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

Tentative Notice of Action

MEETING DATE March 20, 2015 LOCAL EFFECTIVE DATE April 3, 2015 APPROX FINAL EFFECTIVE DATE April 24, 2015	CONTACT/PHONE Zarina Hackney, Project Manager (805) 781-4377 zhackney@co.slo.ca.us	APPLICANT Maynard Crowther	FILE NO. DRC2014-00068
SUBJECT Hearing to consider a request by MAYNARD CROWTHER for a Minor Use Permit/Coastal Development Permit to allow the construction of a 177 square-foot second level permeable deck to an existing 240 square-foot deck on a single family residence. The project will result in no permanent site disturbance on a 5,000 square-foot existing residential parcel. The proposed project is within the Residential Single Family land use category, and is located at 2070 Sherwood Drive, within Lodge Hill, in the community of Cambria. The site is located in the North Coast planning area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2014-00068 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION Class 1 and Class 3 categorical exemptions were issued on February 20, 2014 (ED14-181).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Local Coastal Plan, Archeologically Sensitive Area, Geologic Study Area	ASSESSOR PARCEL NUMBER 023-083-021	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Local Coastal Program Area (LCP), Archeological Sensitive Area (AS), 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 <p style="text-align: center;"><i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i></p>			
LAND USE ORDINANCE STANDARDS: Coastal Commission Appealable Zone, Geologic Study Area (GSA), Local Coastal Program, Archaeologically Sensitive Area (AS), <p style="text-align: center;"><i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i></p>			
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, Cambria Community Liaison Airlin Singewald, and Native American Heritage Commission.	
TOPOGRAPHY: Nearly level	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: Cambria Community Services District Sewage Disposal: Cambria Community Services District Fire Protection: Cambria Fire Department	ACCEPTANCE DATE: February 6, 2015

DISCUSSION

The applicant is proposing to construct a 177 square-foot second level permeable deck to an existing 240 square-foot deck on a single family residence. The project will result in no permanent site disturbance on a 5,000 square-foot parcel in the Residential Single Family land use category. The proposed project does not require the purchase of Gross Structural Area (GSA) Transfer of Development Credits (TDCs).

The proposed project is located at 2070 Sherwood Drive, approximately 50 feet south of the Sherwood Drive and Harvey Street intersection, in the community of Cambria. The site is located in the North Coast planning area. 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

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

Limitation on Development

- A. **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 proposed project is for the construction of a second-level deck and would not increase water usage. The CCSD has verified that the project does not require an intent-to-serve letter.

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 involves a minor deck addition which will 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 December 16, 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.

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 this standard

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 this standard

Residential Single Family Standards

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

Lot Size: 5,000 square feet
 Area: Lodge Hill (typical lot)
 Oversized lot adjustment: N/A

Slope: approximately 2%
 Number of trees to be removed: 0
 Base: 1,009 SF Footprint

PROJECT REVIEW	ALLOWABLE	TOTAL ¹	STATUS
FOOTPRINT (SQUARE FEET)	1,857	1,457	OK
GSA (SQUARE FEET)	2,857	2,729	OK
HEIGHT (FEET)	28'	22.0'	OK
DECKS (SQUARE FEET)			
PERMEABLE	557	240 + 177 = 417	OK
SOLID	186	0	OK
SETBACKS (FEET)			
FRONT AND BACK COMBINED	25'	25'	OK
FRONT	10'	15'	OK
REAR	10'	10'	OK
SIDE	5'	5' (left), 5' (right)	OK
SIDES COMBINED (FOR LOTS W/ 50 FEET OR GREATER FRONTAGE)	12'	10' ²	OK

¹All quantities are existing except for the 177 square-foot deck addition.

²The proposed deck will not further encroach into this non-conforming 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.

- A. **Impermeable Surfaces.** The project appears to not meet the applicability criteria for a Stormwater Management (it creates or replaces less than 2,500 SF of impervious service). Therefore, no Stormwater Control Plan is required. As conditioned, the applicant shall demonstrate whether the project is subject to the Land Use Ordinance for Stormwater Management.
- B. **Topography.** The subject parcel is nearly level, with an average slope of 2%. The proposed project will not result in any grade changes.
- C. **Drainage.** The project complies with this guideline as it will be designed and constructed to retain water on-site.

- D. **Building Design Standards.** The proposed deck addition includes a tempered glass windscreen system that will create a more transparent look as to add to the reduction of apparent massing to achieve a small scale appearance. The deck addition design and materials will be compatible with the existing house and neighborhood design patterns.

COASTAL ZONE 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 within 300 feet of the top of the seaward face of a coastal bluff.

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 23.07.080 – 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 located within a geologic study area on a nearly level parcel. The site check confirmed that the entire area proposed for the project is pre-disturbed with ornamental landscaping; therefore the project will result in no new disturbance on the 5,000 square-foot existing residential parcel. The site check conclusion recommends that the project can proceed as proposed without a report prepared by a certified engineering geologist because the project will have no engineering problems associated with building or adverse impacts caused by grading.

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. The site check confirmed that the entire area proposed for the project is pre-disturbed with ornamental landscaping, and the project will require only the installation of two additional 6-by-6 inch posts into the ground. The site check conclusion recommends that the project can proceed

as proposed without a preliminary archaeological site survey as the project will have no impact on prehistoric, historic, or cultural resources.

COASTAL PLAN POLICIES

Following is a list of the Coastal Plan Policies (discussion of 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:	N/A
Coastal Watersheds: <input checked="" type="checkbox"/>	Policy No(s): 11
Visual and Scenic Resources: <input checked="" type="checkbox"/>	Policy No(s): 1 and 2
Hazards:	N/A
Archaeology:	N/A
Air Quality:	N/A

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

COASTAL PLAN POLICY DISCUSSION

Coastal Watersheds:

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 deck addition 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 the project 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 deck addition will be developed on an existing residential lot, and the development will not block existing public views.*

COMMUNITY ADVISORY GROUP COMMENTS

The proposed project was referred to the North Coast Advisory Council (NCAC) and reviewed by Council's Land Use Committee on December 30, 2014, and the full Council considered the Land Use Committee's recommendation at its regularly scheduled meeting on January 21, 2015. The NCAC unanimously approved this project with conditions.

Staff comments: The NCAC comments concerned drainage. The project does not involve permanent ground disturbance and existing onsite drainage system is adequate to handle any additional runoff from this project.

AGENCY REVIEW

Public Works – *Per referral dated June 1, 2014 by Tim Tomlinson*

The project is located in a Stormwater Management (MS4) Area, and is required to submit a Stormwater Control Plan Application and Coversheet. Applicant shall submit, at time of application for construction permits, a Stormwater Control Plan, and a “Private Stormwater Conveyance Management and Maintenance System”.

Building Division – *Per referral dated January 12, 2015 by Charles Riha*

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

Cambria Community Services District (Water/Sewer) – NA

Cambria Community Services District (Fire) – *See attached Fire Plan Review dated December 16, 2014.*

LEGAL LOT STATUS

The one existing parcel is Lots 3 and 4 in Block 157 of Cambria Pines Manor Unit No. 7, according to map recorded August 29, 1930 in Book 5, Page 16 of Maps.

Staff report prepared by Zarina Hackney and reviewed by Karen Nall and Airlin Singewald.