



Promoting the wise use of land

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

Tentative Notice of Action

MEETING DATE September 5, 2014 LOCAL EFFECTIVE DATE September 19, 2014 APPROX FINAL EFFECTIVE DATE October 10, 2014		CONTACT/PHONE Brandi Cummings, Project Manager (805) 781-1006 bcummings@co.slo.ca.us		APPLICANT David Stoothoff		FILE NO. DRC2013-00116	
SUBJECT A hearing to consider a request by David Stoothoff for a Minor Use Permit/Coastal Development Permit to allow the construction of a 558 square-foot two-story addition, replacement of an existing wooden retaining wall with a new concrete retaining wall around an existing patio, and conversion of existing living space into a new one car garage. The project will result in approximately 500 square feet of ground disturbance on a 4,875 square-foot parcel in the Residential Single Family land use category. The proposed project is located at 967 Sheffield Street, approximately 500 feet east of Main Street, in the community of Cambria. The site is in the North Coast planning area.							
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2013-00116 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.							
ENVIRONMENTAL DETERMINATION A Class 3 categorical exemption was issued on July 25, 2014 (ED14-022).							
LAND USE CATEGORY Residential Single Family		COMBINING DESIGNATION Local Coastal Plan, Archeologically Sensitive Area, Terrestrial Habitat, Geologic Study Area		ASSESSOR PARCEL NUMBER 022-212-034 022-212-035		SUPERVISOR DISTRICT(S) 2	
PLANNING AREA STANDARDS: Monterey Pine Forest Habitat (TH), Local Coastal Program Area (LCP), Archeological Sensitive Area, Water Conservation Requirements, Cambria Community Services District Review, Cambria Fire Department Review, Erosion Control, Landscaping, Exterior Lighting, Archeological Resource Protection, Residential Design Standards, Setback, Height, Footprint, and Gross Structural Area (GSA) Limitations <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>							
LAND USE ORDINANCE STANDARDS: Coastal Commission Appealable Zone, Geologic Study Area (GSA), Local Coastal Program, Archaeologically Sensitive Area, Environmentally Sensitive Habitat (ESH), and Terrestrial Habitat Protection <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>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), California Coastal Commission, North Coast Advisory Council, and Native American Heritage Commission.	
TOPOGRAPHY: Moderate slopes	VEGETATION: Monterey Pine, Oak, Grasses
PROPOSED SERVICES: Water supply: Cambria Community Services District Sewage Disposal: Cambria Community Services District Fire Protection: Cambria Community Services District	ACCEPTANCE DATE: July 25, 2014

DISCUSSION

The applicant is proposing to construct a 558 square-foot two-story addition, replace an existing wooden retaining wall with a new concrete retaining wall around an existing patio, and convert an existing living space into a new one car garage. The project will result in approximately 500 square feet of ground disturbance on a 4,875 square-foot parcel in the Residential Single Family land use category. The proposed project is located at 967 Sheffield Street, approximately 500 feet east of Main Street, in the community of Cambria. The site is in the North Coast planning area. In June the applicant applied for a voluntary merger of lots 022-212-034 and 022-212-35. The voluntary merger (SUB2013-00076) was recorded on June 23, 2014. The existing residence has an existing concrete driveway and frontage on Sheffield Street. The proposed addition is sited to the east of the existing residence. The project includes a new one-car garage and will provide two off-street parking spaces. 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 Coastal 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

Monterey Pine Forest Terrestrial Habitat (TH)

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

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. The project limit area shall include all areas of the site where vegetation will need to be trimmed or removed for fire safety purposes.

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.** All site, construction and grading plans submitted to the County shall identify by species and diameter all Monterey pine trees that are six inches or more in diameter 4.5 feet above ground and oak trees four inches or more in diameter 4.5 feet above ground identified by species and diameter. The plans shall indicate which trees are to be retained and which trees are proposed for removal.
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 comments: The development had been sited to avoid removal of existing Monterey pine trees on-site. The proposed project would result in no impacts to existing Monterey pine trees. The project is conditioned to show a project limit area on plans to ensure all work is within the approved areas on the site and protective measures will be included to avoid impacts to the Monterey pine trees during construction activities. 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. With implementation of the conditions of approval, the proposed project will comply with this standard.

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. 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 above standards because the applicant submitted a letter, dated June 11, 2014, from the CCSD verifying the availability of water and sewage capacity to serve the proposed residential addition. The applicant paid the District retrofit fees to offset the additional water usage associated with the proposed addition. The District uses these fees to retrofit older water fixtures in Cambria with new low flow water fixtures. Therefore, with payment of retrofit fees, the proposed residential addition would not increase water demands in Cambria.

Cambria Community Services District Review

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

Staff comments: The project complies with the above standards because the applicant submitted a letter, dated June 11, 2014, from the CCSD verifying the availability of water and sewage capacity to serve the proposed residential addition. The applicant paid the District retrofit fees to offset the additional water usage associated with the proposed addition. The District uses these fees to retrofit older water fixtures in Cambria with new low flow water fixtures. Therefore, with payment of retrofit fees, the proposed residential addition would not increase water demands in Cambria.

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 June 12, 2014, from the Cambria Fire Department and the project is conditioned to comply with all applicable fire safety requirements.

Erosion Control

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

Staff comments: The project is conditioned to comply with this standard as applicant is to submit an erosion control plan to the Public Works Department at the time of building permit submittal.

Landscaping

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

Staff comments: The project is conditioned to comply with all landscaping requirements.

Exterior Lighting

Use only the minimum amount necessary to achieve essential illumination. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries source. Particular care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases. All light fixtures are required to be fully shielded.

Staff comments: The project is conditioned to comply with all applicable 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: 4,875 square feet
 Area: Forested
 Oversized lot adjustment: 1.4

Slope: approximately 23%
 Number of trees to be removed: 0
 Base: 3,500 SF Footprint

PROJECT REVIEW	ALLOWABLE	PROPOSED WORK	TOTAL PROPOSED	STATUS
FOOTPRINT (SQUARE FEET)	1,671	308	1,491	OK
GSA (SQUARE FEET)	2,507	558	1,741	OK
HEIGHT (FEET)	28'	27'	27'	OK
DECKS (SQUARE FEET)				
PERMEABLE	501	N/A	N/A	OK
SOLID	167	N/A	N/A	OK
SETBACKS (FEET)				
FRONT AND BACK COMBINED	25'	22'	22'	OK ²
FRONT	15'	10'	10'	OK
REAR	10'	11'	11'	OK ²
SIDE	5'	3' (left), 37' (right)	3' (left), 37' (right)	OK ²
SIDES COMBINED (FOR LOTS W/ 50 FEET OR GREATER FRONTAGE)	12'	40'	40'	OK

NOTE: ¹ Total square footage shown reflects the sum of floor area for both existing residence and proposed addition. The proposed addition is 558 square feet.

² Existing residence has legal, non-conforming left side and rear setbacks.

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 – The project will not result in new impermeable surfaces, except for the 308 square-foot footprint of the proposed addition. No new paving is proposed.

Parking Drives and Garages – The proposed addition would bring the existing site development into conformance with this guideline because it would convert existing living space into a one-car garage. This would create the one covered parking space that is required for residential parcels in Cambria.

Topography – The subject parcel is moderately to steeply sloping. However, the location of the proposed addition is relatively level and will require minimal grading.

Drainage – The proposed addition will not significantly alter existing drainage patterns.

Building Design Standards – The proposed addition would not significant increase the mass of the existing residence. The total proposed building size is below the maximum allowable footprint and gross structural area limitation of the area plan. In addition, proposed architectural details, such as windows and doors, are compatible with the neighborhood and reduce overall massing.

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 in an Environmentally Sensitive Habitat Area (Terrestrial Habitat).

Section 23.07.080 – Geologic Study Area (GSA) Combining Designation

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.

Staff comment: The proposed project is exempt from the requirement for a geologic hazards evaluation pursuant to CZLUO Section 23.07.082(b) because the valuation of the addition (\$59,797.22) is less than 50 percent of the valuation of the existing site improvements (\$156,659.00). Therefore, the proposed project is consistent with this standard.

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 proposed project is located in a designated archaeologically sensitive area. However, the project involves the construction of a residential addition with a 300 square-foot building footprint in a previously disturbed area lacking native ground cover. The location of the proposed addition is covered with gravel and has historically been used as a parking space and outdoor use area for the existing residence. In the event that archaeological resources are discovered during site disturbing activities, the contractor would be required to cease construction and the site would be studied by an archaeologist before construction activities could resume. The proposed project therefore complies with this standard.

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

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

Staff comments: This project is located within a sensitive resource area (SRA) and Environmentally Sensitive Habitat Area (ESHA) due to the Cambria Monterey Pine forest, and complies with ESH development Standards 1-5 above. Specifically, the proposed addition will not inhibit the continuance of the forest because no pine trees are proposed for removal. The residential addition is a principally permitted use within a developed urban neighborhood.

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 comments: This project complies with the TH development standards, as no pine trees are proposed for removal.

COASTAL PLAN POLICIES

Following is a 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: <input checked="" type="checkbox"/>	Policy No(s): 1, 3, 29, and 30
Agriculture:	N/A
Public Works: <input checked="" type="checkbox"/>	Policy No(s): 1
Coastal Watersheds: <input checked="" type="checkbox"/>	Policy No(s): 8 through 11
Visual and Scenic Resources: <input checked="" type="checkbox"/>	Policy No(s): 1 and 2
Hazards: <input checked="" type="checkbox"/>	Policy No(s): 2
Archaeology: <input checked="" type="checkbox"/>	Policy No(s): 1
Air Quality:	N/A

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

COASTAL PLAN POLICY DISCUSSION

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: *The proposed project is consistent with this policy because it is located on the least sensitive portion of the site.*

Policy 3: Habitat Restoration: *The proposed project is consistent with this policy because the project proposes no disturbance to Monterey Pine Forest Habitat. The proposed residential addition is located in a previously disturbed portion of the site and would not remove nor indirectly impact onsite trees or other native vegetation.*

Policy 29: Protection of Terrestrial Habitats: *The project is consistent with this policy because the proposed addition is a permitted use on the site and is located on the least sensitive portion of the site to minimize impacts to the existing trees. The applicant proposes no disturbance to existing trees.*

Policy 30: Protection of Native Vegetation: *The project is consistent with this policy because a project limit area will be designated on all construction documents to ensure all development will not further encroach into any habitat areas or trees on site. All areas of the site disturbed will be revegetated with native plants.*

Public Works:

Policy 1: Availability of Service Capacity. *The project is consistent with this policy because the applicant submitted a letter, dated June 11, 2014, from the CCSD 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. *The proposed project is conditioned to comply with this policy as the project shall have an erosion and sedimentation control plan where grading is conducted or left in an unfinished state during the period from October 15 through April 15.*

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

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

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

Visual and Scenic Resources

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

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

Hazards:

Policy 2: Erosion and Geologic Stability: *The project complies with this requirement because the applicant will be required to submit a geotechnical investigation prior to issuance of a construction permit. The proposed project is exempt from the requirement for a geologic hazards evaluation pursuant to CZLUO Section 23.07.082(b) because the valuation of*

the addition (\$59,797.22) is less than 50 percent of the valuation of the existing site improvements (\$156,659). Therefore, the proposed project is consistent with this standard.

Archeology

Policy 1: Protection of Archaeological Resources. The proposed project complies with this policy as the project involves the construction of a residential addition with a 308 square-foot building footprint in a previously disturbed area lacking native ground cover. The location of the proposed addition is covered with gravel and has historically been used as a parking space and outdoor use area for the existing residence. In the event that archaeological resources are discovered during site disturbing activities, the contractor would be required to cease construction and the site would be studied by an archaeologist before construction activities could resume. The proposed project therefore complies with this standard.

COMMUNITY ADVISORY GROUP COMMENTS

The proposed project was referred to the North Coast Advisory Council and reviewed by Council's Land Use Committee on August 4, 2014. The Land Use Committee recommended approval, commenting that the project would be "an enhancement of the home and neighborhood." The Committee requested that the County ensure effective routing (and is possible, retention) of runoff coming of the steep hill behind the addition. This would be evaluated during the drainage plan review of the project prior to issuance of a construction permit.

The full Council will consider the Land Use Committee's recommendation at its regularly scheduled meeting on August 20, 2014. Due to the timing for submittal of this staff report, it was not possible to incorporate the official recommendation of the full Council. If significant new issues are raised by the Council at the August 20, 2014 meeting, staff will report the Council's comments at the September 5, 2014 Planning Department Hearing.

AGENCY REVIEW

Public Works – *Per referral dated July 13, 2014 by Tim Tomlinson*

The project will require a drainage plan review at the time of Building Permit submittal. No Stormwater Control Plan is required. At the time of application for construction permits, the applicant shall submit an erosion and sedimentation control plan for review.

Building Division – *Per referral dated August 1, 2014 by Charles Rhia*

The project is subject to a construction permit as well as the newly adopted 2013 California Codes. It may be necessary for you to employ the services of a California registered architect or engineer for the design of portions of the project that do not meet "conventional construction" as defined by our current building code. The project may require a full soils report for the design of all building foundations at the time of construction permit application submittal. The project is subject to the California State Title 24 energy laws. Whether or not a grading permit is required, the project shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations. A fire sprinkler system may be required.

Planning Department Hearing

Minor Use Permit/Coastal Development Permit # DRC2013-00116 / Stoothoff

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Cambria Community Services District (Water/Sewer) – *See attached confirmation of water and sewage service availability letter dated June 11, 2014 from the CCSD.*

Cambria Community Services District (Fire) – *See attached fire safety plan dated June 12, 2014.*

North Coast Advisory Council - *The Committee finds the project to be an enhancement of the home and neighborhood. We request the County ensure effective routing (and if possible, retention) of run-off coming off the steep hill behind the addition, and we recommend approval.*

LEGAL LOT STATUS

APN 022-212-034 and 022-212-035 consist of three legal lots 53, 54, and 55 of Block 34 of Cambria Pines Unit No. 4 (R.M. Bk. 5, Pg.19). A voluntary 3 to 1 lot merger was recorded on June 23, 2014, merging these three legal lots into one.

Staff report prepared by Brandi Cummings and reviewed by Airlin Singewald.