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

Tentative Notice of Action

MEETING DATE March 7, 2014	CONTACT/PHONE Schani Siong, Project Manager (805) 781-4374	APPLICANT Larry and Julie Beltramo	FILE NO. DRC2013-00040
LOCAL EFFECTIVE DATE March 21, 2014	ssiong@co.slo.ca.us		
APPROX FINAL EFFECTIVE DATE April 11, 2014			

SUBJECT
Hearing to consider a request by **LARRY & JULIE BELTRAMO** for a Minor Use Permit/Coastal Development Permit to allow for: 1) the demolition of an existing 785 square foot single family residence and an attached 224 square foot garage; and 2) the construction of a new 1,556 square-foot two-story single family residence, a 259 square foot attached garage, and 431 square feet of deck area. The project requires the purchase of 215 square feet of Transfer of Development Credits (TDCs). The project will disturb the entire 2,800 square-foot parcel. The proposed project is within the Residential Single Family land use category, and is located at 5398 Nottingham Drive, in the community of Cambria. The site is in the North Coast planning area.

RECOMMENDED ACTION
Approve Minor Use Permit/Coastal Development Permit DRC2013-00040 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.

ENVIRONMENTAL DETERMINATION
Class 1 & Class 3 Categorical Exemptions were issued on February 11, 2014 (ED13-155).

LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Local Coastal Plan, Archeologically Sensitive	ASSESSOR PARCEL NUMBER 022-163-010	SUPERVISOR DISTRICT(S) 2
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PLANNING AREA STANDARDS:
Archeological Resource Protection, Setbacks, Height, Footprint and Gross Structural Area (GSA) Limitations, Residential Design Standards, Erosion Control, Landscaping, Cambria Community Services District Review, Cambria Fire Department Review, Parking and Access Standards, Transfer of Development Credits
Does the project meet applicable Planning Area Standards: Yes - see discussion

LAND USE ORDINANCE STANDARDS:
Local Coastal Program, Archeologically Sensitive Area
Does the project conform to the Land Use Ordinance Standards: As conditioned - see discussion

FINAL ACTION
This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing.

The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
COUNTY GOVERNMENT CENTER 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>South:</i> Residential Single Family/ residences <i>East:</i> Residential Single Family/ residences <i>West:</i> Residential Single Family/residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, Cambria Community Services District (Water/ Sewer/ Fire), Air Pollution Control Board (APCD), California Coastal Commission, and the North Coast Advisory Council.	
TOPOGRAPHY: Fairly level	VEGETATION: Grasses, ornamental landscaping
PROPOSED SERVICES: Water supply: Cambria Community Services District Sewage Disposal: Cambria Community Services District Fire Protection: Cambria Community Services District	ACCEPTANCE DATE: December 26, 2013

DISCUSSION

The applicant is proposing to demolish the existing 785 square-foot single family residence and the attached 224 square-foot garage and construct a new 1,556 square-foot two-story single family residence with a 259 square-foot attached garage and 431 square feet of deck area.. The project proposed to purchase 215 square feet of Transfer of Development Credits (TDCs) and will disturb the entire parcel of approximately 2,800 square feet. As conditioned, the proposed project is consistent with the North Coast Area Plan standards as well as applicable Coastal Zone Land Use Ordinance standards and general plan policies.

PLANNING AREA STANDARDS:

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

Combining Designations

Archeologically Sensitive Area

The project site is located within a mapped Archeologically Sensitive Area.

Staff Comments: The applicant supplied a Preliminary Archaeological Reconnaissance (Archaeological Consulting; October 24, 2013) which concluded that the proposed project will have no impact to prehistoric, historic, or cultural resources.

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.

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 Cambria Community Service District's service area, or through other verifiable actions to reduce existing water use in the service area. All coastal development permits authorizing such development shall be conditioned to require applicants to provide to the Planning Director for review and approval prior to construction, written evidence of compliance with CCSD Ordinance 1-98, as approved by the CCSD Board of Directors on January 26, 1998, and modified on November 14, 2002, and as codified in the CCSD Code

Chapter 4.20 in 2004. No retrofit credits may be obtained by extinguishing agricultural water use, or funding leak detection programs. Such permits shall also be conditioned to require 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. Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from the CCSD. Also prior to final building inspection the applicant shall submit a water and sewer service condition compliance letter from the CCSD.

Staff comments: The project complies with the standard as the applicant submitted a Confirmation of Water and Sewer Availability for Remodel or Transfer of Existing Active Service, dated October 30, 2013, from the CCSD. The project is conditioned to comply with all retrofitting and water requirements of the CCSD.

Cambria Fire Department Review

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

Staff comments: The project complies with this standard because the applicant submitted a Fire Plan Review, dated October 30, 2013, from the Cambria Fire Department and the project is conditioned to comply with all applicable fire safety requirements.

Erosion Control/ Landscaping/ Exterior Lighting

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. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. Non-native, invasive, fire prone, and water intensive (i.e. turf grass) landscaping shall be prohibited on the entire site. All 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.

Staff comments: The project is conditioned to comply with applicable erosion control, landscaping, and exterior lighting requirements.

Residential Single Family Standards

The following table describes the project’s compliance with the applicable setbacks, height, gross structural area (GSA), and footprint standards of the North Coast Area Plan:

Lot Size: 2,800 square feet
 Area: Marine Terrace
 Oversized lot adjustment: 1.6

Slope: approximately 6%
 Number of trees to be removed: 0
 Base: 1,750 SF Footprint

PROJECT REVIEW	ALLOWABLE	TOTAL PROPOSED	STATUS
FOOTPRINT (SQUARE FEET)	1,440	1,001	OK
GSA (SQUARE FEET)	1,600 (1,760 with TDCs) ¹	1,815 ²	As Conditioned ³
HEIGHT (FEET)	28'	27' 8"	OK ⁴
DECKS (SQUARE FEET)			
PERMEABLE	432	431	OK ⁵
SOLID	112	0	N/A
SETBACKS (FEET)			
FRONT AND BACK COMBINED	25'	25'	OK
FRONT	15'	14'	OK
REAR	10'	13'4"	OK
SIDE	3'	3'	OK

- NOTE:
- ¹ The amount of square feet allowed in both footprint and GSA measurements may be increased through the purchase of Transfer of Development Credits, as discussed in the section below.
 - ² The project proposes the use of 215 TDCs, which exceeds the maximum allowable (160) TDCs for a 2,800 square-foot lot.
 - ³ The proposed project is conditioned to reduce GSA to 1,760 square feet, consistent with the maximum allowable GSA and TDCs.
 - ⁴ Maximum height is measured from average natural grade
 - ⁵ Permeable deck size shall be limited to 30% of permitted maximum footprint

Transfer of Development Credits

The Transfer of Development Credits Program (TDCs) may be used to transfer allowable footprint and GSA for lots within certain areas to more suitable sites within Cambria. An adequate fee may be paid to the Land Conservancy of San Luis Obispo County to allow for purchase of typical lots within the preservation (special study) areas, plus sewer assessments and administrative costs. For lots eligible to receive TDCs, the number of TDCs that can be used on any one house shall be evaluated against the following criteria:

- a. **Site Design.** The use of TDCs shall not result in an appearance which would be incompatible with homes in the surrounding area.
- b. **Maximum TDC Use.** Total increase in Footprint or Gross Structural Area due to the purchase of TDCs shall not exceed the following:
 - 1,750 -3,499 sq. ft. lot size (base area = 1,750 sq.ft.) : 100 square feet
 - 3,500 – 5,249 sq. ft. lot size (base area =3,500 sq. ft.) : 300 square feet

- 5,250 and larger (base area = 5,250 square feet) : 400 square feet
Note: Where building sites are different than the base area in the appropriate category, a proportionally adjusted number of TDCs may be permitted.

Staff comments: The project proposes to use 215 square feet of TDCs, which exceeds the maximum allowable number of TDCs (160) for a 2,800 square-foot lot. As described above, lots in the 1,750 – 3,499 square foot range are eligible for a maximum of 100 TDCs multiplied by the oversized lot adjustment factor. Thus, the maximum allowable TDCs for the proposed project would be 160 (100 x 1.6). The project is conditioned to reduce the total Gross Structural Area to 1,760 square feet in compliance with this section.

Residential Design Criteria

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

Impermeable Surfaces- Impermeable surfaces should be minimized in order to maintain a sense of open space and to serve specific purposes, such as retaining clusters of trees and visual quality of public view corridors. *Staff comments: The project complies with this guideline, as the deck is permeable and within the size allowed and the driveway and walkways are the minimum areas required to provide access to the single car garage and providing a second parking space in the driveway.*

Parking Drives and Garages- Two off-street spaces are required for each single-family dwelling, and at least one space shall be covered. The design criteria for parking drives and garages encourages placement that does not dominate the site or the design of the house. *Staff comments: This project complies with this standard. The proposed residence would include a one-car garage and a one-car carport with a concrete pad, driveway and approach to satisfy the parking requirement for the residence. The garage mass is reduced by placing it below the upper level living space.*

Topography- The sight design should follow the natural contours of the site where possible. *Staff comments: The project complies with this guideline. The subject parcel has previously been developed and the topography is fairly level, with an average slope of 3%. The proposed residence will not result in any abrupt changes in grade.*

Drainage- Drainage systems should be designed to retain water on-site and encourage infiltration when feasible. *Staff comments: The project complies with this guideline as it will be designed and constructed to retain water on-site, and the project is conditioned to provide a drainage plan, consistent with the North Coast planning area standards, to Public Works for review and approval.*

Building Design Standards- The design should incorporate architectural details and varied materials to reduce the apparent mass of structures and should achieve an appearance that is appropriate for the character of the neighborhood. *Staff comments: The proposed residence includes articulation to break up the bulk of the structure, compatible in design and materials with the neighborhood design patterns.*

LAND USE ORDINANCE STANDARDS:

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 between the first public road and the ocean, according to official County maps.

Section 23.07.120: Local Coastal Program

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

Section 23.07.104 – Archaeologically Sensitive Areas

This Section requires development applications within the Archaeologically Sensitive combining designation area to include a preliminary archaeological site survey. The survey shall be conducted by a qualified archaeologist knowledgeable in local Native American culture and approved by the Environmental Coordinator. If the preliminary site survey determines that proposed development may have significant effects on existing, known or suspected archaeological resources, a plan for mitigation shall be prepared by a qualified archaeologist. *Staff comments: The project site is within a mapped Archaeologically Sensitive combining designation area. The applicant supplied a Preliminary Archaeological Reconnaissance (Archaeological Consulting; October 24, 2013) which concluded that the proposed project will have no impact to prehistoric or historic cultural resources.*

Section 23.04.160: Parking

The proposed project is a single family residence which must contain at least two off street parking spaces. *Staff comments: This project complies with this standard because one car will be accommodated in the garage and the second car will be parked on the driveway.*

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: N/A

Agriculture: N/A

Public Works:

Policy No(s): 1

Coastal Watersheds:

Policy No(s): 7 through 11

Visual and Scenic Resources:

Policy No(s): 1, 2 and 8

Hazards: N/A

Archaeology:

Policy No(s): 1

Air Quality:

Policy No(s): 1

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

COASTAL PLAN POLICY DISCUSSION:

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.
Staff comment: The project is consistent with this policy because the applicant submitted a letter, dated October 30, 2013, from the Cambria Community Services District verifying the availability of water and sewer service for the proposed project. The project is conditioned to require a water and sewer service condition compliance letter prior to final inspection.

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.

Staff comment: The proposed project complies with this policy as the proposed project will take place on an existing lot of record in the Residential Single Family category and development shall be situated on slopes of 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.
Staff comment: The proposed project is conditioned to comply with this policy as the project shall have an erosion and sedimentation control plan where grading is conducted or left in an unfinished state during the period from October 15 through April 15.

Policy 9: Techniques for Minimizing Sedimentation. Appropriate control measures (such as sediment basins, terracing, hydro-mulching, etc.) shall be used to minimize erosion and sedimentation.
Staff comment: 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.
Staff comments: The proposed project is conditioned to comply with this policy as the applicant shall provide a drainage plan to San Luis Obispo County Public Works Department for review and approval, and shall implement the approved drainage plan, showing that construction of the new garage 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.
Staff comment: The proposed project is consistent with this policy as the project shall retain groundwater on-site to the extent feasible.

Visual and Scenic Resources

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

Policy 2: Site Selection for New Development. Permitted development shall be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors. *The proposed project complies with this standard, as the proposed residence will be developed on an existing, level lot, and the development will not block existing public views.*

Policy 8: Utility Lines within View Corridors. Where feasible, utility lines within public view corridors should be placed underground whenever their aboveground placement would inhibit or detract from ocean views. In all other cases, they shall be placed in such a manner as to minimize their visibility from the road. *Staff comments: Per CZLUO Section 23.05.120, the proposed project is exempted from undergrounding its existing telecommunication connection between the utility distribution lines and the proposed structure on the site because the requirement does not apply to public utility distribution service to the edge of the lot. Undergrounding utility lines to the subject parcel can only be possible with a utility pole located on the same street side as the residence. There is no distribution pole currently on the same street side as the proposed residence.*

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. *Staff comment: Staff Comment: The proposed project is consistent with this policy. The applicant supplied a Preliminary Archaeological Reconnaissance (Archaeological Consulting; October 24, 2013) which concluded that the proposed project will have no impact to prehistoric or historic cultural resources.*

Air Quality

Policy 1: The County will provide adequate administration and enforcement of air quality programs and regulations to be consistent with the county's Air Pollution Control District and the State Air Resources Control Board. *Staff comment: This project involves the demolition of a pre-1978 structure and is conditioned to contact APCD to determine the applicability of federal asbestos regulations.*

COMMUNITY ADVISORY GROUP COMMENTS:

The North Coast Advisory Council discussed the project at their January 15, 2014 meeting, and supported the project with the following comments:

1. The footprint and GSA shall comply with the maximum TDCs allowable as determined by the County.
As proposed, the project exceeds the maximum allowable gross structural area, since it proposes the use of more TDCs than are allowable by the North Coast Area Plan. Therefore, the project is conditioned to reduce the gross structural area from 1,815 to 1,760 square feet. Implementation of this condition will bring the project into conformance with the building size limitations of the North Coast Area Plan.
2. Undergrounding of utilities shall be determined where feasible by the County.
As described above, it will not be feasible to underground utilities because the nearest distribution pole is located across the street.
3. The usage of the new residence as a vacation rental shall be conditioned to limit maximum occupancy of 8 persons and 2 cars parked entirely on the subject property.
The existing single family residence is currently a permitted residential vacation rental. The proposed residence design accommodates two car spaces on-site; one car space within the garage and one car space on the driveway. This project complies with parking requirements as per CZLUO Section 23.04.160. When in use as a residential vacation rental, the proposed residence will be subjected to the maximum occupants allowed per the Residential Vacation Rentals ordinance in CZLUO Section 23.08.165.
4. No overnight lighting should be allowed.
The proposed project is conditioned to submit a lighting plan prior to issuance of a construction permit. Exterior lighting shall be shielded and directed downward.
5. No loud music in consideration of state campers should be allowed.
Operation of a single family house would be subject to the standards of the County Noise Ordinance.

AGENCY REVIEW:

Public Works – per referral dated November 12, 2013: Drainage plan to be reviewed with building permit. Encroachment permit required for driveway approach with building permit.

Building Division – per referral dated December 5, 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 (at the time of plan check submittal).
3. The project will 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.
5. A fire sprinkler system will be required.

Cambria Community Services District (Water/Sewer) –The project is subjected to conditions set forth in the submitted Confirmation of Water and Sewer Availability for Remodel or Transfer of Existing Active Service letter, dated October 30, 2013.

Cambria Community Services District (Fire) –The project is subjected to Fire Plan Review conditions as set forth in letter, dated October 30, 2013.

California Coastal Commission – no comment received.

LEGAL LOT STATUS:

The one existing parcel is Lot 3 in Block 72 of Cambria Pines Unit No. 5 according to map recorded April 18, 1929 in Book 5, Page 2 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 Nancy Orton.