



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

**Tentative Notice of Action**

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MEETING DATE June 19, 2015	CONTACT/PHONE Cody Scheel, Project Planner (805) 781-5157 cscheel@co.slo.ca.us	APPLICANT Alma May	FILE NO. DRC2014-00098
LOCAL EFFECTIVE DATE July 3, 2015			
APPROX FINAL EFFECTIVE DATE July 24, 2015			
SUBJECT Hearing to consider a request by <b>ALMA MAY</b> for a Minor Use Permit/Coastal Development Permit (DRC2014-00098) to allow for an existing as-built 110 square foot bathroom addition attached to an existing 540 square foot detached recreation room, located in the rear yard behind an existing single family residence. The proposed project is in the Residential Single Family land use category and is located at 2619 Rodman Drive, in the community of Los Osos. The site is in the Estero Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2014-00098 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 May 13, 2015 (ED14-245).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Local Coastal Plan Area, Coastal Appealable Zone	ASSESSOR PARCEL NUMBER 074-481-009	SUPERVISOR DISTRICT 2
PLANNING AREA STANDARDS: Septic Tank requirements, 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: Appeals to the Coastal Commission (Coastal Appealable Zone), Geologic Study Area, Archaeological Sensitive Area, Local Coastal Program, Terrestrial Habitat & Environmentally Sensitive Habitats <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, Los Osos Community Services District, Los Osos Community Advisory Council, and the California Coastal Commission	
TOPOGRAPHY: Nearly level	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: Golden State Water Company Sewage Disposal: Individual septic Fire Protection: Cal Fire	ACCEPTANCE DATE: March 26, 2015

## **DISCUSSION**

The existing residence was constructed in 1975. The applicant proposes to permit an as-built 110 square foot bathroom addition attached to an existing 540 square foot detached recreation room constructed in 1986. The detached recreation room is located in the rear yard behind the existing single family residence.

### **PLANNING AREA STANDARDS:**

#### ***Community Wide***

##### On-Site Wastewater Disposal

New development using on-site wastewater disposal systems shall protect coastal water quality and meet the requirements of the Regional Water Quality Control Board.

*Staff comments: The project site is located in the community of Los Osos. In 1988, the California Regional Water Quality Control Board imposed a moratorium on new sources of sewage discharge in most of the community of Los Osos. This parcel is not included within the moratorium area. Prior to building permit issuance the applicant is required to demonstrate compliance with the County Plumbing Code / Central Coast Basin Plan, which would ensure that the requirements of the Regional Water Quality Control Board are met.*

#### ***Combining Designations***

##### Local Coastal Program Area (LCP)

In accordance with the Coastal Zone Land Use Ordinance (CZLUO) section 23.07.120 the project is within the California Coastal Zone as determined by the California Coastal Act of 1976.

#### ***Residential Single Family Standards***

##### Highland Area – Cabrillo Estates

**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 is conditioned to comply with this standard as 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.*

**Limitations on Use.** This standard specifies that uses are limited to single family dwellings, 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 proposes an as-built bathroom attached to an existing detached recreation room which is allowed because it is a residential accessory use.*

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

*Staff Comments: The project complies with this standard because the applicant proposes a 110 square foot as-built bathroom attached to an existing 540 square foot detached recreation room which is an accessory structure to an existing 2,175 square foot residence.*

**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 and at least 3-1/2 inches thick; extending from a concrete approach apron, and built in accordance with County Standard Improvement Specifications and Drawings, to the garage door. The proposed construction will not modify the driveway construction.*

**Setbacks.** Required setbacks for single family residences are as follows:

SETBACK LOCATION	MINIMUM SETBACKS (FEET) FOR DWELLING	MINIMUM SETBACKS (FEET) FOR DETACHED RESIDENTIAL ACCESSORY USES:
FRONT	25	25
SIDE	5	3
Rear	20	8

*Staff comments: The proposed project complies with these setbacks.*

**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 meets this requirement as the proposed project height is approximately 11 feet from the highest point of the lot.*

**COASTAL ZONE LAND USE ORDINANCE STANDARDS:**

**Section 23.01.043 – Appeals to the Coastal Commission (Coastal Appealable Zone)**

The project is appealable to the Coastal Commission because the project is proposed development between the ocean and first public road (Los Osos Valley Road).

**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 Plan.

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: <input checked="" type="checkbox"/>	Policy No(s): 1 & 7
Coastal Watersheds: <input checked="" type="checkbox"/>	Policy No(s): 7, 8 & 10
Visual and Scenic Resources: <input checked="" type="checkbox"/>	Policy No(s): 2
Hazards:	N/A
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 applies to the project: New development shall demonstrate that adequate public or private service capacities are available to serve the proposed development. *The project complies with this policy because adequate public services (water) are available to serve the proposed project because surrounding residences are already served and the applicant submitted a will-serve letter from Golden State Water Company dated May 27, 2015. The project includes an existing on-site wastewater septic system and therefore no wastewater treatment facility capacity is required. Additionally the proposed bathroom addition will be subject to Title 19 water conservation measures, which requires additions to existing homes to retrofit the onsite structures. The project would be consistent with this policy.*

Policy 7: Permit requirements: A permit is required for projects within the coastal zone. *The applicant is requesting approval of a Minor Use Permit/Coastal Development Permit, consistent with the requirements of this policy.*

**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. *The proposed project complies with this policy as the proposed project will take place on an existing lot of record in the Residential Single Family land use category and development shall be situated on slopes of less than 20 percent.*

Policy 8: Timing of new construction: Land clearing and grading shall be avoided during the rainy season if there is a potential for serious erosion and sedimentation problems. *The project is consistent with this policy because the project does not propose any land clearing or grading.*

Policy 10: Drainage Provisions: Site design shall ensure that drainage does not increase erosion. *The project is consistent with this policy because the project does not propose any new construction that would increase erosion, and the project is conditioned to submit a drainage plan at the time of application for construction permits.*

### **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. *The project is consistent with this policy because the proposed as-built structure would not be visible from views along the ocean, scenic coastal areas or major public views corridors.*

### COMMUNITY ADVISORY GROUP COMMENTS:

*No comments received.*

### AGENCY REVIEW:

**Public Works** – Per referral response dated March 1, 2015, a drainage plan is required.

**Building Department** – No comment received.

**Los Osos Community Services District** – No comments received.

**California Coastal Commission** – No comments received.

### LEGAL LOT STATUS:

The one existing parcel is Lot 3 in block 6 of Tract 307 in Cabrillo Estates, according to map recorded August 24, 1970, in Book 7, Page 47 of Maps.

Staff report prepared by Cody Scheel and reviewed by James Caruso.