<p><b>NOTICE TO ALL BUILDERS, CONTRACTORS, AND OWNER/BUILDERS:</b></p>
--

Cambria Community Services District  
**MANDATORY WATER CONSERVATION PLUMBING**  
 FIXTURES & DEVICES to be used on NEW CONSTRUCTION

Pursuant to District Ordinance (3-88 as amended by Res. 37-95) mandatory water conservation plumbing requirements are in effect for all New Construction, which is defined as any construction of a previously non-existent structure requiring a discretionary or ministerial permit, and includes the remodeling of an existing structure involving the addition of bathroom fixtures or an increase in floor space of 20% or more.

**1) REQUIRED PLUMBING FIXTURES AND DEVICES**

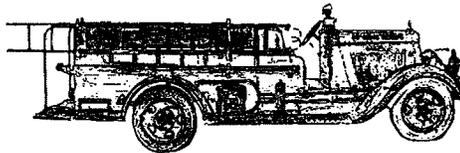
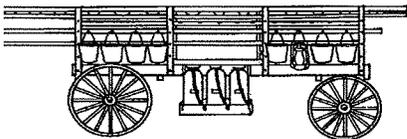
- A. **Pressure Regulator** – on the incoming water supply to the structure. This regulator shall be set at a maximum of 50 pounds per square inch gage (50 psig) and located as close to the water meter as possible.
- B. **Toilets & Urinals**– 1.6 gallons per flush maximum (for both tank and flushometer type toilets).
- C. **Bathtubs, Jacuzzi & whirlpool spas** (applies only to units designed to be drained after each use) shall be of a design that does not exceed a maximum of 70 gallons capacity.
- D. **Showerheads** – maximum flow of 2 gallons per minute (2.0 gpm) at 50 pounds pressure, equipped with a shut-off valve near the showerhead.
- E. **Kitchen Faucets** – shall be equipped with an aerator that allows a maximum flow of 2.0 gallons per minute (2.0 gpm) at 50 pounds pressure (50 psi).
- F. **Lavatory Faucets** - shall be equipped with an aerator that allows a maximum flow of 0.5 gallons per minute (1/2 gpm) at 50 pounds pressure (50 psi).
- G. **Exterior Hose Bibs** – shall not exceed 4.0 gallons flow per minute with backflow preventer/vacuum breakers.

**2. HOT WATER SYSTEM PLUMBING** (this section does not apply to remodels or additions)

- A. **Hot Water System** – Recirculating or 2-pipe hot water piping system with or without a circulation pump.
- B. **Thermal Insulation** – all hot water piping will have thermal insulation with a thickness of not less than ¾ of an inch.
- C. **Hot Water Pipe Located Within or Under Concrete Slabs** – shall be insulated as coverin in item 2.B above and contained in chases or conduits.

# CAMBRIA CSD FIRE DEPARTMENT

Established 1887



Mark Miller, Fire Chief

2850 Burton Drive • Cambria, CA. 93428

Phone: (805) 927-6240 • Fax: (805) 927-6242 • Email: [mmiller@cambriacsd.org](mailto:mmiller@cambriacsd.org)

Airlin Singewald  
San Luis Obispo County  
Department of Planning and Building  
County Government Center  
1055 Monterey Street  
San Luis Obispo, CA 93408

January 9, 2013

Dear Airlin,

I have reviewed the Fire and Life Safety Plan (FLSP) submitted for the Kingston Bay Project and find that it addresses all of the key components identified by the Cambria CSD Fire Department.

The FLSP defines the *shelter in place* capability, *evacuation procedures*, *routine transport procedures*, maintenance of *access* and *defensible space* for the facility. The FLSP was researched and produced by Dudek and meets or exceeds all of our expectations by addressing all of the key areas of concern as outlined in our earlier correspondence.

I have also completed the fire/building plan review and have issued a Fire Plan Review Letter to enable the Kingston Bay Group to apply for their building permits. This document has been forwarded to Cortney Upthegrove at the Cambria Community Services District for release.

Please contact me if you have any further questions or concerns regarding this project.

Sincerely,

Mark Miller, Fire Chief



RE: DRC2012-00024 KINGSTON, Coastal E-Referral, MUP/Senior Car and Assisted Living Facility in Cambria

Robinson, Daniel@Coastal to: asingewald@co.slo.ca.us

10/10/2012 03:01 PM

History: This message has been forwarded.

Hello and thank you for the opportunity to comment:

1. What does RCFE mean exactly and is it allowed in the Residential Multi Family land use category according to Table O?
2. It appears that 9 trees are to be removed. Please ensure that tree removal is minimized and that all trees are permitted to be removed according to the LCP's tree removal policies (including Coastal Zone Policy 5 and 7 and CZLUO Section 23.05.034d, 064e, 064b and 064d, and any applicable policies in the North Coast Area Plan.
3. It appears that the project will require approximately 1,731.7 gallons per day and require 2 water connections and that it has a valid will-serve letter. It is unclear where the water connections will come from or how new connections will be allowed. Is it a transfer? Is it through conservation, or retrofitting fixtures in Cambria? Is it grandfathered from the waiting list?
4. It appears there was an earlier application for the same type of project in 2005 and that an archeological investigation was done at this time. This will need to be updated, if not done so. Did this permit expire? Is this new proposal a reflection of public comment or concern about the location or nature of the project in any way?
5. It appears that the proposed project could have significant view impacts from highway 1. Please ensure that visual simulations are submitted showing views from HWY 1 (going north and south) and how any proposed or required mitigation will screen the proposed project (including parking) as much as possible from sight views from HWY 1. Please ensure that visual policies are complied with, related to any public viewsheds and/or the HWY 1 corridor in this location.
6. It appears that the project will be located on 7 individual parcels. Please ensure that documents are included which discuss the legality of these parcels and any documents showing how these lots were created in the past (e.g. subdivision approvals, map act compliance, etc.).

Thank you,  
CCC

From: tjamison@co.slo.ca.us [mailto:tjamison@co.slo.ca.us] On Behalf Of plpreferrals@co.slo.ca.us  
Sent: Thursday, September 27, 2012 10:08 AM  
To: jlmcgarry@charter.net; ttomlinson@co.slo.ca.us; gdmarshall@co.slo.ca.us; mkdavis@co.slo.ca.us; cjourney@co.slo.ca.us; criha@co.slo.ca.us; shicks@co.slo.ca.us; chris.shaeffer@dot.ca.gov; Presser, Tamara@Waterboards; Hammer, Phillip@Waterboards; Dyer, Julia@Waterboards; Robinson, Daniel@Coastal; asingewald@co.slo.ca.us; tjamison%co.\_slo.ca.us@co.slo.ca.us; tsgray@pontifexmarketing.com; jjobahh@sbcglobal.net; jobahh@sbcglobal.net; bleufrog@earthlink.net; gailgra@charter.net; jrenshaw@mac.com; mrsewell@charter.net; hnybrs@aol.com; covellsclyclesdales@yahoo.com; fishmaninvestments@gmail.com; c davidson@cambriacsd.org; mmiller@cambriacsd.org; cryan@cambriacsd.org; tjamison%co.\_slo.ca.us@co.slo.ca.us; aarlingenet\_apcd@co.slo.ca.us; aroslan\_apcd@co.slo.ca.us; xfowler@co.slo.ca.us; norton@co.slo.ca.us; brobeson@co.slo.ca.us; kkarle@co.slo.ca.us; cstevenson@co.slo.ca.us  
Cc: asingewald@co.slo.ca.us



COALITION PARTNERS:

- Arroyo Grande Community Hospital*
- Boys and Girls Club – South County*
- Cal Poly University*
  - Art and Design Department*
  - Center for Sustainability*
  - Food Science & Nutrition Department*
  - Kinesiology Department*
  - Landscape Architecture Department*
- STRIDE*
- CenCal Health*
- Central Coast Ag Network*
- City of San Luis Obispo*
  - Parks and Recreation Department*
- Community Action Partnership of SLO County, Inc.*
- Dairy Council of California*
- Dringer Associates*
- Equilibrium Fitness*
- First 5 Commission of SLO*
- French Hospital Medical Center*
- Juiciful Creative Consulting*
- Kennedy Club Fitness*
- Lillian Larsen Elementary School*
- Living the Run*
- Lucia Mar Unified School District*
- Network for a Healthy California – Gold Coast Region*
- North County Farmers Market Assoc.*
- Oceano Community Center*
- Paso Robles Library & Recreation Services*
- Rideshare – Safe Routes to School*
- San Luis Sports Therapy*
- San Miguel Joint Unified School District*
- San Miguel Resource Connection*
- SLO Bicycle Coalition*
- SLO Council of Governments*
- SLO County Board of Supervisors*
- SLO County Community Foundation*
- SLO County Health Commission*
- SLO County Office of Education*
- SLO County Parks*
- SLO County Planning and Building*
- SLO County Public Health*
- SLO Food Bank Coalition*
- UC Cooperative Extension*
- YMCA of SLO County*

November 14, 2012

TO: San Luis Obispo County Planning Commission  
FROM: HEAL-SLO - Healthy Communities Work Group  
RE: DRC 2012-00024–Kingston Minor Use Permit

HEAL-SLO is the SLO County obesity prevention coalition and its mission is to increase healthy eating and regular physical activity among County residents through policy, behavioral and environmental changes. In carrying out that mission, a subcommittee called the Healthy Communities Work Group provides responses to Planning staff from a healthy community's perspective on proposed land development projects, ordinance and general plan amendments, and special projects.

The Healthy Communities work group has reviewed the proposal for the construction of a senior care and assisted living facility with 31 units off Green Street in Cambria. We do not have any significant concerns with this development. Our only question would be to clarify how walkable the area is. While the seniors in the memory care unit probably wouldn't be going out on their own, some of the assisted living residents might want to walk to shopping or the park. The benefits of regular exercise are well established. Walking may be the best fitness activity for many seniors given the relatively low physical risks and the enormous long-term health benefits. A 2008 study from researchers at the University of Georgia found that older adults who kept up with a walking program for four months had "significant" health improvements over a group that didn't walk.

Thank you for the opportunity to review this project.



SAN LUIS OBISPO COUNTY  
**DEPARTMENT OF PUBLIC WORKS**

Paavo Ogren, Director

---

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252  
Fax (805) 781-1229 email address: [pwd@co.slo.ca.us](mailto:pwd@co.slo.ca.us)

---

**MEMORANDUM**

Date: January 17, 2013  
To: Airlin Singewald, Project Planner  
From: Glenn Marshall, Development Services Engineer  
Subject: **Public Works Comments on DRC2012-00024 Kingston MUP for Senior Care, Ardath Dr, Cambria APN 024-191-038 (-024,-052,-056,-058 & -059)**

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 based on the resubmittal dated January 10, 2013:

**Public Works Comments:**

- A. The proposed project triggers Curb Gutter and Sidewalk requirements per 23.05.106 for full urban street improvements along the project frontage of Londonderry Lane, Ardath Drive and Green Street. A condition is being recommended to submit improvement plans to Public Works for review and approval prior to building permit issuance and post a performance bond, or have a waiver approved, in accordance with this Ordinance. If the project is approved the applicant may apply for a waiver through the Planning and Building Department in accordance with 23.05.106(d); however, there is no guarantee that a waiver will be granted.
- B. If a Curb Gutter and Sidewalk waiver is approved the applicant may still be required to construct frontage improvements in accordance with the A-1 rural road standards which would include a gravel shoulder for parking and pedestrian purposes. These road frontage improvements may require an offer of dedication along the project frontages to accommodate the additional width of public improvements.
- C. The landscaping plans show trees within the existing right of ways. Proposed landscaping in the right of way may be requested but will require landscape plantings meet sight distance standards for intersections and driveways (see County A-5 series standards) and that ongoing maintenance be the responsibly of the fronting property owner/s. Proposed landscaping within the right-of-way must be reviewed for possible approval by the Department of Public Works.
- D. The proposed project is within the North Coast Area D. Payment of the Road Improvement Fee is required prior to building permit issuance.
- E. 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.

- F. Although the old county road right-of-way was vacated (per 2667 OR 499) the underlying public utility easement may not have been. Prior to permit issuance evidence should be provided to the County from each of the utility purveyors and Cambria CSD that the proposed buildings and improvements may be constructed in their easements. Any easements that conflict with the proposed development may need to be quitclaimed prior to permit issuance.
- G. The project will be disturbing more than one acre so will be subject to the requirements of the Construction General Permit when they process their SWPPP with the RWQCB. Permit requirements include implementation of non-structural and structural measures. The applicant is advised to work redesign their project to ensure it will meet the General Permit Requirements.

**Recommended Project Conditions of Approval:**

**Access**

1. **At the time of application for construction permits**, public improvement plans shall be prepared and a performance bond posted in compliance with Section 23.05.106 (Curbs, Gutters and Sidewalks) of the Land Use Ordinance; and San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works. The plan/s is/are to include, as applicable:
  - a. Street plan and profile for widening **Ardath Drive, Green Street and Londonderry Lane** to complete the project side of an A-2 urban street section fronting the property. All proposed driveways shall be located a minimum of 50-feet from any existing street intersection and constructed in accordance with County Standard B-series drawings.
    - i. The applicant may apply to the Department of Planning and Building for an adjustment to this requirement in accordance with 23.05.106(d). If approved, the Curb, gutter and/or sidewalk improvement requirements may be waived, modified or delayed. If a Curb Gutter and Sidewalk waiver is approved the applicant may still be required to construct these frontage improvements in accordance with the A-1 rural road standards which would include a gravel shoulder for parking and/or pedestrian purposes.
  - b. Pedestrian easements as necessary to contain all slope, shoulder, sidewalk, driveway and curb ramp improvements that extend beyond the existing right-of-way. Offers are to be recorded by separate document with the County Clerk-Recorder upon review and approval by Public Works.
  - c. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - d. Public utility plan, showing all existing utilities and installation of all new utilities to serve the site.
  - e. A landscaping plan showing all proposed landscaping within the public right-of-way
  - f. The Green Street access driveway shall be marked and signed for project ingress only in accordance with the recommendations project traffic report prepared by ATE and dated November 2, 2012 (copy on file with the Department of Public Works).

2. **At the time of application for construction permits**, the applicant shall enter into an agreement and post a cash deposit with the county for the cost of checking the improvement plans and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
3. **Prior to occupancy or final inspection**, a Registered Civil Engineer must certify to the Department of Public Works that the public improvements are made in accordance with all 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.
4. **At the time of application for construction permits**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with the local fire agency standards and specifications back to the nearest public maintained roadway.
5. **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 lighting, project signage; landscape planting; fences; etc without a valid Encroachment Permit issued by the Department of Public Works.
6. **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 sidewalks and landscaping in a viable condition and on a continuing basis into perpetuity or until specifically accepted for maintenance by a public agency.

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 North Coast Area D Road Improvement Fee for each future building permit in the amount prevailing at the time of payment.

Drainage

8. **At the time of application for construction permits**, the applicant shall submit complete drainage calculations prepared by a licensed civil engineer for review and approval in accordance with Section 23.05.040 (Drainage) of the Land Use Ordinance. All drainage must be retained or detained 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 plans for review and approval.
10. **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.

Stormwater Pollution Prevention

11. **At the time of application for construction permits**, the applicant shall demonstrate the project has incorporated County approved LID structural practices into the project. Refer to the brochure *Interim Low Impact Development Guidelines* for further information and references for LID design.
12. **At the time of application for construction permits**, the project shall comply with the post-construction requirements of the Construction General Permit (CGP). A "Private Stormwater Conveyance Management and Maintenance System" shall be submitted to the Department of Public Works for review and approval. Upon approval, the applicant shall record with the County Recorder's Office the "*Private Stormwater Conveyance Management and Maintenance System*" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Recycling

13. **On-going condition of approval (valid for the life of the project)**, the applicants shall provide recycling opportunities to all facility users in accordance with Ordinance 2008-3 of the San Luis Obispo County Integrated Waste Management Authority (mandatory recycling for residential, commercial and special events).

Offers

14. **Prior to issuance of construction permits**, the applicant may be required to offer for dedication to the public right-of-way easements by separate document for road widening purposes a sufficient width as necessary to contain all elements of the roadway prism including slopes, shoulders, sidewalks, driveway aprons, curb ramps and other improvements. Offers are to be recorded by separate document with the County Clerk-Recorder after review and approval by Public Works.
15. **Prior to issuance of construction permits**, the applicant may be required to offer for dedication to the public drainage easement(s) as necessary to contain both existing and proposed drainage features where those features accept public road storm flows. Offers are to be recorded by separate document with the County Clerk-Recorder after review and approval by Public Works.

Other

16. **Prior to issuance of construction permits**, the applicant shall submit evidence satisfactory to the Department of Planning and Building that the Cambria Community Services District and each public utility (PG&E, Gas Company, Telephone Company, etc) has reviewed and is in agreement with the proposed project constructing buildings and other improvements atop the existing utility easement within the vacated portion of the Ardash Drive right-of-way. Alternatively, the applicant may be required to quitclaim all or a portion of the public utility easement prior to permit issuance.

V:\\_DEVSERV Referrals\Land Use Permits\Minor Use Permits\DRC2012-00024 Kingston, Cambria\20131015 Submittal\DRC2012-00024 Kingston, Cambria.doc

**DEPARTMENT OF TRANSPORTATION**

50 HIGUERA STREET  
SAN LUIS OBISPO, CA 93401-5415  
PHONE (805) 549-3101  
FAX (805) 549-3329  
TTY 711  
<http://www.dot.ca.gov/dist05/>



*Flex your power!  
Be energy efficient!*

January 17, 2013

Airlin Singewald  
Department of Planning and Building  
San Luis Obispo County  
County Government Center  
San Luis Obispo CA 93408

05-SLO-1-48.26

Subject: DRC2012-00024 KINGSTON-MINOR USE PERMIT PROJECT FOR A SENIOR CARE AND ASSISTED LIVING FACILITY

Dear Mr. Singewald:

Thanks for your email response of January 16, 2013, regarding our hydrology concerns on the Kingston project. Caltrans agrees that as a condition of approval there should be an analysis of build out water quantity flows (for which Caltrans should concur with). This analysis should include the culvert under State Route 1 at postmile 47.64. This culvert serves a large watershed and the analysis should look at impacts of the project to the 100-year flow. The analysis should be conducted and signed by a California licensed civil engineer. Please let us know when the analysis has become an official condition of approval.

Thank you for addressing our concern. We look forward to reviewing the analysis. If you have questions, please feel free to contact me at (805) 549-3131.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Fukushima".

Adam Fukushima, PTP  
Caltrans District 5  
Development Review



Re: Fw: Kingston Bay - Construction Schedule   
Meghan Field to: Airlin Singewald

01/10/2013 02:21 PM

History: This message has been replied to and forwarded.

Afternoon Airlin,

The construction schedule and equipment looked good and it looks like it will likely be below our threshold. Please ensure that the language (dust, idling, etc) that we included in our letter is incorporated during construction to ensure the lowest on-site emissions possible.

Thanks!

---

Meghan Field  
Air Quality Specialist  
San Luis Obispo Air Pollution Control District  
3433 Roberto Court, SLO, CA 93401  
t: 805.781.1003  
f: 805.781.1002

Stay up to date with our e-newsletter!  
[www.slocleanair.org](http://www.slocleanair.org)

Travel green & get great discounts!  
[www.slocarfree.org](http://www.slocarfree.org)

---

Airlin Singewald	Hi Meghan, The applicant on this project (DRC2...	01/08/2013 12:21:30 PM
------------------	---	------------------------

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From: Airlin Singewald/Planning/COSLO  
To: Meghan Field/APCD/COSLO@Wings  
Date: 01/08/2013 12:21 PM  
Subject: Fw: Kingston Bay - Construction Schedule

Hi Meghan,

The applicant on this project (DRC2012-00024) has submitted the attached construction schedule for APCD to more accurately estimate construction-related impacts. Since we do not anticipate an EIR on this project, I believe either your or my office will be conducting the CalEEMod modeling. Please give me a call so we can coordinate on this.

Thanks,  
Airlin

Airlin Singewald  
San Luis Obispo County  
Department of Planning and Building  
(805) 781-5198  
[asingewald@co.slo.ca.us](mailto:asingewald@co.slo.ca.us)

----- Forwarded by Airlin Singewald/Planning/COSLO on 01/08/2013 12:17 PM -----

From: Julie McGeever <[Julie@hbarchitects.com](mailto:Julie@hbarchitects.com)>  
To: "[asingewald@co.slo.ca.us](mailto:asingewald@co.slo.ca.us)" <[asingewald@co.slo.ca.us](mailto:asingewald@co.slo.ca.us)>  
Cc: "Lisa Schumaker ([lschumacher@kingstonbayseniors.com](mailto:lschumacher@kingstonbayseniors.com))"



Air Pollution Control District  
San Luis Obispo County

October 3, 2012

Airlin Singewald  
San Luis Obispo County Department of Planning & Building  
County Government Center  
San Luis Obispo CA 93408

SUBJECT: APCD Comments Regarding the DRC2012-00024, Kingston Bay Senior Living Project Referral

Dear Mr. Singewald,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project located at the intersection of Londonderry Lane, Ardath Drive and Green Street at 1831 Green Street in Cambria. The Kingston Bay Senior Housing project is proposed to provide assisted living and memory care services for a total of 31 units and 41 senior residents. The project has a total gross building square footage of 28,226 square feet with nineteen proposed parking spaces. The applicant will also pursue a voluntary lot merger as part of the project entitlement and a total of nine parcels will make up the 1.26 acre site. *The following are APCD comments that are pertinent to this project.*

Infill within City Limits & URL / Smart Growth

The APCD encourages balance of residential and commercial infill within the existing County URL/VRLs, as this is consistent with the land use goals and policies of the APCD's Clean Air Plan. Enabling residents the opportunity to live, work and shop within areas that utilize Smart Growth principles reduces the need to drive and minimizes vehicle exhaust emissions which account for over 50% of the County's air pollution including greenhouse gas emissions. Increasing density can reduce trips and travel distances and encourage the use of alternative forms of transportation. The APCD supports this project, as it is consistent with the Conservation and Open Space Elements of the SLO County's General Plan adopted by the SLO County Board of Supervisors.

Specifically, we would like to commend the applicant on several elements of the project design:

1. The project provides development within the city limits with nearby access to commercial services and transit service, which will reduce dependence on driving;
2. The project provides development within the URL where such development is planned for and expected;

Project Referral for DRC2012-00024, Kingston Bay Senior Living  
 October 3, 2012  
 Page 2 of 5

3. The proposed residential buildings are two stories, resulting in a greater floor to area ratio.

**The APCD supports this project because of the project's many sustainable growth elements.**

#### **CONSTRUCTION PHASE IMPACTS**

The APCD evaluated the construction impacts of this project using the CalEEMod air quality model, a tool for estimating construction emissions related to the development of land uses. The modeling results indicated that construction phase impacts have the potential to exceed the APCD's daily significance threshold values of 137 lbs/day of ROG + NO<sub>x</sub>. **However, due to the limited information provided in the project referral, the modeling could reflect a more conservative assessment than what will actually take place on-site. The APCD is requesting the following measures be implemented to further reduce the emissions on-site.**

#### **Insufficient Construction Information**

BACT measures are needed when construction emissions exceed APCD mitigation thresholds as defined in 2.1 in the APCD's 2012 CEQA Handbook. These thresholds are when nitrogen oxide (NO<sub>x</sub>) and reactive organic compound (ROG) combined exceed 137 lbs/day or 2.5 tons/quarter or PM combustion emissions exceed 2.5 tons/quarter. Because sufficient information regarding the construction phase emissions of this project is currently lacking, the specific BACT requirements cannot be quantified at this time. In order to mitigate the construction emissions to a level of insignificance, BACT will be required; however the magnitude will need to be determined once the construction emissions calculations are provided. **Please contact the APCD with more specific equipment information prior to finalizing the EIR.** When this information is received, the APCD will determine the BACT measures applicable to this project.

#### **Insufficient Diesel Equipment Information / Diesel Emissions Near Sensitive Receptors**

This project will involve the use of numerous pieces of heavy-duty diesel equipment. Diesel particulate matter is listed as a toxic air contaminant by the California Air Resources Board with no identified threshold level below which there are no significant health effects. Therefore, the APCD is very concerned with projects that will produce large amounts of diesel exhaust near sensitive receptors. **The project proponent shall calculate construction impact emissions and compare these values to the APCD's CEQA construction thresholds. If this project exceeds the thresholds, mitigation measures will be necessary. Provide the following information to the APCD for review and approval:**

- Number and type of construction equipment operating throughout the construction phase of the project;
- Sensitive receptors within 1000 feet of construction boundary;
- If project includes hauling, identify fleet mix, hauling route (must minimize sensitive receptor impact) and number of trips per day;
- Time frame for the operation of construction equipment during the project, which includes:
  - The total length of the project duration;
  - An estimation of the number of daily operating hours for the equipment; and,
  - An estimation of equipment that would operate simultaneously on a given day.

Project Referral for DRC2012-00024, Kingston Bay Senior Living  
October 3, 2012  
Page 3 of 5

#### Asbestos / Naturally Occurring Asbestos

Naturally occurring asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain naturally occurring asbestos. The SLO County APCD has identified areas throughout the County where NOA may be present (see the APCD's 2012 CEQA Handbook, Technical Appendix 4.4). If the project site is located in a candidate area for Naturally Occurring Asbestos (NOA), the following requirements apply. Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any construction activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the APCD.** If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. If NOA is not present, an exemption request must be filed with the Air District. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.php>.

#### Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** If you have any questions regarding these requirements, contact the APCD Enforcement Division at 781-5912.

#### Dust Control Measures

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. **Projects with grading areas that are within 1,000 feet of any sensitive receptor (residents on Londonderry Lane, Ardath Drive and Green street) shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402):**

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. 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;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface

Project Referral for DRC2012-00024, Kingston Bay Senior Living  
October 3, 2012  
Page 4 of 5

- at the construction site;
- i. 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 CVC Section 23114;
  - j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
  - k. 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;
  - l. All PM<sub>10</sub> mitigation measures required should be shown on grading and building plans; and,
  - m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

#### Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. Operational sources may also require APCD permits.

The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2009 CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers
- Portable generators and equipment with engines that are 50 hp or greater
- Internal combustion engines

**To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

#### Construction Phase Idling Limitations

This project is in close proximity to nearby sensitive receptors (residents on Londonderry Drive, Ardath Drive and Green Street). Projects that will have diesel powered construction activity in close proximity to any sensitive receptor shall implement the following mitigation measures to ensure that public health benefits are realized by reducing toxic risk from diesel emissions:

**To help reduce sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project, the applicant shall implement the following idling control techniques:**

#### 1. Diesel Idling Restrictions Near Sensitive Receptors

In addition to the State required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:

Project Referral for DRC2012-00024, Kingston Bay Senior Living  
October 3, 2012  
Page 5 of 5

- a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
- c. Use of alternative fueled equipment is recommended; and
- d. Signs that specify the no idling areas must be posted and enforced at the site.

**OPERATIONAL PHASE IMPACTS**

The APCD staff also considered the operational impact of this development by running the CalEEMod air quality model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts will likely be less than the APCD's CEQA significance thresholds for ROG + NO<sub>x</sub>, diesel particulate matter (DPM), and fugitive particulate matter (PM<sub>10</sub>) as identified in Table 3-2 in the CEQA Handbook.

**Although the project will not be exceeding the APCD's operational significance thresholds, we do encourage the project proponent to include transit for those living in the facility to reduce vehicle miles traveled. Vehicle exhaust emissions account for over 50% of the County's air pollution including greenhouse gas emissions, shuttles that are available for residents have been found to be extremely beneficial for local air quality.**

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-5912.

Sincerely,



Meghan Field  
Air Quality Specialist  
MDF/arr

cc: Jeff King, Landowner  
Tim Fuhs, Enforcement Division, APCD  
Karen Brooks, Enforcement Division, APCD  
Gary Willey, Engineering Division, APCD

Attachments:

1. Naturally Occurring Asbestos – Construction & Grading Project Exemption Request Form, Construction & Grading Project Form

h:\plan\ceqa\project\_review\3000\3700\3738-1\3738-1.docx



COUNTY OF SAN LUIS OBISPO  
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (MN)

ENVIRONMENTAL DETERMINATION NO. ED05-248

(ENDORSED)  
DATE JUL 18 2006  
**FILED**

PROJECT/ENTITLEMENT: Clark Minor Use Permit DRC2005-00103

SEP 22 2006

APPLICANT NAME: Michael Clark  
ADDRESS: PO Box 419, Cambria, CA 93428  
CONTACT PERSON: Same as applicant

JULIE L. RODEWALD, COUNTY CLERK  
Telephone: 805-927-5088  
by SANDY CURRENS  
DEPUTY CLERK

PROPOSED USES/INTENT: Request by Michael Clark to allow for the establishment of an approximate 39,391 square foot, 31-unit senior care facility, which will result in the disturbance of approximately 1 acre on a 1.26 acre parcel.

LOCATION: The proposed project is within the Residential Multi-Family land use category, and is located between Londonderry and Green Streets, directly south of Ardath Street, approximately 500 feet west of Highway 1, in the community of Cambria. The site is in the North Coast planning area.

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

OTHER POTENTIAL PERMITTING AGENCIES: None

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 July 20, 2006  
20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

**Notice of Determination**

State Clearinghouse No.

This is to advise that the San Luis Obispo County PDH as  Lead Agency  
 Responsible Agency approved the above described project on 8-18-06, 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

<u>Martha Neder</u>	Martha Neder	<u>8-18-06</u>	County of San Luis Obispo
Signature	Project Manager Name	Date	Public Agency

California Department of Fish and Game  
**CERTIFICATE OF FEE EXEMPTION**  
De Minimis Impact Finding

**PROJECT TITLE & NUMBER:** Clark Minor Use Permit

**Project Applicant**

Name: Michael Clark  
Address: PO Box 419  
City, State, Zip Code: Cambria, CA 93428  
Telephone #: 805.927.5088

**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):

- (X) 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.
- ( ) 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.

*Martha Nider for*  
\_\_\_\_\_  
Ellen Carroll, Environmental Coordinator  
County of San Luis Obispo

Date: 8-18-06



**COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**  
(ver 2.1)

**Project Title & No.** Clark Minor Use Permit /Coastal Development Permit DRC2005-00103 ED 05-248

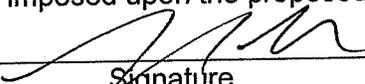
**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

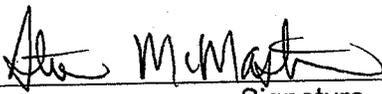
<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Martha Neder  6/26/06  
Prepared by (Print) Signature Date

Steven McMasters  Ellen Carroll, 6/26/06  
Reviewed by (Print) Signature (for) Environmental Coordinator 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, available 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. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Michael Clark for a Minor Use Permit/Coastal Development Permit to allow a 39,391 square foot, 31-unit senior care facility. The project will result in the disturbance of approximately 1 acre of a 1.26 acre parcel. The proposed project is within the Residential Multi-Family land use category and is located between Londonderry and Green Streets, directly south of Ardath Streets, approximately 500 feet west of Highway 1, in the community of Cambria. The site is in the North Coast planning area.

**ASSESSOR PARCEL NUMBER(S):** 024-191-024, 038, 052, 056 - SUPERVISORIAL DISTRICT # 2  
059

**B. EXISTING SETTING**

**PLANNING AREA:** North Coast, Cambria

**LAND USE CATEGORY:** Residential Multi-Family

**COMBINING DESIGNATION(S):** Terrestrial Habitat, Local Coastal Plan/Program

**EXISTING USES:** Undeveloped

**TOPOGRAPHY:** Nearly level

**VEGETATION:** Grasses , monterey pines , scattered oaks , ornamental landscaping

**PARCEL SIZE:** 1.26 acres

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Residential Multi-Family; undeveloped	<i>East:</i> Residential Multi-Family; undeveloped
<i>South:</i> Residential Multi-Family; undeveloped	<i>West:</i> Residential Multi-Family; undeveloped

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

**Setting.** The project is located at the southern end of Cambria and will be visible from portions of Highway One (see attached View Corridor Study). The visual character along Highway One approaching the project is rural with scattered elements of development. However, the project is located in an area already developed with residential development and a church. The topography in the area consists mainly of rolling hills with intermittent areas of Monterey Pine forest and grasslands covering slopes adjacent to the road. The vegetation on site is dominated by grasses with areas of Monterey Pine and redwood trees. The project design is considered compatible with that of the surrounding development.

**Impact.** The proposed project would not project into the skyline, the structures are designed to be compatible with surrounding development, and landscaping will provide screening to soften the appearance of development. Proposed lighting is designed to be the minimum amount necessary to provide for emergency response access and safe path of travel for frail or disabled residents.

**Mitigation/Conclusion.** In order to maintain the scenic quality of the Highway One corridor, future development shall be consistent with the proposed elevations, colorboard, lighting plan, and landscaping plan. The applicant has agreed to incorporate these measures (see attached Developer's Statement) as a part of the project. Therefore, implementation of these measures will reduce the potential visual impacts to insignificant levels.

2.	<b>AGRICULTURAL RESOURCES</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
	<i>- Will the project:</i>				

**2. AGRICULTURAL RESOURCES**

*- Will the project:*

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

**Setting.** The soil types are as follows:

Los Osos loam, (9 - 15 % slope). This gently to moderately sloping soil is considered well drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock, slow percolation. The soil is considered Class III without irrigation and Class III (is not rated) when irrigated.

Los Osos loam, (15 - 30 % slope). This moderately to steeply sloping soil is considered well drained. The soil has high erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

**Impact.** The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No mitigation measures are necessary.

**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 type="checkbox"/>	<input checked="" 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"/>

<b>3. AIR QUALITY - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
e) <u>Other: Potential to release fugitive dust or asbestos.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed the 2003 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

**Impact.** As proposed, the project will result in the disturbance of approximately 1 acre. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan and has been determined to be consistent with the Clean Air Plan. No significant air quality impacts are expected to occur.

The proposed project was referred to the APCD for review and determination of any air quality impacts potentially resulting from the proposed project. The APCD commends the applicant on several elements of project design:

- development within URL where such development is planned and expected;
- buildings with a greater floor to area ratio creating higher densities and making transit services more viable and effective;
- and development consistent with surrounding land uses consistent with the Clean Air Plan.

Air quality impacts during construction include the generation of fugitive dust, potential release of asbestos, and particulate emissions resulting from the developmental burning of vegetative material. (Alexander Bugrov; April 18, 2006).

Asbestos. Asbestos is considered a toxic air contaminant by the State Air Resources Board. If naturally occurring asbestos is present within the soil underlying the project site or relocated utility lines, future grading activities would release the asbestos into the air, resulting in a potentially significant air quality impact.

Developmental Burning. On February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County; however, in certain situations where no technically feasible alternative is available, limited burning may be allowed. Unregulated burning would result in a potentially significant air quality impact.

Fugitive Dust (PM10). Implementation of the proposed project would result in the generation of dust, potentially creating a nuisance to local residences and businesses in close proximity.

**Mitigation/Conclusion.** APCD-recommended measures to reduce potentially significant air quality impacts to insignificant levels include determination of asbestos presence, burning restrictions, implementation of dust control measures, and wood burning device approval. Based on the above discussion and implementation of mitigation measures, air quality impacts would be reduced to less than significant.

4. BIOLOGICAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The following habitats were observed on the proposed project: Grasses , and a Monterey pine tree.

Based on the latest California Diversity database, and other biological references, the following is a list of sensitive vegetation, wildlife and/or habitat that have been identified as potentially being within the vicinity of the proposed project:

Plants- Most beautiful jewel-flower (*Streptanthus albidus peramoenus*) List 1B. Most beautiful jewel-flower (*Streptanthus albidus peramoenus*) is found on serpentine soils in chaparral, cismontane woodland, valley and foothill grassland habitats. The typical blooming period is April-June. Most beautiful jewel-flower is considered rare by CNPS (List 1B) and federally a species of concern.

Monterey pine (*Pinus radiata*) List 1B app. 0.1 mile west and east of the property

Habitat- Potential California red-legged frog (*Rana aurora draytonii*) FT habitat app. 0.1 miles east of the property. California red-legged frogs (*Rana aurora draytonii*) historically ranged from Marin County southward to northern Baja California. Presently, Monterey, San Luis Obispo, and Santa Barbara counties support the largest remaining California red-legged frog populations within the state. The species occurs in varied habitats during its life cycle. Breeding areas include lagoons, streams and ponds, including siltation and irrigation ponds. California red-legged frogs typically breed from January to July, with peak breeding occurring in February. Juvenile frogs are found in open, shallow aquatic habitats containing dense emergent vegetation. Adult California red-legged frogs prefer aquatic habitats with little or no flow, the presence of surface water to at least early June, surface water depths to at least 0.7 meter (2.3 feet), and the presence of fairly sturdy underwater supports such as cattails.

The project site is in a designated Terrestrial Habitat (TH) sensitive resource area because of the presence of Monterey pine forest in the Cambria urban area. Native Monterey pines occur in only a few areas along the California coast. While there are 27 Monterey pine trees on the site, the site lacks understory vegetation and related habitat characteristic of quality forest habitat. Of the 27 Monterey pine trees on the site, 16 are showing signs of disease, located in an unstable bank, or are leaning. The North Coast Area Plan and Coastal Zone Land Use Ordinance contain standards for development within TH areas.

**Impact.** The soil type, Los Osos loam, does not support the Most beautiful jewel-flower. There are no

breeding areas or aquatic habitats to support California red-legged frogs. 16 Monterey pine trees showing signs of disease, located in an unstable bank, or leaning are proposed for removal and 5 healthy Monterey pine trees are also proposed for removal.

The project site was previously used for through traffic at its northern edge as part of the old Highway One. Vehicles intermittently park on the abandoned roadway.

**Mitigation/Conclusion.** The project is subject to the impact limitations and standard mitigation measures as provided in the Coastal Zone Land Use Ordinance Section 23.07.160 (Sensitive Resource Area) and North Coast Area Plan (Residential Single Family Planning Area Standard 6(c) Pine Forest Preservation. These measures include requiring replacement of any removed Monterey pine on a 2:1 basis. The project will require the planting of 42 pines for the removal of 21 pine trees on the site. No mitigation measures beyond those required by ordinance of code are required.

<b>5. CULTURAL RESOURCES -</b> <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash and Salinan. No historic structures are present and no paleontological resources are known to exist in the area.

**Impact.** A Phase I (surface) survey was conducted (Gibson; March 3, 1984). No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

**Mitigation/Conclusion.** No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

<b>6. GEOLOGY AND SOILS -</b> <i>Will the project:</i>	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 California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. <b>GEOLOGY AND SOILS -</b> <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 is gently sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered high. 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. The project is not within a known area containing serpentine or ultramafic rock or soils.

A Geotechnical Engineering Report (Mid-Coast Geotechnical; September 11, 2001) was prepared for the project.

**DRAINAGE** – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Fiscalini) from the proposed development is approximately 0.1 miles to the south. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered well drained. For areas where drainage is identified as a potential issue, the Coastal Zone Land Use Ordinance (CZLUO) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – The soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the soil surface is

considered to have moderate to high erodibility and high shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

**Impact.** The site is within an area designated as having a high landslide potential in the 1999 San Luis Obispo County Safety Element. As proposed, the project will result in the disturbance of approximately 1 acre. The Geotechnical Engineering Report (Mid-Coast Geotechnical; September 11, 2001) prepared for the project provide recommendations for grading, foundation design, perimeter slabs and garden walls, soil compaction, and roof gutters and downspouts. In addition, prior to issuance of construction permits, the applicant is required to prepare a SWPPP and a Sedimentation and Erosion Control plan.

**Mitigation/Conclusion.** Any project within a moderately high to high landslide risk area is subject to the preparation of a geological report per the County's Coastal Zone Land Use Ordinance (CZLUO) section 23.07.080 to evaluate the area's geological stability relating to the proposed use. The applicant will be required to implement the conclusions and recommendations provided in the above referenced report (Geotechnical Engineering Report (Mid-Coast Geotechnical; September 11, 2001) to mitigate potential geology and soils impacts and to prepare a SWPPP. The implementation of the above measures and measures already required by ordinance or codes will mitigate geology and soil impacts to a level of insignificance.

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

**Setting.** The project is not located in an area of known hazardous material contamination. The

project is not within a high severity risk area for fire. The project is not within the Airport Review area.

**Impact.** The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<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.** Nursing and personal care facilities have been identified in the Noise Element as being a noise-sensitive use. Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within the 60 Ldn (day/night average sound level) noise contour of Ardath Drive.

**Impact.** 60 Ldn noise exposure exceeds the thresholds for acceptable noise levels for nursing and personal care facilities.

**Mitigation/Conclusion.** The Noise Element identifies standard mitigation packages that may be applied to projects to lessen noise levels to acceptable levels. Standard noise mitigation measures related to ventilation systems, windows, doors, weather stripping, siding, and vents will mitigate potential noise impacts to a less than significant level.

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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**9. POPULATION/HOUSING -**

*Will the project:*

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

- c) *Create the need for substantial new housing in the area?*
- d) *Use substantial amount of fuel or energy?*
- e) *Other:* \_\_\_\_\_

**Setting.** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

The County has recently adopted a revised Housing Element. One of the new Housing Element Programs (Program HE 1.9) indicates that the County will prepare an Inclusionary Housing Ordinance during 2006. Upon adoption of the ordinance, future commercial development may be required to pay a fee to support development of new affordable housing.

**Impact.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

**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) *Fire protection?*
- b) *Police protection (e.g., Sheriff, CHP)?*
- c) *Schools?*
- d) *Roads?*
- e) *Solid Wastes?*
- f) *Other public facilities?*
- g) *Other:* \_\_\_\_\_

**Setting.** The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Cambria Station 10) is approximately 3 miles to the north. The closest Sheriff substation is in Templeton, which is approximately 24 miles from the proposed project. The project is located in the Coast Unified School District.

**Impact.** No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

**Mitigation/Conclusion.** Regarding cumulative effects, public facility (county), road (North Coast Circulation fee) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County Trails Plan does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

**Impact.** The proposed project will not create a significant need for additional park or recreational resources.

**Mitigation/Conclusion.** No significant recreation impacts are anticipated, and no mitigation measures are necessary.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduce existing "Levels of Service" on public roadway(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Provide for adequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate internal traffic circulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**12. TRANSPORTATION/  
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Future development will access onto Green Street and Ardath Drive. Green Street is a local road operating at acceptable levels. Ardath Drive is an arterial operating at acceptable levels. Referrals were sent to Public Works. No significant traffic-related concerns were identified.

**Impact.** The proposed project is estimated to generate about 62 trips per day, based on the Institute of Traffic Engineer's manual of 2 trips/unit/day. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels.

**Mitigation/Conclusion.** No significant project specific traffic impacts were identified, and no mitigation measures are necessary. The project is subject to the fees established in the North County Circulation Fee schedule which provide for areawide road improvements to address the identified cumulative impacts.

**13. WASTEWATER - Will the project:**

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

**Setting.** The project will be served by the Cambria Community Services District (CCSD) for wastewater disposal. This system is currently operating at acceptable levels and the system has the capacity to support existing commitments in addition to the proposed project.

**Impact.** The project proposes to use community system (CCSD) as its means to dispose of

wastewater. Based on the proposed project, the proposed community system has the capacity to handle the project's additional effluent.

**Mitigation/Conclusion.** Given that the system is currently operating at acceptable levels and that it has the capacity to support existing commitments in addition to the proposed project, no mitigation measures are necessary.

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

**Setting.** The project proposes to use a community system (CCSD) as its water source. After reviewing reliability conclusions of a Water Supply Analysis, the CCSD Board of Directors declared a Water Code 350 emergency and enacted a moratorium for new connections with an exception for certain projects that were already in process. These "pipeline" projects amounted approximately 202 EDUs at the time of the November 15, 2001 moratorium. Since then, approximately 80 EDUs out of the 202 have been connected.

The topography of the project is gently sloping. The closest creek (Fiscalini) from the proposed development is approximately 0.1 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have moderate to high erodibility.

When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

**Impact.** On water use, based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 3.41 acre feet/year (AFY)

$31 \text{ care units } (0.110 \text{ afy}) = 3.41 \text{ afy}$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989) [SBWaterUsage.pdf](#)

Regarding surface water quality, as proposed, the project will result in the disturbance of approximately 1 acre.

In accordance with CCSD Ordinance 2-2000, Senior Care Facilities require .38 EDU's per unit, bed,

or occupancy. The proposed project consists of 31 beds, requiring 11.78 EDU's. The proposed project is considered a 'pipeline project' as it was already in process with the CCSD at the time the CCSD Board of Directors declared a Water Code 350 emergency. The proposed project has an intent to serve letter for water and sewer service from the CCSD in the amount of 11.78 EDU's.

**Mitigation/Conclusion.** Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

<b>15. LAND USE - Will the project:</b>	<b>Inconsistent</b>	<b>Potentially Inconsistent</b>	<b>Consistent</b>	<b>Not Applicable</b>
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 checked="" type="checkbox"/>	<input 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.** Surrounding uses are identified on Page 2 of the Initial Study. 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, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required was 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, 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?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>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 projects, and the effects of probable future projects)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" 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.

**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 ) 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	In File**
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input checked="" type="checkbox"/>	CA Coastal Commission	In File**
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input checked="" type="checkbox"/>	CambriaCommunity Service District	Attached
<input checked="" type="checkbox"/>	Other <u>Building Division</u>	In File**
<input checked="" type="checkbox"/>	Other <u>North Coast Advisory Council</u>	In File**

\*\* "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"/> North Coast 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 checked="" 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 SLO 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 checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)       |
| <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:

**County File D990323D – Senior Care Facility**

**Geotechnical Engineering Report; Mid-Coast Geotechnical; September 11, 2001**

**View Corridor Study; Clark DRC2005-00103**

## Exhibit B - Mitigation Summary Table

Aesthetics

- VS-1 At the time of application for construction permits**, the applicant shall submit construction drawings consistent with the approved color board, site plan, floor plan, and elevations that demonstrate the following:
- a. Highly articulated architectural forms;
  - b. Roof elevations do not silhouette the skyline; and
  - c. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment;
- VS-2 Prior to occupancy or final inspection**, whichever occurs first, the applicant shall implement approved color board, site plan, floor plan, and elevations as shown on the attached exhibits.
- VS-3 At the time of application for construction permits**, the applicant shall submit a revised landscape plan to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 23.04.180 of the Coastal Zone Land Use Ordinance; consist of native, native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest; and shall provide vegetation that will adequately blend the new development, including driveways, water tanks, etc., into the surrounding environment. Non-native, invasive, and water intensive (e.g. turf grass) landscaping is prohibited on the entire site.
- VS-4 At the time of application for construction permits**, the applicant shall submit a lighting plan to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The lighting plan shall be consistent with Section 23.04.320 of the Coastal Zone Land Use Ordinance and provide for bollard and low-voltage lighting in all outdoor landscaping and patio areas. Lighting shall be the minimum necessary for public safety.

AIR QUALITY

- AQ-1 Prior to issuance of grading and construction permits**, the applicant shall submit the results of a geologic evaluation conducted to determine if naturally occurring asbestos is present within the area proposed for disturbance. If naturally occurring asbestos is not present, an exemption request shall be filed with the APCD. If naturally occurring asbestos is present, the applicant shall comply with all requirements outlined in the Asbestos Air Toxics Control Measure (ATCM). Compliance may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for APCD approval.
- AQ-2** If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP).
- AQ-3** In the event no technically feasible alternatives are available other than developmental burning, the applicant shall contact the APCD and California Department of Forestry to obtain a burn permit and comply with permit requirements.
- AQ-4 Prior to issuance of grading and construction permits**, the applicant shall submit verification from APCD that the following measures have been incorporated into the project to control dust:
- Reduce the amount of the disturbed area where possible;

- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- All dirt stock-pile areas should be sprayed daily as needed; and
- All roadways, driveways, sidewalks, etc to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

**AQ-5** Only APCD approved wood burning devices can be installed in new dwelling units.

**AQ-6** **Prior to any ground disturbing activities**, the applicant shall provide evidence of a California statewide portable equipment registration or an APCD permit for any portable equipment, 50 horsepower (hp) or greater, that will be used during construction. Contact David Dixon of APCD at 805-781-5912 for permitting requirements.

### Geology and Soils

**GS-1** **Prior to issuance of construction permits**, the applicant shall submit a sedimentation and erosion control plan (CZLUO Section 23.05.036) for review and approval by the Public Works Department. All areas of disturbance shall be re-vegetated as soon as feasible to minimized potential sedimentation and erosion possibilities.

**GS-2** **Prior to issuance of construction permits**, the applicant shall submit a drainage plan (CZLUO Section 23.05.040) for review and approval by the County Public Works Department.

**GS-3** **Prior to issuance of construction permits**, the project Engineering Geologist shall review the project foundation plans and acknowledge in a letter to the County Geologist that their recommendations are properly addressed in the plans.

**GS-4** **Prior to any site disturbance or issuance of construction permits**, the following conditions shall be included on all building plans and grading plans:

- The project Engineering Geologist shall inspect work on-site and verify that building construction, including all foundation work, has been performed in a manner consistent with the intent of the plan review and engineering geology report.
- The project Engineering Geologist shall issue a final engineering geology compliance report as required by the Uniform Building Code which identifies changes observed during construction, recommendations offered for mitigation, and confirmation that construction was completed in compliance with the intent of the engineering geology report.
- Should the services of the project Engineering Geologist be terminated prior to final inspection and/or issuance of occupancy permits, the applicant shall submit a transfer of responsibility statement to the County Planning Department from the new Certified Engineering Geologist as per the Uniform Building Code.

**GS-5** **During project construction/ground disturbing activities**, the applicant shall retain a project Engineering Geologist of record and shall provide the engineering geologist's written certification of adequacy of the proposed site development for its intended use to the Department of Planning and Building.

**GS-6** **Prior to final inspection**, the project Engineering Geologist shall verify that construction is conformance with the engineering geology report recommendations and that the project Engineering Geologist is satisfied that his recommendations for footing embedment are met. This verification shall be submitted in writing to the Department of Planning and Building for review and approval.

**GS-7** The applicant shall implement the conclusions and recommendations as described in the Geotechnical Engineering Report (Mid-Coast Geotechnical; September 28, 2005) and the engineering geology report. All conclusions and recommendations shall be implemented as requirements not recommendations except in the instance where the recommendation is stated as an alternative building technique. **Prior to issuance of construction permits**, all conclusions and recommendation related to the above referenced geotechnical reports shall be incorporated into the project design and printed on the cover page of the grading and construction plans.

**GS-8** **Prior to issuance of construction or grading permits**, the applicant shall submit a copy of the approved Stormwater Pollution Prevention Plan (SWPPP).

### Noise

**N-1** **Prior to issuance of construction permits**, the following noise mitigation measures shall be incorporated into the project design:

- a. Air conditioning or a mechanical ventilation system
- b. Windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications)
- c. Solid core exterior doors with perimeter weather stripping and threshold seals
- d. Exterior walls consist of stucco or brick veneer. Wood siding with a ½" minimum thickness fiberboard ("soundboard") underlayer may also be used.
- e. Glass in both windows and doors should not exceed 20% of the floor area in a room.
- f. Roof or attic vents facing the noise source should be baffled

Environmental Determination: ED05-248

Date: June 20, 2006

**DEVELOPER'S STATEMENT FOR THE  
CLARK MINOR USE/COASTAL DEVELOPMENT PERMIT DRC2005-00103**

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**

**VS-1** At the time of application for construction permits, the applicant shall submit construction drawings consistent with the approved color board, site plan, floor plan, and elevations that demonstrate the following:

- a. Highly articulated architectural forms;
- b. Roof elevations do not silhouette the skyline; and
- c. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment;

**Monitoring:** The Planning and Building Department shall verify compliance.

**VS-2** Prior to occupancy or final inspection, whichever occurs first, the applicant shall implement approved color board, site plan, floor plan, and elevations as shown on the attached exhibits.

**Monitoring:** The Planning and Building Department shall verify compliance.

**VS-3** At the time of application for construction permits, the applicant shall submit a revised landscape plan to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 23.04.180 of the Coastal Zone Land Use Ordinance; consist of native, native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest; and shall provide vegetation that will adequately blend the new development, including driveways, water tanks, etc., into the surrounding environment. Non-native, invasive, and water intensive (e.g. turf grass) landscaping is prohibited on the entire site.

**Monitoring:** The Planning and Building Department shall verify compliance.

**VS-4** At the time of application for construction permits, the applicant shall submit a lighting plan to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The lighting plan shall be consistent

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JUN 26 2006

Planning & Bldg

Environmental Determination: ED05-329Date: February 28, 2006

with Section 23.04.320 of the Coastal Zone Land Use Ordinance and provide for bollard and low-voltage lighting in all outdoor landscaping and patio areas. Lighting shall be the minimum necessary for public safety.

**Monitoring:** The Planning and Building Department shall verify compliance.

**AIR QUALITY**

**AQ-1** Prior to issuance of grading and construction permits, the applicant shall submit the results of a geologic evaluation conducted to determine if naturally occurring asbestos is present within the area proposed for disturbance. If naturally occurring asbestos is not present, an exemption request shall be filed with the APCD. If naturally occurring asbestos is present, the applicant shall comply with all requirements outlined in the Asbestos Air Toxics Control Measure (ATCM). Compliance may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for APCD approval.

**Monitoring:** The Planning and Building Department shall verify compliance.

**AQ-2** If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP).

**Monitoring:** The Planning and Building Department shall verify compliance.

**AQ-3** In the event no technically feasible alternatives are available other than developmental burning, the applicant shall contact the APCD and California Department of Forestry to obtain a burn permit and comply with permit requirements.

**Monitoring:** The Planning and Building Department shall verify compliance.

**AQ-4** Prior to issuance of grading and construction permits, the applicant shall submit verification from APCD that the following measures have been incorporated into the project to control dust:

- Reduce the amount of the disturbed area where possible;
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- All dirt stock-pile areas should be sprayed daily as needed; and
- All roadways, driveways, sidewalks, etc to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

**Monitoring:** The Planning and Building Department shall verify compliance.

**AQ-5** Only APCD approved wood burning devices can be installed in new dwelling units.

**Monitoring:** The Planning and Building Department shall verify compliance.

**AQ-6** Prior to any ground disturbing activities, the applicant shall provide evidence of a California statewide portable equipment registration or an APCD permit for any portable equipment, 50 horsepower (hp) or greater, that will be used during construction. Contact David Dixon of APCD at 805-781-5912 for permitting requirements.

**Monitoring:** The Planning and Building Department shall verify compliance.

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**GS-1** Prior to issuance of construction permits, the applicant shall submit a sedimentation and erosion control plan (CZLUO Section 23.05.036) for review and approval by the Public Works Department. All areas of disturbance shall be re-vegetated as soon as feasible to minimized potential sedimentation and erosion possibilities.

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**Monitoring:** The Planning and Building Department shall verify compliance.

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**Monitoring:** The Planning and Building Department shall verify compliance.

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- The project Engineering Geologist shall issue a final engineering geology compliance report as required by the Uniform Building Code which identifies changes observed during construction, recommendations offered for mitigation, and confirmation that construction was completed in compliance with the intent of the engineering geology report.

- Should the services of the project Engineering Geologist be terminated prior to final inspection and/or issuance of occupancy permits, the applicant shall submit a transfer of responsibility statement to the County Planning Department from the new Certified Engineering Geologist as per the Uniform Building Code.

**Monitoring:** The Planning and Building Department shall verify compliance.

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**Monitoring:** The Planning and Building Department shall verify compliance.

- GS-6** Prior to final inspection, the project Engineering Geologist shall verify that construction is conformance with the engineering geology report recommendations and that the project Engineering Geologist is satisfied that his recommendations for footing embedment are met. This verification shall be submitted in writing to the Department of Planning and Building for review and approval.

**Monitoring:** The Planning and Building Department shall verify compliance.

- GS-7** The applicant shall implement the conclusions and recommendations as described in the Geotechnical Engineering Report (Mid-Coast Geotechnical, September 28, 2005) and the engineering geology report. All conclusions and recommendations shall be implemented as requirements not recommendations except in the instance where the recommendation is stated as an alternative building technique. Prior to issuance of construction permits, all conclusions and recommendation related to the above referenced geotechnical reports shall be incorporated into the project design and printed on the cover page of the grading and construction plans.

**Monitoring:** The Planning and Building Department shall verify compliance.

- GS-8** Prior to issuance of construction or grading permits, the applicant shall submit a copy of the approved Stormwater Pollution Prevention Plan (SWPPP).

**Monitoring:** The Planning and Building Department shall verify compliance.

#### Noise

- N-1** Prior to issuance of construction permits, the following noise mitigation measures shall be incorporated into the project design:

- a. Air conditioning or a mechanical ventilation system
- b. Windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications)

Attachment 11

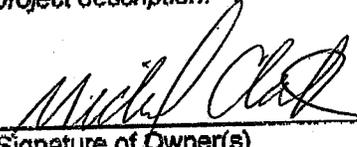
Environmental Determination: ED05-329

Date: February 28, 2006

- c. Solid core exterior doors with perimeter weather stripping and threshold seals
- d. Exterior walls consist of stucco or brick veneer. Wood siding with a 1/2" minimum thickness fiberboard ("soundboard") underlayer may also be used.
- e. Glass in both windows and doors should not exceed 20% of the floor area in a room.
- f. Roof or attic vents facing the noise source should be baffled

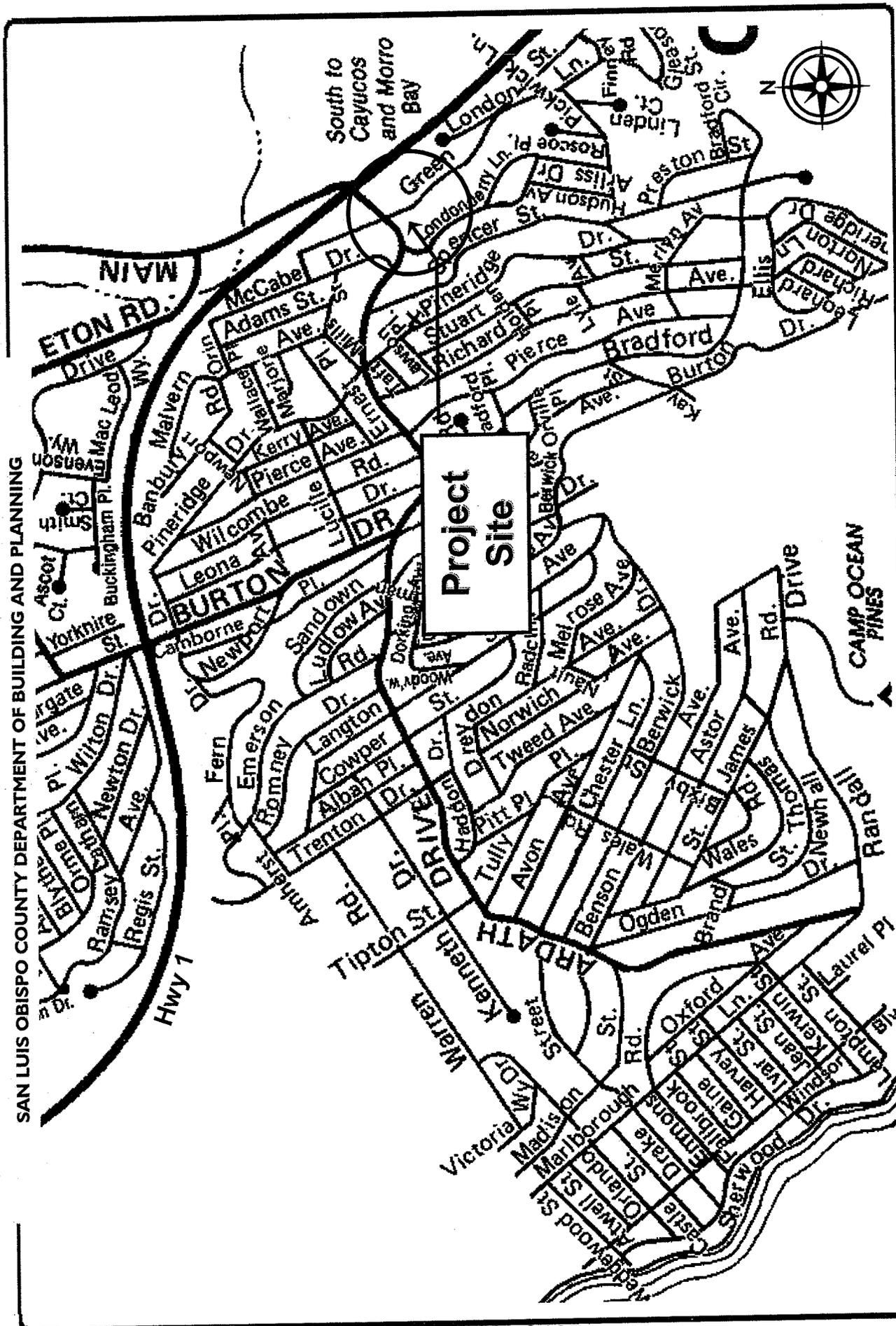
**Monitoring:** The Planning and Building Department shall verify compliance.

*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)

6/22/06  
\_\_\_\_\_  
Date

MICHAEL B. CLARK  
\_\_\_\_\_  
Name (Print)



SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

EXHIBIT

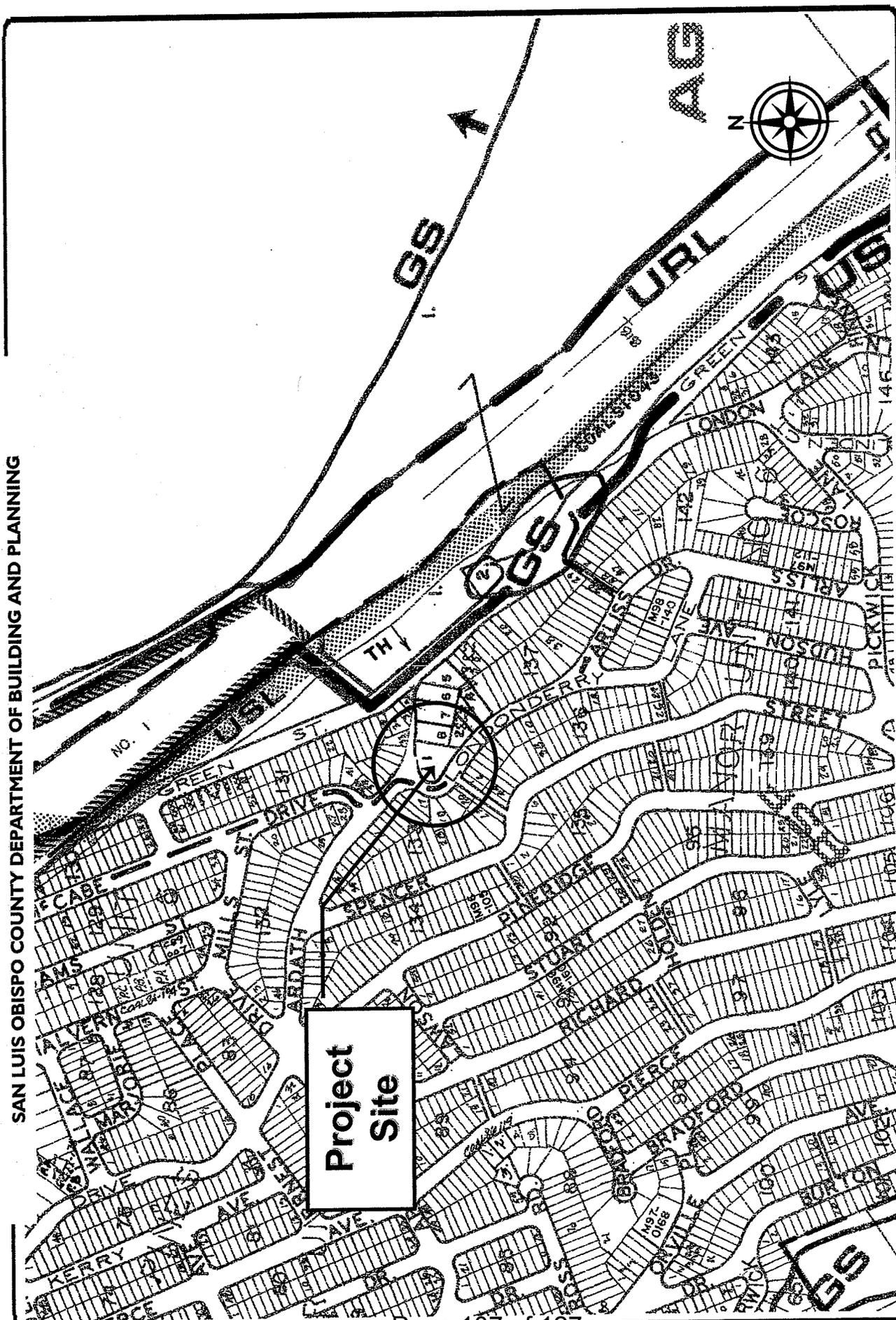
Cambria Vicinity



PROJECT

Conditional Use Permit  
Clark DRC2005-00103

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



**Project Site**

EXHIBIT

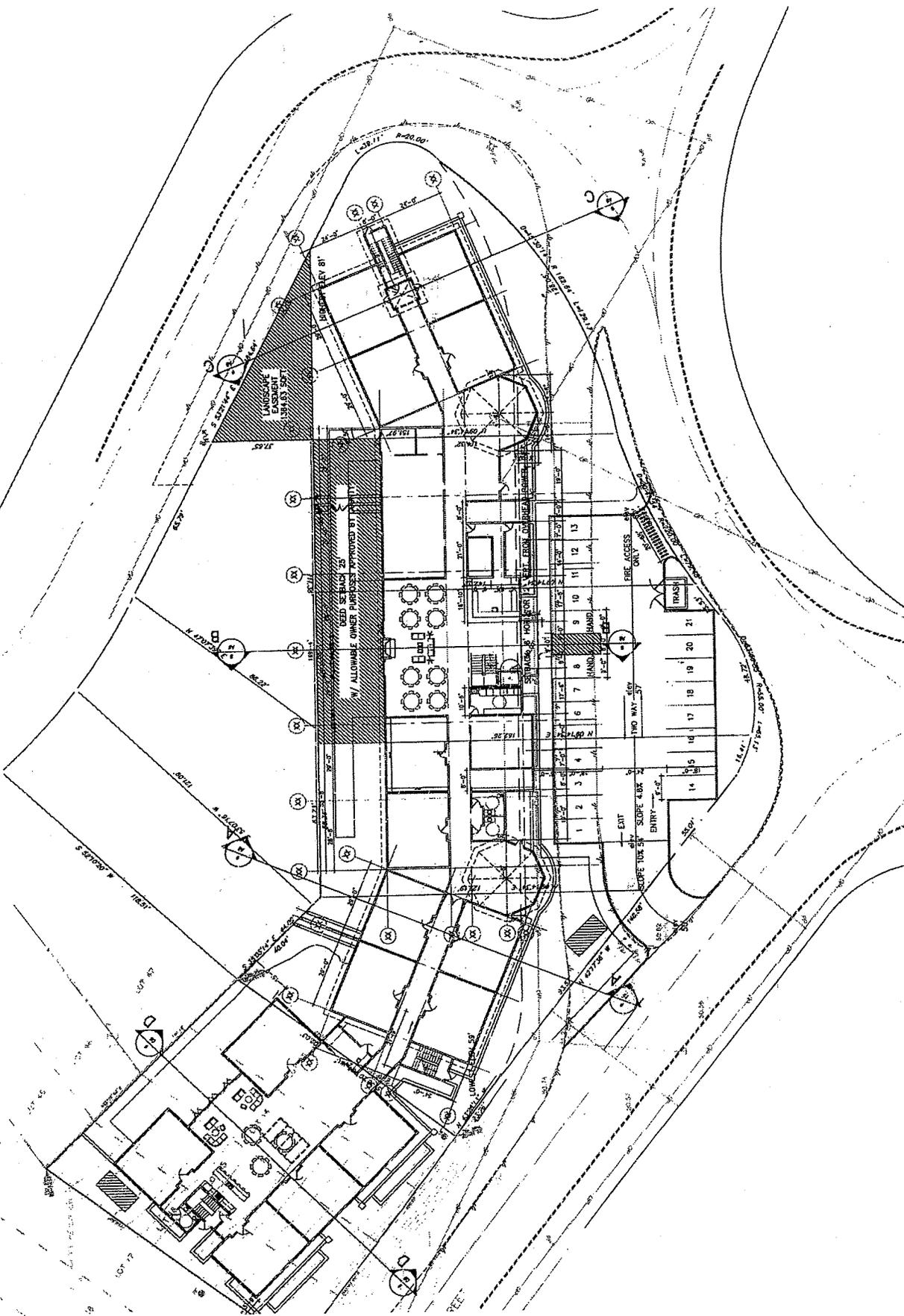
Land Use Category



PROJECT

Conditional Use Permit  
Clark DRC2005-00103

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



EXHIBIT

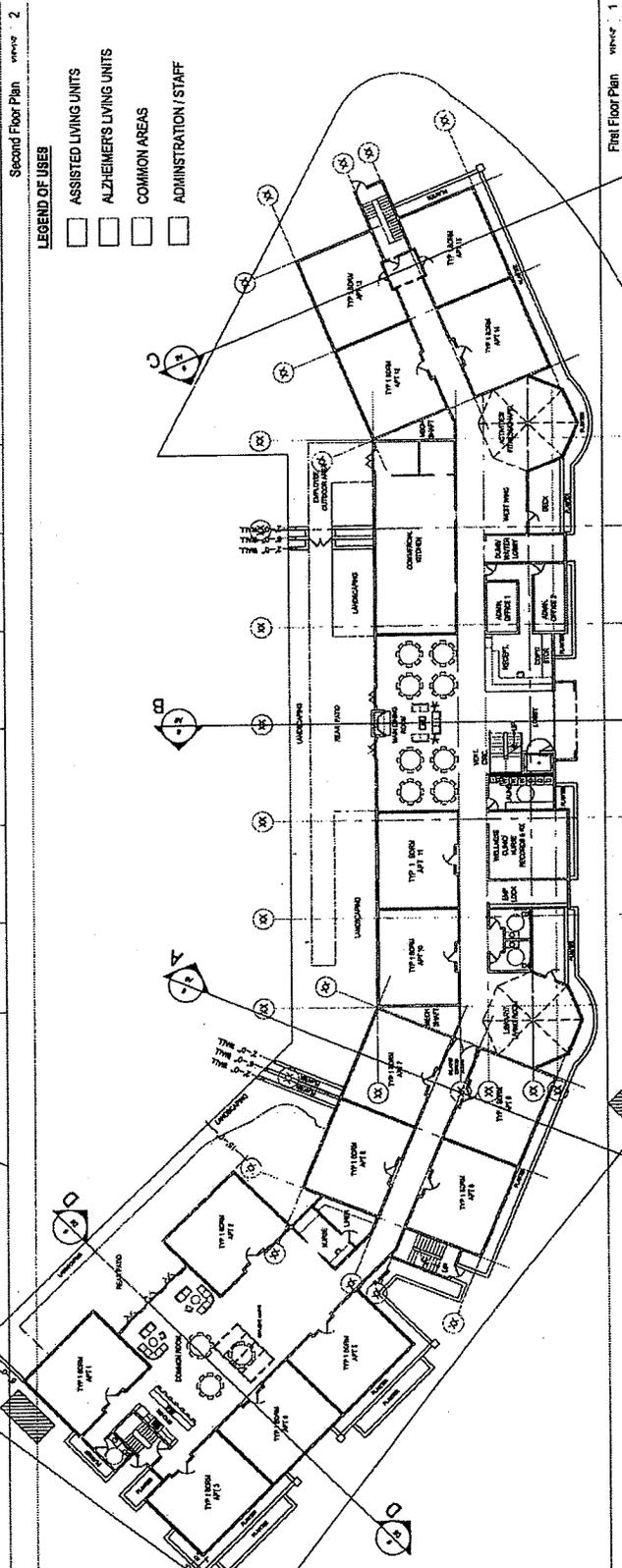
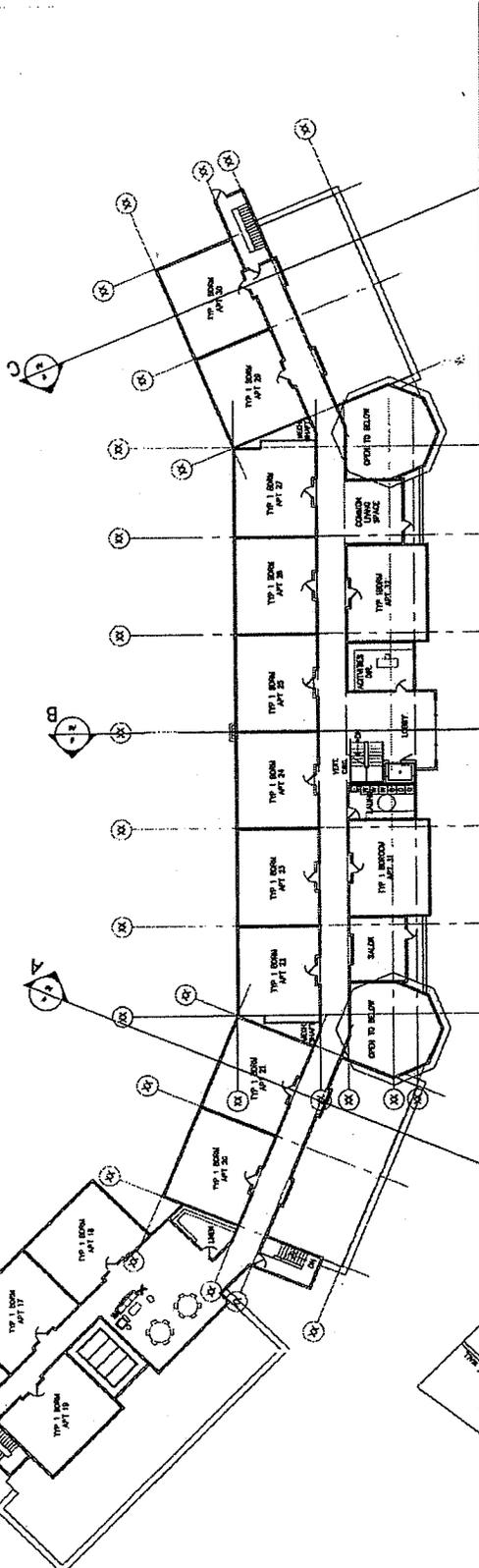
Site Plan



PROJECT

Conditional Use Permit  
Clark DRC2005-00103

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



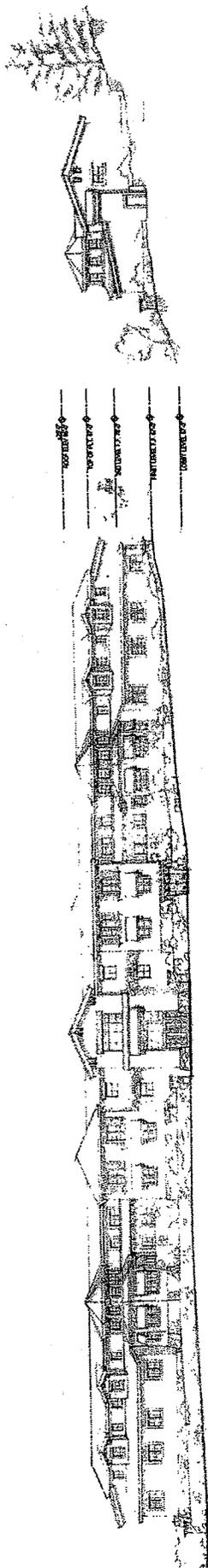
EXHIBIT

Floor Plans

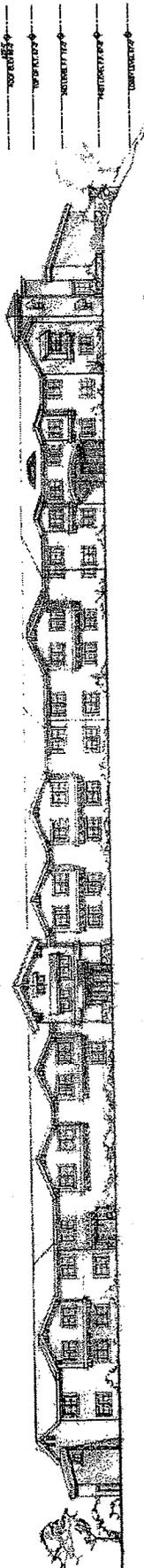


PROJECT  
 Conditional Use Permit  
 Clark DRC2005-00103

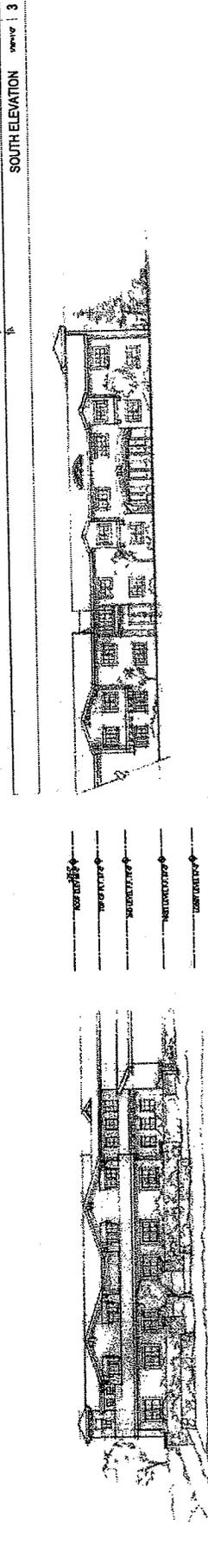
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



NORTH ELEVATION sheet 6



EAST ELEVATION sheet 4

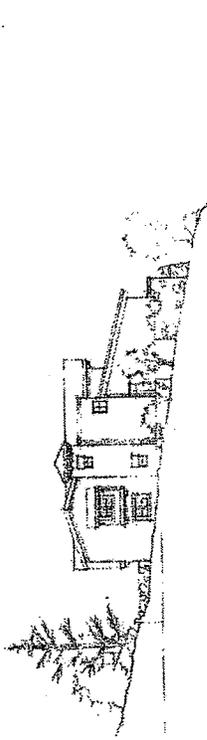


SOUTH ELEVATION sheet 3

PARTIAL NORTH ELEVATION sheet 5



PARTIAL SOUTH ELEVATION sheet 2



WEST ELEVATION sheet 1

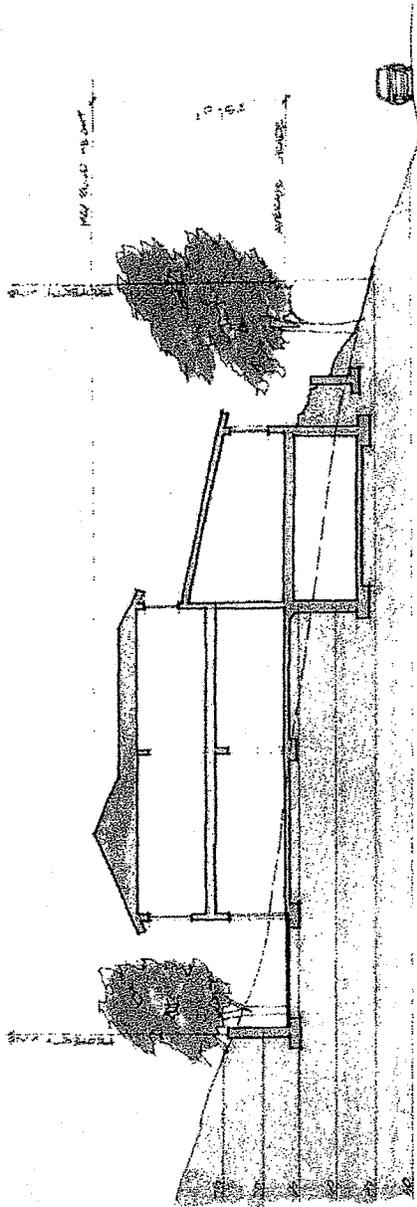


Elevations

EXHIBIT

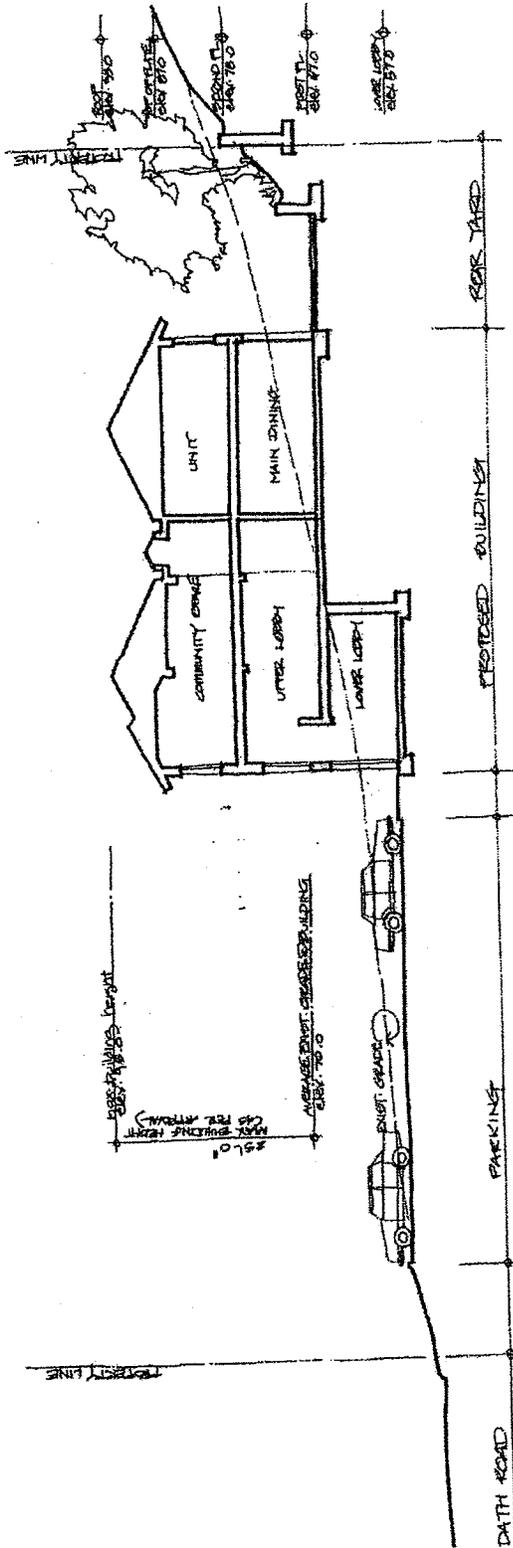
PROJECT  
 Conditional Use Permit  
 Clark DRC2005-00103

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



Section D

2



Section B

1

EXHIBIT

Sections

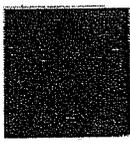
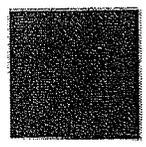
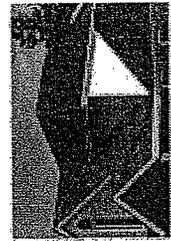


PROJECT

Conditional Use Permit  
Clark DRC2005-00103



SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



Color Key	Color	L.R.V.	Description	Manufacturer
Paint				
P1	522 Dark Forest	(6)	Window shutter	Frazee
P2	AC1163 Roasted Pepper	(10)	Trim	Frazee
P3	148 Oxford Brown	(7)	Shingles	Frazee
P4	8262W Pennant Shell	(58)	Window Trim	Frazee
P5	8276A Mesquite Canyon	(17)	Window casing	Frazee
Stone				
S1	Beige, Brown, Gray		Rustic Stone Treatment	Cultured Stone
Roof				
R1	Ravenwood		30 yr comp. roof shingles- fire rated	Elk

**PROJECT**  
 Conditional Use Permit  
 Clark DRC2005-00103



**EXHIBIT**

Color Board

Attachment 11  
CAMBRIA COMMUNITY SERVICE DISTRICT

**DIRECTORS:**  
HELEN MAY, President  
PETER CHALDECOTT, Vice President  
GREG FITZGERALD  
ILAN FUNKE-BILU  
DONALD VILLENEUVE



**OFFICERS:**  
KENNETH C. TOPPING, General Manager  
LEAH CONNELLY, Executive Assistant  
MARGARET SOHAGI, Legal Counsel

1316 Tamson Drive, Suite 201 • P.O. Box 65 • Cambria CA 93428  
Telephone (805) 927-6223 • Facsimile (805) 927-5584

July 25, 2001

**Mike Clark**  
**PO Box 419**  
**Cambria, CA 93428**

**RE: COMPLETION OF RETROFIT PROGRAM REQUIREMENTS**  
APN: 024.191.052 etc.

Dear Mike,

This is to inform you that as of the above date:

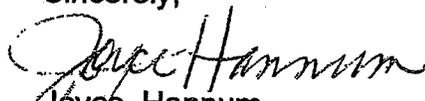
- The retrofits for your project under the District's plumbing retrofit program have been approved on final inspection.
- We have received your payment "In Lieu of Retrofit" in the amount of \$41,327.00 For 5.78 EDUs added to Senior Care project.**

Actual basis will be confirmed when County Building Permit is issued.  
Any adjustment in retrofit fee will be made prior to issuance of Water & Sewer Connection Permit.

You now meet the retrofit requirements of the Plumbing Retrofit Water Conservation Program Ordinance 1-98.

If you have any questions please contact me at the District office.

Sincerely,

  
Joyce Hannum  
Senior Clerical Assistant

Attachment 11  
CAMBRIA COMMUNITY SERVICES DISTRICT

DIRECTORS:  
DONALD VILLENEUVE, President  
HELEN MAY, Vice President  
LOU BLANCK  
PETER CHALDECOTT  
KAT MC CONNELL



OFFICERS:  
KENNETH C. TOPPING  
General Manager  
PAULETTE BECK  
District Secretary  
ROGER LYON  
Legal Counsel

2284 CENTER STREET, PO BOX 65, CAMBRIA, CA 93428  
Telephone: 805/927-6223 - FAX: 805-927-5584

November 1, 1998

Mike Clark  
PO Box 419  
Cambria, CA 93428

**RE: COMPLETION OF RETROFIT PROGRAM REQUIREMENTS**

APN: 024.191.052.001 6 EDU Commercial Project

Dear Mike,

This is to inform you that as of the above date:

The retrofits for your project under the District's plumbing retrofit program have been approved on final inspection.

We have received your payment "In Lieu of Retrofit" in the amount of \$42,900.00

You now meet the retrofit requirements of the Plumbing Retrofit Water Conservation Program Ordinance 1-98.

If you have any questions please contact me at the District office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joyce A Stone".  
Joyce A Stone  
Senior Clerical Assistant

Enc.



**MID-STATE BANK**

1026 GRAND AVE.  
ARROYO GRANDE, CA 93420

DATE **09/30/1998**

621205

90-2168/1222

PAY TO THE ORDER OF

**\*CAMBRIA COMMUNITY SERVICES DISTRICT\***

\$42,900.00

Fifty Two Thousand Nine Hundred 0/100 and 00/100

REMITTER MICHELE CLARK

**CASHIER'S CHECK**

AUTHORIZED SIGNATURE

*Shirley B. ...*  
NON-NEGOTIABLE AFTER 90 DAYS

**CASH RECEIPT**

Received From MIKE CLARK Date Oct 1, 1998 **008767**

Address PO BOX 419

For Port of San Francisco Annual Garage Rental of 42,900.00  
For RAFFAELI FISS - HPMS - 024-191-0523 \$54.00

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT	4,284.00	CASH	
AMT. PAID		CHECK	4,284.00
BALANCE DUE		MONEY ORDER	

BY *[Signature]* 11-2435 057-058, 059



Attachment A

Conditions to Intent to Serve Letter  
Senior Care Facility at Ardath and Green Street, APN 024-191-052

1. In accordance with CCSD Ordinance 2-2000, EDU's per unit, bed, or occupancy are 0.38. From review of the most recent floor plan, there are 31 beds, which equates to 11.78 EDUs. The current Intent to Serve letter is for 6 EDUs. Therefore, an additional 5.78 EDUs will need to be acquired should the current floor plan remain the same.
2. EDUs are assigned for and based upon a Senior Care Facility.
3. The applicant shall provide a copy of the State License required to operate a Senior Care Facility indicating the maximum occupancy. Should the occupancy level exceed 31, additional EDUs shall be acquired prior to occupancy and prior to service being provided by CCSD.
4. Prior to approval of improvement drawings by CCSD, an easement with accompanying legal description for the proposed rerouting of the private laterals (rerouting for 1978, 1980, and 1982 Londonberry) must be conveyed to the private homeowners. Improvement drawings need to show routing, plan & profile for the three laterals, along with cleanout locations.
5. Prior to issuance of a building permit, updated improvement drawings shall be submitted and approved by CCSD that include the following:
  - A. The proposed fire department connector and new hydrant that are to be relocated to an area east of the guest parking lots on the south side of the main entrance. Additionally, a fire department connector shall be within 20 feet of the hydrant.
  - B. The new hydrant shall be within a waterline easement to be dedicated to CCSD. Waterline easement shall be in a manner and form acceptable to CCSD.
  - C. A more detailed site plan is needed along with details showing service lines alignments, depth, sizes, and connection points for water and sanitary sewer. Valves, clean-outs, and related details will need to be shown as part of the final improvement drawings. We have approximated that a 2-inch diameter domestic service line may be required for this facility with at least a 1.5-inch water meter. This approximate sizing will need to be re-checked as the final design is developed. The new hydrant line shall be at least 6-inches in diameter. The new hydrant shall be wet-barrel type conforming to AWWA C503. The CCSD water department shall approve make and style of hydrant. . New waterline connecting to the hydrant shall be AWWA C900 Class 150 or polyethylene wrapped, cement mortar-line ductile iron (AWWA C151 and AWWA C105).
  - D. Final utility site plan drawings and details are to be stamped by a licensed Civil Engineer.
  - E. The existing sanitary sewer east of the building needs an accompanying easement to be dedicated to CCSD. (This pipeline remained in service after a public street was abandoned that had once crossed the property. CCSD has no easement on record.)
  - F. Identify any sanitary sewer manholes that may need to be adjusted in elevation to match the parking lot and driveway.

review and approval by CCSD. Inspection shall be requested at least two working days prior to back-filling operations. Any inspections outside of normal working hours shall be subject to overtime rates and be paid for by the applicant. Any covered work shall be subject to uncovering for inspection at the time and expense of the applicant

10. The new water line shall be pressure tested, disinfected, bacteriological tested (a.k.a. "bacti" tested) and flushed to confirm compliance with applicable AWWA standards. New watermains shall pass bacti tests prior to flushing and placing the piping into service. Bacteriological tests will be sampled by CCSD personnel and the applicant's Contractor shall pay for all laboratory work. Should bacteriological tests fail, the applicant's Contractor shall be responsible for all costs associated with follow up disinfection, sampling, and testing.
11. Easements being conveyed to CCSD shall be accompanied by a current property title report.
12. During the period of the conditional intent letter, the applicant shall obtain water and sewer permits for the project by submitting signed application forms, an approved County Building Permit, and any payment balance that may be due on water and sewer connection fees.



June 1, 2005

Michael Clark  
PO Box 419  
Cambria CA 93428

DIRECTORS:

Gregory Sanders  
*President*

Donald Villeneuve  
*Vice President*

Peter Chaldecott  
*Director*

Joan Cobin  
*Director*

Ilan Funke-Bilu  
*Director*

OFFICERS:

Tammy Rudock  
*General Manager*

Arther R. Montandon  
*District Counsel*

Kathy Choate  
*District Clerk*

Subject: Time Extension, "Intent to Serve" Letter  
Commercial Project - Kestrel Point Senior Care Facility  
APN No. 024.191.052

Dear Mike,

Enclosed is verification that your request for extension of your "Intent to Serve" letter  
For the above referenced project has been APPROVED.

**Your "Intent to Serve" letter is now valid through June 1, 2006.**

If you have any questions please do not hesitate to contact this office at 927-6225.

Sincerely,  
CAMBRIA COMMUNITY SERVICES DISTRICT

  
Joyce Hannum  
Permits Specialist

enc.

2. Transfers between parcels.

The Ordinance provides that all positions will be categorized as: (1) Single Family Residential; (2) Multifamily Residential; (3) Commercial; or (4) Parks/Landscape/Irrigation (a non-EDU position). The Ordinance deletes the requirement that transfers must be between parcels with the same zoning designation, and replaces it with a system that only allows transfers of Single Family Residential positions. No exceptions are permitted, and the exceptions for transfers to public facilities has been deleted.

Section 2.5-10, p. 13-15 accomplishes this modification. Table D ("Designation of Positions") lists the designation of each position in the District. The District will notify position holders by mail of the designation, and position holders will have 60 days to contest the designation in writing. If the District receives no contest in writing, the position designation becomes final. Upon receiving a contest, the Board will hold a hearing within 60 days to make a final determination.

3. Revision of EDU Table to Add Convalescent and Senior Facilities.

The Table of Equivalent Dwelling Units (Exhibit A to the Ordinance) has been amended to add Care Facilities (0.38 EDUs per unit, bed or occupant). Exhibit A defines "Care Facilities" as including Convalescent Facilities and Senior Facilities, or a combination thereof. Convalescent Facilities are defined as nursing homes with wards or semi-private rooms where the patients have full time medical personnel on site. The patients are not in an apartment or studio unit. Exhibit A defines Senior Facilities as individual living units, restricted to residents 55 years of age or older, with a common dining area. These are either apartments or studios without kitchens, and may have more than one occupant. These definitions have also been added to the body of the Ordinance (Section 2.5-4, p. 5).

The EDUs for Care Facilities were calculated based on studies of comparable facilities in Santa Barbara and San Luis Obispo Counties. The calculation is attached to this staff report.

4. Revision of Existing Commitments Table For Consistency.

The table of Existing Commitments, other than active commitments (Exhibit B to the Ordinance) has been modified to be consistent with the definition of commitments in the Ordinance. The table now divides the Existing Commitments into the following categories: (1) Single Family Residential; (2) Multifamily Residential; (3) Commercial; and (4) Parks/Landscape/Irrigation. Parks/Landscape/Irrigation commitments consist of parcels for park irrigation, landscape or agricultural irrigation, or stock watering purposes only. This category does not include commitments to parks owned by the State, the County, or the District, because these parks have bathrooms. In addition, Care Facilities and Affordable Housing are noted as subcategories of the main divisions.

4. **Parks/Landscape/Irrigation.** A parcel with one of the following: (1) listed on the table of existing commitments as a parks/landscape/irrigation commitment; or (2) service to a parcel billed as a parks/landscape/irrigation account. A parcel designated as parks/landscape/irrigation is a non-EDU position.

5. **Care Facilities Position.** A parcel, which is either of the following or a combination thereof:

a. **Convalescent Facilities.** A parcel in which the residents are in wards or semi-private rooms with full time medical personnel on site, including nursing homes, but not apartments or studio units; or

b. **Senior Facilities.** A parcel in which residence is restricted to persons fifty-five (55) and older, in which the residents live in individual apartments or studios without kitchens, which may have more than one occupant, and there is a common dining facility.

**B. Positions which are active service commitments, non-active service commitments, or parks/landscape/irrigation commitments are designated based on current meter designation, or if no current meter designation, then the most recent historical meter designation. Attached to the ordinance codified in this chapter and made a part hereof by reference is Exhibit D titled designation of positions. Exhibit D identifies the designation of position held by each parcel (identified by county assessor parcel number unless otherwise specifically identified in Exhibit D), which holds a position, which is an active service commitment, non-active service commitment, or parks/landscape/irrigation commitment. Water use is restricted to that designated on Exhibit D.**

**C. Positions which are currently valid waiting list positions are designated based on the designation on the district waiting lists.**

Positions, which are parcels with a currently valid intent to serve letter, or parcels with a currently valid connection permit but with no water meter installed, are designated based on the designation in the intent to serve letter.

**D. In the case of mixed-use parcels, single-family/multifamily residential parcels are designated as multifamily residential, and commercial/residential parcels are designated as commercial. Other mixed-use parcels are designated based on current predominant usage.**

**E. Vacant lots with meters are designated based on the most recent historical meter designation.**

**F. For positions that do not fit any of these designations in subsections B through E of this section, the board, in its discretion, will designate the position in a manner consistent with the purposes of this chapter and those purposes of the Cambria Community Services District, including but not limited to the following criteria:**

1. **Predominant current and/or past water usage;**

2. **Current and/or past designation on a district waiting list;**

3. **Water use factors and studies for similar projects from other jurisdictions. (Ord. 8-2003 § 2.5-4)**

#### **8.04.050 New commitments.**

Water and/or sewer services provided to new customers shall come only from one of the following sources and be subject to any conditions or restrictions currently in effect, or which may be imposed by the board of directors in the future:

**A. Allocation from the non-active service commitment section of the table of existing commitments.**

Care Facilities (per unit, bed or occupant)	0.38
* Revised 1995	
**** See definition below	

EXHIBIT A (Continued)

When a project does not fit into any of the categories delineated in the Table of EDUs above, the General Manager shall compute the required EDUs by developing a project Summer Season average monthly demand estimate and then converting to EDUs.

For combination of uses or combinations of tenants, or owner/occupants in a proposed project, each individual use or occupancy will be computed separately, using the Table of EDUs for the project. For example, a proposed building which will include a Beauty Shop, a Drug Store and a small Food Market, would be computed as follows:

<u>Use</u>	<u>EDUs</u>
Beauty Shop	1.05
Drug Store	0.60
<u>Food Market (small)</u>	<u>1.30</u>
Total Project	2.95 EDUs

For Motels, Bed & Breakfast or other commercial uses, where on-premises living unit is included, it shall be considered a commercial use, computed at 1.00 EDU. Thus, a Bed & Breakfast which includes 5 guest bedrooms, plus an owner's or manager's living unit would be computed as follows:

<u>Use</u>	<u>EDUs</u>
Owner's Living Quarters	1.00
<u>5 Guest Bedroom @ 0.60</u>	<u>3.00</u>
Total project	4.00 EDUs

Notes Reference to Uses

- \* Figure based on 1994 summertime usage.
- \*\* Day Care EDUs are for this use only. If this commercial use includes staff living quarters, then 1.00 EDU shall be added to the Day Care EDUs to derive the total project EDUs.
- \*\*\* For Service Stations and Gas Station/Convenience Stores, the reference to per bay means each separate fuel pumping island, regardless of the number of pumps.

\*\*\*\* Care Facilities (0.38 EDUs per unit, bed or occupant)

Care Facilities are either of the following or a combination thereof:

- A. Convalescent facilities, which include nursing homes with wards or semi-private rooms where the patients have full time medical personnel on site, and the patients are not in an apartment or studio unit; or

5. Care Facilities Position: a parcel which is either of the following or a combination thereof:

A. Convalescent Facilities: a parcel in which the residents are in wards or semi-private rooms with full time medical personnel on site, including nursing homes, but not apartments or studio units; or

B. Senior Facilities: a parcel in which residence is restricted to persons 55 years or older in which the residents live in individual apartments or studios without kitchens, which may have more than one occupant, and there is a common dining facility.

B. Positions which are Active Service Commitments, Non-Active Service Commitments, or Parks/Landscape/Irrigation Commitments are designated based on current meter designation, or if no current meter designation, then the most recent historical meter designation. Attached hereto and made a part hereof is Exhibit D titled "Designation of Positions." Exhibit D identifies the designation of position held by each parcel (identified by County Assessor Parcel Number unless otherwise specifically identified in Exhibit D) which holds a position which is an Active Service Commitment, Non-Active Service Commitment, or Parks/Landscape/Irrigation Commitment. Water use is restricted to that designation on Exhibit D.

C. Positions which are currently valid waiting list positions are designated based on the designation on the District Waiting Lists. Positions which are parcels with a currently valid "Intent to Serve" letter, or parcels with a currently valid connection permit but with no water meter installed, are designated based on the designation in the Intent to Serve letter.

D. In the case of mixed use parcels, Single Family/Multifamily Residential parcels are designated as Multifamily Residential, and Commercial/Residential parcels are designated as Commercial. Other mixed use parcels are designated based on current predominant usage.

E. Vacant lots with meters are designated based on the most recent historical meter designation.

F. For positions that do not fit any of these designations B through E, the Board, in its discretion, will designate the position in a manner consistent with the purposes of this Ordinance and those purposes of the Cambria Community Services District, including but not limited to the following criteria:

1. Predominant current and/or past water usage; and/or

**TABLE OF EQUIVALENT DWELLING UNITS (EDUs)**

Equivalent Dwelling Units shall be determined on the following scale:

CLASS OF USE.	1995 EDUs	See Notes
Residence, Apartment, Mobile Home, Condo, or Motel unit with Kitchen	1.00	
Bank (Each 10 employees or fraction)	0.57	*
Bar/Lounge (Each 10 Seats or fraction)	0.43	
Barber Shop	0.53	
Beauty Shop or Salon	1.05	*
Church, Public Assembly & Meeting Hall without Kitchen	0.39	*
Church, Public Assembly & Meeting Hall with Kitchen	1.72	*
Day Care	0.72	**
Doctor, Dentist, or Veterinarian Office	1.30	*
Drug Store	0.60	
Food Market (Small)	1.30	*
Gas Station and Convenience Store or Service Station (per bay)	2.10	* ***
Garage (repair only, no fueling, etc.)	0.33	
Laundromat (per washing machine)	0.65	
Motel, Bed & Breakfast, (per unit W/O Kitchen)	0.60	
Office/Retail Shop/Store (per 10 employees or less)	0.43	
Restaurant (per seat)	0.07	
Super Market	5.40	*
Take-Out Food	2.76	
Theater (100 seats or less)	0.44	
Convalescent Facilities (per bed or occupant)	0.36	****
Senior Facilities (per unit or apartment)	0.40	****

6. **East Village Historic Area.**

To encourage restoration of historic buildings, the Ordinance deletes the demolition requirements for historic buildings that are on parcels on which the Restrictive Covenant is imposed. Historic buildings are defined using the State definition.

7. **Assignment.**

The Ordinance provides that:

**"Assignment shall be allowed only for the parcel or combination of parcels originally applied for and is valid only for the number of EDUs requested and approved in the original application." (Section 2.5-9(D).)**

8. **Affordable Housing.**

The Ordinance deletes Subsection (D)(3) from Article 2.5-11 (Affordable Housing), so that affordable housing is no longer an approved use on parcels on which a Restrictive Covenant has been imposed.

9. **Findings.**

The findings prefacing the Ordinance have been revised to state that the transfer provision furthers the District's authority to: (1) supply water for domestic use, irrigation, sanitation, industrial use, fire protection, and recreation; (2) provide collection, treatment, and disposal of sewage, waste, and storm water of the District and its inhabitants; (3) protect against fire hazards; (4) plan for and provide public recreation; and (5) further watershed protection.

Furthermore, specific findings have been added to the transfer provisions in the body of the Ordinance at the beginning of Section 2.5-10(A) (note that the findings relating to zoning designations have been deleted since the Ordinance does not rely on zoning to administer the transfer provisions).

10. **Revision of EDU Table to Add Convalescent and Senior Facilities.**

The Table of Equivalent Dwelling Units (Exhibit A to the Ordinance) has been amended to add Convalescent Facilities (0.36 EDUs per bed or occupant) and Senior Facilities (0.40 EDUs per unit or apartment). Exhibit A defines Convalescent Facilities as nursing homes with wards or semi private rooms where the patients have full time medical personnel on site. The patients are not in an apartment or studio unit. Exhibit A defines Senior Facilities as individual living units with a common dining area. These are either apartments or studios without kitchens, and may have more than one occupant.

The EDUs for these facilities were calculated based on studies of comparable

facilities in Santa Barbara and San Luis Obispo Counties. The calculation is attached to this staff report.

**11. Miscellaneous Amendments to the Restrictive Covenant.**

A. The Ordinance adds the following purposes clause to the Restrictive Covenant: "The purpose of this Covenant and Agreement is to promote the District's goals of conserving water and sewer resources and protecting against fire hazards. This Covenant and Agreement does not preclude any use of the sender or receiver parcels consistent with its terms."

B. The Ordinance adds the following enforcement clause: "Violation of this Covenant and Agreement will result in discontinuance of water and sewer service."

**12. Repeals.**

The Ordinance expressly repeals in their entirety Article 2.5 of Ordinance No. W-82, and the following Ordinances: Nos. 1-93, 4-93, 2-94, 2-95, and 2-97.

---

BOARD ACTION:	Date	Approved:	Denied:	Other:
UNANIMOUS:	BLANCK	CHALDECOTT	MC CONNELL	MAY VILLENEUVE

**ATTACHMENTS:**

1. Ordinance
2. Redlined Ordinance dated 3/23/00
3. Ordinance 2-97
4. Board Minutes dated 12/20/99
5. EDU calculation sheet for convalescent and senior facilities