



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

Tentative Notice of Action

Promoting the wise use of land

MEETING DATE April 10, 2015 LOCAL EFFECTIVE DATE April 24, 2015 APPROX. FINAL EFFECTIVE DATE May 15, 2015	CONTACT/PHONE Schani Siong Project Manager (805) 781-4374 ssiong@co.slo.ca.us	APPLICANT Craig Stoller	FILE NO. DRC2014-00055
SUBJECT Hearing to consider a request by Craig Stoller for a Minor Use Permit / Coastal Development Permit to allow conversion of an existing deck into 560 square feet of living space and addition of approximately 375 square feet of new deck area to an existing single family residence. The project will result in minimal site disturbance because the remodels proposed are above ground. The project site is within the Residential Single Family land use category, and is located at 141 San Rafael Street, approximately 100 feet northeast from the 1 st Street and San Antonia Street intersection in the community of Avila Beach. The site is in the San Luis Bay (coastal) planning area.			
RECOMMENDED ACTION Approve Minor Use Permit / Coastal Development Permit DRC2014-00055 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 March 9, 2015 (ED14-191)			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Coastal Appealable Zone; Local Coastal Program; Archaeologically Sensitive Area	ASSESSOR PARCEL NUMBER 076-223-022	SUPERVISOR DISTRICT(S) 3
PLANNING AREA STANDARDS: Avila Beach Specific Plan – Residential Single Family <i>Does the project meet applicable Planning Area Standards: Yes – see discussion</i>			
LAND USE ORDINANCE STANDARDS: Coastal Appealable Zone, 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			

EXISTING USES: Single family residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family / residential <i>South:</i> Residential Single Family / residential <i>East:</i> Residential Single Family / residential <i>West:</i> Residential Multi Family / residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, Avila CSD, Avila Fire, California Coastal Commission, and Avila Valley Advisory Council	
TOPOGRAPHY: Moderately sloping	VEGETATION: Ornamental
PROPOSED SERVICES: Water supply: Community system, Avila CSD Sewage Disposal: Community system, Avila CSD Fire Protection: Avila Fire	ACCEPTANCE DATE: February 18, 2015

PROPOSED PROJECT

The proposed project is located at 141 San Rafael Street, on the northeast corner of 1st Street and San Antonia Street, in the community of Avila Beach. The existing two-story property is approximately 3,500 square feet (including basement) with a 300 square foot garage. There is approximately 2,089 square feet of existing decks. The proposed project will add approximately 560 square feet of living space to the existing residence. The existing roof deck will be eliminated and new decks will be added to the first and second floors. The total deck area will remain unchanged. There will be minimal site disturbance because the remodels proposed are above ground.

PLANNING AREA STANDARDS

Avila Beach Urban Area Standards

Residential standards: View Protection

All new residential development shall be designed to protect public view corridors to the beach and ocean. *Staff comments: The proposed project does not further inhibit any existing public view corridors of the beach and ocean. The project complies with this standard.*

Residential standards: Storm Drainage

The project is required to incorporate Best Management Practices (BMPs) to address storm water runoff. The combined set of BMPs shall be designed to treat and infiltrate storm water runoff up to and including the 85th percentile storm event. *Staff comment: The proposed project is conditioned to include BMPs in the grading and drainage plans, as necessary to meet this requirement.*

Avila Beach Specific Plan Standards

The Avila Beach Specific Plan is incorporated in the San Luis Bay Coastal Area Plan. It establishes allowable uses, development standards (e.g. building setbacks and height limits), and design guidelines (e.g. building materials, roof types, window treatments, etc.) for new development within the Avila Beach Specific Plan planning area. All development within the

Avila Beach Specific Plan planning area is required to conform to the adopted specific plan, as well as other ordinance standards and LCP policies.

Allowable Building Height

Building height should be 20 feet, however maximum height is 25 feet provided that the following are met:

1. It would result in no greater obstruction of public views and no greater limitation of solar access to adjacent properties than a 20 foot building.
2. The building has a pitched roof with a slope greater than 2.5 in 12, and the additional height above 20 feet is used to achieve this pitched roof. Height shall be measured as specified in the Coastal Zone Land Use Ordinance. Building shall not be taller than two stories.

Staff comments: The project proposes to convert the existing first floor deck into a double story living space addition on the southwestern corner. The addition will have a new roof greater than 2.5 in 12, and will be sloped to match the existing roof pitch. An existing large roof deck will be eliminated and replaced with matching roof materials. All proposed additions (living space and decks) do not exceed the 25' height and do not further obstruct public views and solar access. The project complies with these requirements.

Windows and Openings

Entries: The main entry to a dwelling should be located on the street side or above street level to create a presence for the building on the street.

Staff comment: This project complies with this standard. There is an existing entry on San Rafael Street. No new entries proposed.

Doors and Windows: Doors and window openings on the front façade are encouraged.

Staff comment: This project complies with this standard. There are existing doors and windows on the front façade. No new doors or windows are proposed in the front façade.

Transitional Areas: Covered front porches and sitting areas at the front of houses are encouraged. Front porches are encouraged in the front setbacks.

Staff comment: This project complies with this standard. There is an existing front porch and entry foyer at the front of the house. No new development is proposed in the front of the house.

Drainage Requirements: All new development within the Residential Single Family area shall conform to the drainage standards described in the Avila Beach Urban Area Standards in the San Luis Bay Area Plan.

Staff comment: This project complies with this standard as conditioned.

LAND USE ORDINANCE STANDARDS

Section 23.07.120 – Local Coastal Program Area

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

Section 23.01.043(c)(3)(i): Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because it is located between the first public road and the ocean.

COMBINING DESIGNATIONS

Section 23.07.104: Archaeologically Sensitive Area

The provisions of this section are intended to protect and preserve archaeological resources. This designation is to ensure that new development will not have significant effects on existing, known or suspected archaeological resources. *The proposed project is not anticipated to impact archaeological resources because it involves only minor site disturbance in a previously developed area.*

COASTAL PLAN POLICIES:

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: N/A
Visual and Scenic Resources: Policy No(s): 1
Hazards: N/A
Archeology: Policy No(s): 1
Air Quality: N/A

Does the project meet applicable Coastal Plan Policies: Yes – See discussion below.

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 proposed project complies with this policy because the site has an existing residential use that is already being served.

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 additions are in character and scale with the surrounding neighborhood, and will not further block existing scenic vistas.

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

COMMUNITY ADVISORY GROUP COMMENTS

The Avila Valley Land Use Advisory Council recommended approval of the project on January 30, 2015.

AGENCY REVIEW

Public Works – Depending on valuation of improvements and existing residence, curb, gutter, and sidewalks may be required.

Building Division – Comments received on Jan 12, 2015

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 2013 California Codes.
3. The project is subject to the California State Title 24 energy laws.
4. If the existing residence is fire sprinklered, the new rooms will be required to be fire sprinklered as well.

Avila CSD – Intent to Serve Letter submitted on March 3, 2015

Avila Fire – No response received.

California Coastal Commission – No response received.

LEGAL LOT STATUS:

The existing lots were legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Schani Siong and reviewed by Airlin Singewald.