



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

**Tentative Notice of Action**

Promoting the wise use of land

MEETING DATE <b>February 7, 2014</b> LOCAL EFFECTIVE DATE <b>February 21, 2014</b> APPROX FINAL EFFECTIVE DATE <b>March 14, 2014</b>	CONTACT/PHONE <b>Schani Siong, Project Planner</b> <b>(805) 781-4374</b>	APPLICANT <b>Thomas P. Seville</b>	FILE NO. <b>DRC2013-00022</b>
SUBJECT Hearing to consider a request by Thomas Seville for a Minor Use Permit to allow the addition of 245 square feet of one-story living area with deck above. The project will result in the disturbance of approximately 850 square feet on a 3,000 square-foot existing residential parcel. The proposed project is within the Residential Single Family land use category, within the Small Scale Design Neighborhood, and is located at 30 14 <sup>th</sup> Street, approximately 150 feet southwest of Cass Avenue in the community of Cayucos. The site is located in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit/ Coastal Development Permit DRC2013-00022 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 1 Categorical Exemption (Sections 15301) was issued on January 7, 2014 (ED13-122)			
LAND USE CATEGORY <b>Residential Single Family</b>	COMBINING DESIGNATION <b>Archaeologically Sensitive Area, Small Scale Neighborhood, Local Coastal Plan Area</b>	ASSESSOR PARCEL NUMBER <b>064-224-003</b>	SUPERVISOR DISTRICT <b>2</b>
PLANNING AREA STANDARDS: <b>Small Scale Neighborhood</b> <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: <b>Archaeologically Sensitive Area, Local Coastal Program</b> <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing.  The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			

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

EXISTING USES: Single family residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residences <i>East:</i> Residential Single Family/residences <i>South:</i> Residential Single Family/residences <i>West:</i> Residential Single Family/residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Cayucos Community Advisory Council, Public Works, Building Division, Cayucos Fire, Cayucos Sanitary District, Paso Robles Beach Water Association, and the California Coastal Commission.	
TOPOGRAPHY: Fairly level	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: Paso Robles Beach Water Association Sewage Disposal: Cayucos Sanitary District Fire Protection: Cayucos Fire	ACCEPTANCE DATE:  November 7, 2013

**DISCUSSION**

The applicant is proposing to construct an enclosed 245 square-foot living area in the rear with an open deck above. The project is located on 30 14th Street, in the community of Cayucos. As outlined below, the proposed project is consistent with the Small Scale Neighborhood design standards of the Estero Area Plan as well as applicable Coastal Zone Land Use Ordinance standards and general plan policies.

PLANNING AREA STANDARDS:

**Small Scale Neighborhood Design Standards:**

Front Setback: For two story construction, the minimum front lower floor setback is 15 feet, the minimum front second floor setback is an additional 3 feet from the lower wall except open rail, uncovered decks are excluded from this additional setback and may extend to the lower floor wall. *The proposed living space addition and roof deck is in the rear of the existing residence. No works above 3 feet, which is subjected to this standard, are proposed at the front of the residence.*

Side Setbacks: For two-story construction, the minimum side setback for the lower floor is 4 feet. On corner lots the street-side setback is 5 feet. For the second floor side setbacks, a minimum of 2 ½ feet greater than the lower floor setback is required. Thirty percent of the upper story sidewall may align with the lower floor wall provided it is within the rear two-thirds of the structure. *The proposed living space and roof deck addition is set back 4 feet 10 inches from the western boundary side and is consistent with this standard.*

Rear Setback: Minimum rear setback, shall be 10 feet. *The rear setback is 17 feet and complies with this standard.*

Height: Existing residences completed prior to April 25, 1995, with a roof pitch of at least 3:12 (3 inches of rise per 12 inches of run) may have second story roof slopes matching the existing slope where the building height does not exceed 22 feet. *The proposed living space addition includes an open roof deck, which does not increase the height and roof structure of the existing residence. The project is in compliance with this standard.*

Gross Structural Area: The parcel is 3,000 square feet. On parcels 2,900 to 4,999 square feet in size, new development or additions exceeding one story or 15 feet in height are limited to a maximum gross structural area (including the area of all garages) of 55% of the usable lot, 1,650 square feet. *The development is proposed at 1,630 square feet and is within the gross structural area standards. The project is consistent with this standard.*

Deck Rail Height: Rail heights for decks above the ground floor shall not exceed 36 inches. A maximum additional height of 36 inches of untinted, transparent material with minimal support members is allowable. *The project as proposed showed a deck on the second floor. The project is conditioned to meet the 42 inch California Building Code requirement and be consistent with this standard.*

Parking: At least one off-street parking space shall be enclosed with an interior space a minimum size of 10 feet by 20 feet, and a maximum of one required off-street parking space may be located in the driveway within the required front yard setback area. *The existing residence has one parking space in the covered garage and a second parking space in the driveway within the front setback. No works are proposed for parking at this residence.*

Driveway Widths: Driveway widths may not exceed 18 feet. *The existing driveway does not exceed 18 feet. The project is conditioned to remove the existing non-permitted concrete driveway approach and replace with an asphalt approach within the public right-of-way area.*

Streetscape Plan: A scale drawing showing the front exterior elevation (view) of the proposed project, and the front elevations of the adjacent buildings, is required as part of the application submittal. *A copy of the streetscape plan is in file.*

Topographic Map: A topographic map including the elevation of the fronting street, site contours, and existing and proposed drainage patterns is required as part of the application submittal. *A copy of the topographic map is in file.*

#### COASTAL ZONE LAND USE ORDINANCE STANDARDS:

##### **Section 23.07.104(b): Archaeologically Sensitive Areas**

The project site is located within a mapped Archaeologically Sensitive Area, but is exempted from requiring an archeological survey due to the small addition area within an already developed area.

##### **Section 23.07.120: Local Coastal Program**

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

#### **COASTAL PLAN POLICIES:**

Following is a brief list of the Coastal Plan Policies (discussion of specific applicable policies following):

Shoreline Access: N/A

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

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

Environmentally Sensitive Habitats:  Policy No(s): 1, 2, 3, 27, 28, and 33

Agriculture: N/A

Public Works:  Policy No(s): 1

Coastal Watersheds:  Policy No(s): 8 and 9

Visual and Scenic Resources:  Policy No(s): 1 and 6

Hazards:  Policy No(s): 1 and 2

Archeology:  Policy No(s): 4

Air Quality: N/A

### **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. The proposed project complies with this policy because the site has an existing residential use that is already being served.*

### **Coastal Watersheds**

*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 consistent with this policy because it's conditioned to require an erosion and sedimentation control plan when grading is conducted or left in an unfinished state during the period from October 15 through April 15.*

*Policy 9: Techniques for Minimizing Sedimentation. Appropriate control measures (such as sediment basins, terracing, hydro-mulching, etc.) shall be used to minimize erosion and sedimentation. The proposed project is consistent with this policy because, as conditioned, the applicant shall apply Best Management Practices in the selection and implementation of site maintenance.*

### **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 complies with this policy as the proposed residence shall be in character and scale with the surrounding neighborhood, and will not block existing scenic vistas.*

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

**Archeology**

*Policy 1: Protection of Archaeological Resources. The county shall provide for the protection of both known and potential archaeological resources. All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored at the time of a development proposal to avoid development on important archaeological sites. Where these measures are not feasible and development will adversely affect identified archeological or paleontological resources, adequate mitigation shall be required. The project is exempted from requiring an archeological survey due to the small addition area within an already developed area.*

**COMMUNITY ADVISORY GROUP COMMENTS:**

Cayucos Citizens Advisory Council- The Committee reviewed and supported the project as long as the plans conforms to the Community Small Scale Design Neighborhood Planning Area Standards and applicable CZLUO (November 2013).

**AGENCY REVIEW:**

Public Works – per referral comments dated October 28, 2013:

The existing fencing and a block wall are constructed within the County’s Road Right of Way. At the time of construction permit application, the applicant shall submit an application, fee and plans to the Department of Public Works to secure an Encroachment Permit for removal of all existing non-permitted obstructions from within the public right-of-way of the project frontage and to construct the project frontage and access driveway, in accordance with County Public Improvement Standards (re-construct road shoulder and removal of concrete driveway approach and replacement with an asphalt approach).

Building Department – per referral comments dated November 1, 2013

1. All plans and engineering shall be prepared by a California Licensed Architect of Record unless exempted by the Business and Professions Code.
2. The project is subject to a construction permit as well as the currently adopted California Codes.
3. The project may require a full soils report for the design of all building foundations at the time of construction permit application submittal.
4. Whether or not a grading permit is required, the project shall conform to the “National Pollutant Discharge Elimination System” storm water management program regulations.

Cayucos Fire – Fire sprinklers are required per the County’s building code. Small scale neighborhood rules apply for this project.

California Coastal Commission – No response

Paso Robles Beach Water Association – No response

**LEGAL LOT STATUS:**

The one existing parcel is Lot 4 in Block 3 of Paso Robles Beach No. 2, according to Map recorded June 20, 1928 in Book 3, Page 108 of Maps and was legally created by deed at a time when that was a legal method of creating parcels.

Staff report prepared by Schani Siong and reviewed by Airlin Singewald and Bill Robeson.