



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

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE June 19, 2015	CONTACT/PHONE Emma Schoppe (805) 781-5982 eschoppe@co.slo.ca.us	APPLICANT Karin Kraemer- Rodriguez	FILE NO. DRC2014-00093
LOCAL EFFECTIVE DATE July 3, 2015			
FINAL EFFECTIVE DATE July 15, 2015			
SUBJECT Hearing to consider a request by KARIN KRAEMER-RODRIGUEZ for a Minor Use Permit/Coastal Development Permit (DRC2014-00093) for a 269 square foot master bedroom addition and 51 square foot deck addition to an existing 2-story single family residence on a 2,251 square foot lot. The project requires the purchase of 124 square feet of Transfer of Development Credits (TDCs) to increase the Gross Structural Area (GSA) to 1,410 square feet. The site is within the Residential Single Family land use category at 295 Orlando Drive in the community of Cambria. The site is in the North Coast Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2014-00093 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 27, 2015 (ED14-201).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Coastal Appealable Zone, Archaeological Study Area, Geologic Study Area & Local Coastal Plan Area	ASSESSOR PARCEL NUMBER 023-013-012	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: North Coast Area Plan – Cambria Urban Area Standards <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Appeals to the Coastal Commission (Coastal Appealable Zone), Local Coastal Program, Geologic Study 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: North: Residential Single Family / Single Family Dwelling East: Residential Single Family / Single Family Dwelling South: Residential Single Family / Single Family Dwelling West: Residential Single Family / Single Family Dwelling	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, Cambria Community Services District, California Coastal Commission, and North Coast Advisory Council	
TOPOGRAPHY: Nearly level to gently sloping	VEGETATION: Ornamental Landscaping
PROPOSED SERVICES: Water supply: Community system (Cambria CSD) Sewage Disposal: Community sewage (Cambria CSD) Fire Protection: Cambria Fire	ACCEPTANCE DATE: March 27, 2015

DISCUSSION

PROJECT HISTORY:

The project is located in the Marine Terrace neighborhood of Lodge Hill in Cambria. The site is currently developed with a two-story 745 square foot single family residence with attached garage. In 2000 the site was approved for a Home Occupation Off-site Business permit (P9905457). In 2004, the site was approved for a Vacation Rental permit (P0304207).

PROJECT DESCRIPTION

The project proposes to convert an existing 2nd story deck into a 269 square foot living space and reconstruct and extend the rear deck by 51 square feet. The proposed deck will extend to the street-side property line. The project requires the purchase of 124 square feet of Transfer of Development Credits (TDCs) to increase the Gross Structural Area (GSA) to 1,410 square feet. The site is within the Residential Single Family land use category at 295 Orlando Drive in Cambria. The site is in the North Coast Planning Area.

PLANNING AREA STANDARDS:

As described below, the project complies with applicable standards of the North Coast Area Plan.

North Coast Area Plan

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 (CCSD). Also, prior to final building inspection the applicant shall submit a water and sewer service condition compliance letter from the CCSD.

Staff Response: The proposed project includes the relocation of an existing bathroom and new shower. The applicant provided written verification of water and sewer service for remodel (with

conditions) from the CCSD, dated February, 19 2015. All existing and proposed water fixtures must meet current standards. The project is conditioned to comply with all CCSD conditions.

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 Response: The proposed development complies with this standard because the applicant submitted a Fire Plan Review, dated February 25, 2015 from the Cambria Fire Department. 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.

Staff Response: The proposed development complies with this standard. Public Works submitted a referral response, dated March 1, 2015, stating that the project does not meet the applicability criteria for Stormwater Management because it replaces less than 2500 sf of impervious area.

Landscaping

All areas of the site disturbed by project construction shall be re-vegetated 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.

Staff Response: The proposed development will not occur in areas where re-vegetation is necessary. The master bedroom and deck addition will occur completely on the existing structure.

Exterior Lighting

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 Response: The proposed project is conditioned to comply with this standard.

Archaeological Resource Protection

In the event archaeological resources are unearthed or discovered during any construction activities, construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

Staff Response: Based on a site review and the location of the proposed development, it is not likely that archaeological resources will be discovered; however, in the event resources are discovered, the proposed project is conditioned to comply with this standard.

Residential Single-Family

Permit Requirement.

A Minor Use Permit is required for development on lots of 20% or greater slope and for development within Special Projects Areas. A Plot Plan is required for other lots unless a higher level of review is required by the Coastal Zone Land Use Ordinance. A Minor Use Permit is required where TDCs are used to increase Footprint or Gross Structural Area.

Staff Response: The project site is within the Coastal Appealable area of the Coastal Zone and requires approval of a Minor Use Permit instead of a plot plan. The proposed project also requires the purchase of 124 square feet of Transfer of Development Credits (TDCs) to increase the Gross Structural Area (GSA) of the dwelling to 1,410 square feet.

Height.

The maximum height for structures between Marlborough and Sherwood Drive is 22 feet above average natural grade.

Staff Response: The project is located between Marlborough and Sherwood Drive on Orlando Street and complies with this standard because the height of the addition will match the existing height of the structure of 22 feet.

Deck size limitation

Exterior decks shall be located to avoid removal of trees. Solid exterior decks shall be limited to 10 percent of the permitted Maximum Footprint, while decks of permeable construction (e.g., open wood slats) shall be limited to 30 percent of permitted Maximum Footprint.

Staff Response: The proposed project complies with this standard. The project extends the existing deck to 143 square feet, which is less than 30% of the maximum footprint. (See table below).

Residential Development Standards

As described in the table below, the proposed project is consistent with the applicable residential development standards for footprint and GSA, measurement of height, deck size limitations, and setbacks:

Area: Marine Terrace area of Lodge Hill
 Lot Size: 2,251 square feet
 Slope: 4%
 Number of trees to be removed: 0

PROJECT REVIEW	ALLOWABLE	EXISTING	PROPOSED	STATUS
HEIGHT (FEET)	22'	22'	22'	OK
FOOTPRINT (SQUARE FEET)	1,158	745	767	OK
GROSS STRUCTURAL AREA (S.F.)	1,286	1,141	1,410 (1,286 + *124 = 1,410)	OK (*with 124 TDCs)
DECK (SQUARE FEET)				
PERMEABLE AREA (UP TO 30% OF MAX F.P.)	347 (1,158 x .3 = 347)	92	143	OK
SETBACKS (FEET)				
FRONT / REAR COMBINED	25' minimum	34'	34'	OK
FRONT	10' minimum	25'	25'	OK
REAR	10' minimum	9'	9'	OK
SIDES (COMBINED)	8'	8'	8'	OK

Transfer of Development Credits

The Transfer of Development Credit Program (TDC's) may be used to transfer allowable footprint and GSA for lots within certain areas to more suitable sites within Cambria. The applicant may use up to 128 square feet of TDCs for a lot of this size.

Staff Response: The applicant has provided a 'preliminary agreement' reserving 124 TDCs from the Land Conservancy, dated March 10, 2015. Before issuance of a construction permit, the applicant will be required to provide verification in the form of a receipt from the Land Conservancy that the TDC's were purchased.

Setbacks

Front and Rear Setbacks. For all lots less than one acre in size, front and rear setbacks must total 25 feet, with a minimum of 10 feet in the front and 10 feet in the rear.

Staff Response: The proposed project complies with this standard because proposed development will not occur within the front or rear setbacks. The existing structure meets the 25 foot total setback requirement of the area plan.

Side Setbacks. For lots less than 50 feet in width, ground level floor side setbacks shall be 3 feet except 5 feet on street corner side.

Staff Response: The existing ground floor level of the single family residence is 5 feet from the street corner side. The proposed project complies with this standard because it does not alter the ground floor level or its side setbacks.

Topographic Standards - Minimize the Extent of Excavation and Fill on a Site

Grading, filling or site disturbance of existing soil and vegetation shall be limited to the minimum areas necessary. Surfaces such as driveways, patios, and walkways shall be limited to the smallest functional size and shall utilize porous materials and design where feasible.

Staff Response: The site design does not impact the natural contours of the site. No driveways, patios, or walkways are proposed. The proposed deck addition will be constructed with slatted wood allowing for permeability.

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 Report: The proposed project is designed to integrate with the design and materials of the existing residence which is compatible in design and color with the neighborhood character of the neighborhood.

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, according to official County maps.

Staff Response: It is noted that the proposed project is appealable to the Coastal Commission.

Section 23.07.080: Geologic Study Area (GSA)

A Geologic Study Area combining designation is applied by the Official Maps (Part III) of the Land Use Element, to areas where geologic and soil conditions could present new developments and their users with potential hazards to life and property. 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 Response: Under Section 23.07.080(b), the proposed project qualifies for an exemption from this requirement because the valuation of the proposed addition is less than 50% of the assessed value of the existing structure.

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 23.04.116 - Projections into Required Setbacks

When constructed higher than 30 inches above the surrounding finish grade, a wood deck may extend into required setbacks as follows:

- (1) Front setback: A deck is not to be located therein.
- (2) Side setback: As determined by Sections 1206 and 1710 of the Uniform Building Code.
- (3) Rear setback: A deck may occupy up to 30% of a required rear setback, but is to extend no closer than three feet to the rear property line.

Staff Response: The proposed project includes a deck expansion on the street side and the rear of the property. The deck expansion will extend to the street side property line and the rear deck expansion will occupy less than 30% of the rear setback.

PROJECT REVIEW	ALLOWABLE	EXISTING	PROPOSED	STATUS
DECK AREA WITHIN REAR SETBACK (UP TO 30% OF SETBACK AREA)	81 (270 x .3 = 81)	54	74	OK
DISTANCE FROM REAR PROPERTY LINE	3' minimum	7'	7'	OK
DISTANCE FROM SIDE PROPERTY LINE	UBC*	5'	0'	OK*

*Determined by Uniform Building Code

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: N/A
 Hazards: N/A Policy No(s): 1, 2
 Archeology: N/A
 Air Quality: N/A

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

COASTAL PLAN POLICY DISCUSSION

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.

Staff Response: The proposed project is consistent with this policy. The applicant submitted a water and sewer availability letter, dated February 19, 2015 from the Cambria Community Services District. As conditioned, the project will comply with the retrofitting and water conservation requirements of the Cambria Community Services District. The addition includes a relocated bathroom and new shower. All proposed fixtures will be retrofitted to meet current standards under Title 4 of the District Code.

Hazards

Policy 1: New Development. All new development proposed within areas subject to natural hazards from geologic or flood conditions (including beach erosion) shall be located and designed to minimize risks to human life and property.

Staff Response: The proposed project complies with this policy because it is located and designed to minimize risks to human life and property. Development will not contribute to erosion or geological instability because there will be no ground disturbance as a result of development.

Policy 2: Erosion and Geologic Stability. New development shall ensure structural stability while not creating or contributing to erosion or geological instability.

Staff Response: The proposed project is consistent with this policy. The proposed project is designed to ensure structural stability while not creating or contributing to erosion or geological instability.

COMMUNITY ADVISORY GROUP COMMENTS:

The North Coast Advisory Council met on March 18, 2015 and voted unanimously to approve the project.

AGENCY REVIEW:

Public Works: Per referral response dated March 1, 2015: Recommend approval.

Cambria Community Services District (Water/Sewer): Per referral response dated February 19, 2015: The project is authorized with conditions.

Cambria Community Services District (Fire): Per referral response dated February 25, 2015: The project is authorized with conditions.

Building Division: Per referral response dated February 27, 2015:

- Construction shall comply with the 2013 California Residential Code.
- Any structural elements which do not comply with the prescriptive requirements of the California Residential Code shall be designed by a licensed design professional.
- Provide plans which clearly show the structural design for the proposed addition and deck framing to verify compliance with the 2013 California Residential Code or supporting structural calculations
- Provide an electrical plan to show the location of all receptacles, light switches, and smoke detectors and CO alarms.
- Energy calculation will need to be submitted to verify compliance with the 2013 California Energy Code.
- The plans will need show compliance with the 2013 California Green Building Code and the County of San Luis Obispo's Green Building Ordinance.

California Coastal Commission: No referral response received.

LEGAL LOT STATUS:

The one (1) parcel was legally created by recordation at a time when that was a legal method of creating parcels.

Staff report prepared by Emma Schoppe and reviewed by Megan Martin and James Caruso.