



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

Tentative Notice of Action

Promoting the wise use of land

MEETING DATE January 16, 2015 LOCAL EFFECTIVE DATE January 30, 2015 APPROX FINAL EFFECTIVE DATE February 20, 2015	CONTACT/PHONE Brandi Cummings (805) 781-1006 bcummings@co.slo.ca.us	APPLICANT Fred Ramirez	FILE NO. DRC2014-00036
SUBJECT Hearing to consider a request by Fred Ramirez for a Minor Use Permit/Coastal Development Permit to allow the conversion of a 291 square foot deck into an unconditioned sunroom, and the following additions: a 371 square foot deck and a 391 square foot garage, all to an existing single family residence. The proposed project is within the Residential Single Family land use category and is located at 2786 Rodman Drive, approximately 0.5 mile southeast of Pecho Valley Road, in the community of Los Osos. The site is located in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2014-00036 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 November 13, 2014 (ED14-117).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Local Coastal Plan	ASSESSOR PARCEL NUMBER 074-482-017	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Local Coastal Program, Architectural Control Committee, Limitations of Use, Minimum Floor Area, Driveway Construction, Setbacks, and Height Limitations. <i>Does the project meet applicable Planning Area Standards: Yes - see discussion.</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program 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			

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, Cal Fire, Los Osos Community Advisory Council, and the California Coastal Commission.	
TOPOGRAPHY: Moderately sloping	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: Golden State Water Company Sewage Disposal: Individual on-site septic Fire Protection: Cal Fire	ACCEPTANCE DATE: November 13, 2014

DISCUSSION

The existing residence was constructed in 1983. The applicant is proposing to expand the residence by converting the existing 291 square foot deck into an unconditioned sunroom, and add on the following: a 371 square foot deck and a 391 square foot garage.

PLANNING AREA STANDARDS

Los Osos Urban Area Standards

Residential Single Family

F. Highland Area – Cabrillo Estates.

1. Architectural Control Committee. This standard states that no building permit or grading permit shall be approved until the applicant has filed with the Planning Department certification that the Architectural Control Committee for Cabrillo Estates has reviewed and approved plans and specifications.

Staff comments: The project complies with this standard because, as conditioned, the applicant must attain approval from the Architectural Control Committee for Cabrillo Estates before a building permit is issued unless the Architectural Control Committee does not exist anymore

2. Limitations of Use. This standard specifies that uses are limited to single family dwellings, mobilehomes, residential accessory uses, temporary dwellings, home occupations, schools pre through secondary (limited to day care centers) and water wells and impoundments.

Staff comments: The project complies with this standard because the applicant is proposing an attached garage addition, deck addition, and deck conversion to sunroom (all single family residence and residential accessory uses).

3. Minimum Floor Area. The minimum floor area for a single family dwelling or mobilehome, excluding garages, carports, porches, patios and basements, is 1200 square feet.

Staff comments: The project complies with this standard because the applicant is proposing a 291 square foot deck conversion, a 371 square foot deck, and a 391 square foot garage addition, to an existing 3,106 square foot residence.

4. Driveway Construction. Each parcel shall be equipped with a concrete driveway measuring at least 9 feet in width and at least 3-1/2 inches thick extending from a concrete approach apron, built in accordance with County Standard Improvement Specifications and Drawings, to the garage door. The driveway is to be in place prior to issuance of an occupancy permit for the residence.

Staff comments: The project complies with this standard. The existing driveway is 16 feet wide at the narrowest portion and at least 3-1/2 inch thick; the proposed construction will not modify the driveway construction.

5. Setbacks. Required setbacks are as follows:

Setback Location	Minimum Setbacks (feet) For Dwelling	Minimum Setbacks(feet) For Detached Residential Accessory Uses:
Front	25	25
Side	5	3
Corner Side	10	10
Rear	20	8

Staff comments: This lot is a triangular corner lot, and a rear property line does not exist. The front property line is along San Jacinto Drive, with a setback of 25 feet, the corner side property line is along Rodman Drive, with a setback of 10 feet, and the side property line is the interior property line, with a setback of 5 feet. The project meets these required setbacks.

6. Height Limitations. The maximum height of all buildings and structures shall be 15 feet above the highest point of the lot when measured from the highest point of the roof.

Staff comments: The project is conditioned to comply with this standard.

COASTAL ZONE LAND USE ORDINANCE STANDARDS

Section 23.07.120 – Local Coastal Program Area (LCP)

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

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, 8, 9, 10 and 11
Visual and Scenic Resources: Policy No(s): 2
Hazards: N/A
Archeology: N/A
Air Quality: N/A

Public Works

Policy 1: Availability of Service Capacity. New development (including divisions of land) shall demonstrate that adequate public or private service capacities are available to serve the proposed development. Prior to permitting all new development, a finding shall be made that there are sufficient services to serve the proposed development given the already outstanding commitment to existing lots within the urban service line for which services will be needed consistent with the Resource Management System where applicable.

The applicant shall assume responsibility in accordance with county ordinances or the rules and regulations of the applicable service district or other providers of services for costs of service extensions or improvements that are required as a result of the project. *Staff comments: The project is within the Los Osos Valley Groundwater Basin. The Board of Supervisors certified a Level of Severity III for the Basin on March 27, 2007. The proposed project is an unconditioned addition to an existing residence and will not impact the Los Osos water basin.*

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. except: Existing lots of record in the Residential Single-Family category and where a residence cannot be feasibly sited on a slope less than 20 percent; When grading of an access road or driveway is necessary to provide access to an area of less than 20 percent slope where development is intended to occur, and where there is no less environmentally damaging alternative; The county may approved grading and siting of development on slopes between 20 percent and 30 percent through Minor Use Permit, or Development Plan approval, if otherwise required by the Coastal Zone Land Use Ordinance. *Staff comments: The proposed project is consistent with this policy because the residence and new additions will be located 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 consistent with this policy because it is 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.

Staff comment: The proposed project is consistent with this policy because the applicant is conditioned to 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 comment: The proposed project is conditioned to comply with this policy by meeting all drainage plan and erosion control measures required the San Luis Obispo County Public Works department.

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 because site grading has been designed to retain groundwater on-site to the extent feasible.

Visual and Scenic Resources

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. In particular, new development should utilize slope created 'pockets' to shield development and minimum visual instruction.

Staff comment: This project complies with this standard because the project does not significantly affect the visual quality as seen from major public view corridors due to the viewing distances from major public viewing area.

COMMUNITY ADVISORY GROUP COMMENTS

The project was referred to the Los Osos Community Advisory Council (LOCAC) in October 2014. LOCAC will review the project at the December 18, 2014 meeting (after the writing of this staff report). Planning staff will update the hearing officer if the Advisory Council has concerns regarding the project.

AGENCY REVIEW

Public Works – Per Tim Tomlinson 10-24-2014: *The project appears to not meet the applicability criteria for a Stormwater Management (it creates or replaces less than 2500 sf of impervious area). Therefore no Stormwater Control Plan is required.*

Building Department – Per Charles Riha 11-10-2014:

1. *The project is subject to a construction permit as well as the currently adopted 2013 California Codes.*
2. *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.*
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.*

Cal Fire - Per Clint Bullard 11-4-2014: *Proposed minor addition presents no concerns relative to fire/life safety. 6" inch address numbers are required. Local responsibility area 4-5 min. response time.*

California Coastal Commission – No response.

LEGAL LOT STATUS

The one existing parcel is Lot 30 in Block 3 of Tract 307 – Cabrillo Estates according to map recorded August 24, 1970 in Book 7, Page 47 of Maps, and was legally created by deed at a time when that was a legal method of creating parcels.

Staff report prepared by Brandi Cummings and reviewed by Kerry Brown and Bill Robeson.