



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

Tentative Notice of Action

Promoting the wise use of land

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| MEETING DATE March 21, 2014 LOCAL EFFECTIVE DATE April 4, 2014 APPROX FINAL EFFECTIVE DATE April 25, 2015 | CONTACT/PHONE Schani Siong Project Manager (805) 781-4374 ssiong@co.slo.ca.us | APPLICANT Gary Brockman | FILE NO. DRC2013-00050 |
| SUBJECT Hearing to consider a request by GARY BROCKMAN for a Minor Use Permit/Coastal Development Permit to allow for the conversion of a carport into a garage and the construction of an approximately 310 square-foot second floor addition to an existing single family residence. The project will result in approximately 700 square feet of ground disturbance on the 3,500 square-foot property. The proposed project is within the Residential Single Family land use category, and is located at 418 Leighton Street, approximately 100 feet from Whitehall Avenue in the community of Cambria. The site is in the North Coast planning area. | | | |
| RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2013-00050 based on the findings listed in Exhibit A and the conditions listed in Exhibit B. | | | |
| ENVIRONMENTAL DETERMINATION A Class 1 Categorical Exemption was issued on February 20, 2014 (ED13-159). | | | |
| LAND USE CATEGORY Residential Single Family | COMBINING DESIGNATION Local Coastal Plan, Archaeologically Sensitive, Terrestrial Habitat | ASSESSOR PARCEL NUMBER 022-322-024 | SUPERVISOR DISTRICT(S) 2 |
| PLANNING AREA STANDARDS: Archaeological Resource Protection, Monterey Pine Forest Habitat (SRA)(TH), Setbacks, Height, Footprint and Gross Structural Area (GSA) Limitations, Residential Design Standards, Erosion Control, Landscaping, Cambria Community Services District Review, Cambria Fire Department Review <i>Does the project meet applicable Planning Area Standards: As conditioned - see discussion</i> | | | |
| LAND USE ORDINANCE STANDARDS: Local Coastal Program, Archaeologically Sensitive Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i> | | | |
| FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process. | | | |
| ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242 | | | |

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|---|--------------------------------------|
| 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: Public Works, Building Division, Cambria Community Services District (Water/ Sewer/ Fire), Coastal Commission, and the North Coast Advisory Council. | |
| TOPOGRAPHY: Fairly flat | VEGETATION: Ornamental grasses |
| PROPOSED SERVICES: Water supply: Community system (Cambria CSD) Sewage Disposal: Community sewage disposal system Fire Protection: Cambria Fire Department (Cambria CSD) | ACCEPTANCE DATE: January 15, 2014 |

PLANNING AREA STANDARDS:

As described below, the project complies with applicable Combining Designation, Community Wide, and 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 proposed project is not anticipated to impact archaeological resources because it involves a minor addition to an existing single family residence and is located in a previously disturbed area. As conditioned, construction activities shall cease and the Department of Planning and Building shall be notified if archaeological resources are discovered during ground-disturbing activities.

Monterey Pine Forest Terrestrial Habitat (TH)

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

1. **Establishment of a 'project limit area'**. A project limit area shall be established in a manner that avoids Monterey pine forest impacts to the maximum extent feasible, is located on the least sensitive portion of the site, and safeguards the biological continuance of the habitat.
2. **New Development siting**. Applications for new development within the Monterey pine forest shall demonstrate that no native vegetation outside the project limit area shall be removed, except for trees identified as hazardous by a qualified professional.
3. **Plan Requirements**. Plans shall identify all Monterey pine trees and their size when they are six inches or more in diameter at 4.5 feet above ground, and oak trees four inches or more in diameter at 4.5 feet above ground. The plans shall indicate which trees are to be retained and which trees are proposed for removal.
4. **Construction Practices**. Construction practices to protect Monterey pines, oak trees and significant understory vegetation shall be implemented.
5. **Replacement of Vegetation**. Any Monterey pine trees that are six inches or more in diameter 4.5 feet above the ground shall be replaced at a 4:1 ratio for each tree removed, and at a 2:1 ratio for each tree impacted but not removed. Any oak trees that are four inches in diameter 4.5 feet above ground shall be replaced at a 6:1 ratio for each tree removed, and at a ratio of 3:1 ratio for each tree impacted but not removed. All open areas of the site disturbed by project construction are to be seeded with native, drought and fire resistant species that are compatible with the habitat value of the surrounding forest.
6. **Understory Vegetation Removal**. No understory vegetation shall be removed until a permit has been issued or unless an immediate hazardous condition exists. Understory vegetation removal to create, improve, or maintain adequate defensible space and Fire Hazard Fuel Reduction shall be the minimum necessary.

Staff comment: The subject parcel is located within the mapped Monterey pine forest habitat area. The proposed project is consistent with this standard because the subject parcel does not contain Monterey pine or Coast live oak trees and would not remove or impact native vegetation.

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.

Community Wide Standards

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 this standard as the applicant submitted a Confirmation of Water and Sewer Availability for Remodel or Transfer of Existing Active Service, dated October 29, 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 comment: 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: 3,500 square feet

Slope: approximately 3%

Special Project Area: Typical Lot

Number of trees to be removed: 0

Oversized lot adjustment: N/A

Base: 3,500 SF

| PROJECT REVIEW | ALLOWABLE | ADDITION SECTION | TOTAL PROPOSED | STATUS |
|--|-----------|------------------|-------------------|-----------------|
| FOOTPRINT (SQUARE FEET) | 1,300 | 120 | 710 | OK |
| GSA (SQUARE FEET) | 2,000 | 630 | 1,620 | OK |
| HEIGHT (FEET) | 28' | 23' | 18' (Existing) | OK |
| DECKS (SQUARE FEET) | | | | |
| PERVIOUS | 390 | 0 | 0 | OK |
| IMPERVIOUS | 130 | 60 | 60 | OK |
| SETBACKS (FEET) | | | | |
| FRONT AND BACK COMBINED | 25' | 50'6" | 20'9" | OK ¹ |
| FRONT | 10' | 13'6" | 13'6" | OK |
| REAR | 10' | 7' (Existing) | 7' (Existing) | OK ² |
| SIDE | 5' | 5' | 5' (E); 22'6" (W) | OK |
| SIDES COMBINED (FOR LOTS W/ 50 FEET OR GREATER FRONTAGE) | 12' | 27'6" | 27'6" | OK |

NOTE: ¹ The existing site development has combined front and rear setback totaling 20'9". The proposed addition is generally within the footprint of the existing carport and would not further encroach into the front yard.

² The proposed addition is located at the front of the residence and will not affect the existing non-conforming rear setback.

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 proposed addition on the ground level is less than 10% of the existing floor area 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 project would convert an existing carport into a single car garage. The site also contains one parking space with a concrete driveway and approach. Therefore, the project would comply with the planning area standard requiring two off-street spaces, with one covered space. The mass of the proposed garage would be 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, and is compatible in design and materials with the neighborhood design patterns.*

COASTAL LAND USE ORDINANCE STANDARDS:

Section 23.07.104(b): Archaeologically Sensitive Areas

The project site is located within a mapped Archaeologically Sensitive Area. The proposed project is not anticipated to impact archaeological resources because it involves a minor addition to an existing single family residence and is located in a previously disturbed area. As conditioned, construction activities shall cease and the Department of Planning and Building shall be notified if archaeological resources are discovered during ground-disturbing activities.

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

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

Staff comment: The proposed project is consistent with this standard because the subject parcel does not contain Monterey pine or Coast live oak trees and would not remove or impact native vegetation.

Section 23.07.176 Terrestrial Habitat Protection

The subject parcel supports a mapped Terrestrial Habitat (TH) combining designation, and is subject to Section 23.07.176 Terrestrial Habitat Protection. This section implements development standards for protection of Terrestrial Habitat. Specifically, that revegetation with native plants occurs where vegetation is removed, and that “readily-identifiable barriers that will protect the surrounding native habitat areas” be used to ensure protection during grading and construction.

Staff comment: The proposed project is consistent with this standard because the subject parcel does not contain Monterey pine or Coast live oak trees and would not remove or impact native vegetation.

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): 29
- Agriculture: N/A
- Public Works: Policy No(s): 1
- Coastal Watersheds: Policy No(s): 8 and 10
- Visual and Scenic Resources: Policy No(s): 1
- Hazards: Policy No(s): 1 and 2
- Archeology: Policy No(s): 1
- Air Quality: N/A

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

Environmentally Sensitive Habitats:

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. Staff comment: The proposed project is within a residentially zoned area and was previously developed with a single family residence, and no impacts to sensitive habitat are anticipated.

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 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 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 comment: The proposed project is conditioned to comply with this policy as the applicant shall provide a drainage plan to the Department of Public Works for review and approval, and shall implement the approved drainage plan, displaying that construction of the new garage will not increase erosion or runoff.

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 proposed residence shall be in character and scale with the surrounding neighborhood, and will not block existing scenic vistas.

Archaeology:

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: The proposed project is consistent with this policy because, as a minor addition to an existing single family residence, it is not anticipated to impact archaeological resources. As conditioned, construction activities shall cease and the Department of Planning and Building shall be notified if archaeological resources are discovered during ground-disturbing activities.*

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

COMMUNITY ADVISORY GROUP COMMENTS:

On February 19, 2014, the North Coast Advisory Council (NCAC) supported the proposed project.

AGENCY REVIEW:

Public Works – per referral dated January 12, 2014: Drainage plan required with construction permit.

Building Division – per referral dated February 7, 2014:

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 newly adopted 2013 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. The project is subject to the California State Title 24 energy laws.
5. Whether or not a grading permit is required, the project shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations.
6. Due to the proposed scope of work, a fire sprinkler system will be required for new and existing portions of the house per County Ordinance Title 19.

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 29, 2013.

Cambria Community Services District (Fire) – Project subject to Fire Plan Review conditions (Cambria CSD; October 30, 2013)

LEGAL LOT STATUS:

One of the two existing parcels is Lot 4 in Block 62 of Cambria Pines Unit No. 5, according to Map filed for record 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.