



Promoting the wise use of land

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

Tentative Notice of Action

MEETING DATE July 17, 2015		CONTACT/PHONE Brandi Cummings, Project Manager (805) 781-1006 bcummings@co.slo.ca.us		APPLICANT Corwith White		FILE NO. DRC2013-00092	
LOCAL EFFECTIVE DATE July 31, 2015		APPROX FINAL EFFECTIVE DATE August 21, 2015					
SUBJECT Hearing to consider a request by CORWITH WHITE for a Minor Use Permit/Coastal Development Permit to allow the installation of a 15,000 gallon gravity-fed underground storage tank for non-potable landscaping water. The project will result in approximately 8,000 square feet of disturbance on an 87,118 square-foot existing residential parcel. The proposed project is within the Residential Suburban land use category, and is located at 1465 Bayview Heights Drive in the community of Los Osos. The site is located in the Estero planning area.							
RECOMMENDED ACTION Approve Minor Use Permit / Coastal Development Permit DRC2013-00092 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 June 2, 2015 (ED14-253).							
LAND USE CATEGORY Residential Suburban		COMBINING DESIGNATION Local Coastal Plan Area, Coastal Appealable Zone, Archaeological Study Area, Flood Hazard, Sensitive Resource Area			ASSESSOR PARCEL NUMBER 074-326-007		SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Drainage, Sensitive Resource Area, Setbacks <i>Does the project meet applicable Planning Area Standards: Yes – see discussion</i>							
LAND USE ORDINANCE STANDARDS: Coastal Appealable Zone, Local Coastal Program, Archaeological Study Area, Flood Hazard, Sensitive Resource 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 Suburban & Residential Single Family/residences <i>East:</i> Residential Suburban/ residences <i>South:</i> Agriculture/grass & grazing <i>West:</i> Residential Suburban/ residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health (Barry Tolle), Los Osos Community Services District, California Coastal Commission, Los Osos Community Advisory Council, and Community Liaison Kerry Brown	
TOPOGRAPHY: Moderately sloping	VEGETATION: Grasses, oaks, ornamental landscaping
PROPOSED SERVICES: Water supply: Golden State Water Company Sewage Disposal: Individual septic Fire Protection: Cal Fire	ACCEPTANCE DATE: May 26, 2015

DISCUSSION:

The applicant proposes to install a 15,000 gallon gravity-fed underground storage tank for non-potable landscaping water. The excess dirt will be dispersed across the northern portion of the property, less than one foot in depth. The proposed project will result in the disturbance of approximately 8,000 square feet of an 87,118 square foot parcel in the Residential Suburban land use category.

The proposed project is located at 1465 Bayview Heights Drive, approximately 0.5 miles south of Los Osos Valley Road, in the community of Los Osos. The site is located in the Estero planning area. As conditioned, the proposed project is consistent with the Estero Area Plan standards as well as applicable Coastal Zone Land Use Ordinance standards and Coastal Plan Policies.

LOS OSOS URBAN AREA STANDARDS:

Communitywide

Drainage – Los Osos Lowland Areas—Drainage Plan Requirement. In areas designated in Figure 7-40, all land use permit applications for new structures or additions to the ground floor of existing structures shall require drainage plan approval pursuant to Coastal Zone Land Use Ordinance Sections 23.05.040 et seq. unless the County Engineer determines that the individual project site is not subject to or will not create drainage problems.

Staff Comment: This project is conditioned to comply with this project as a drainage plan review is required for building permit approval.

Sensitive Resource Area

Morro Bay Kangaroo Rat Habitat. New development should be clustered and located as far away from the identified habitat area as feasible. Significant vegetation that is a habitat erosion

retardant or adds to the visual integrity of the areas shall be protected. This vegetation includes but is not limited to pygmy oak, scrub oak, Morro Bay manzanita, Bishop pine, large areas of sage brush, and large stands of introduced trees such as eucalyptus and cypress. Removal of hazardous trees will be permitted in accordance with the Land Use Ordinance.

Staff Comment: The proposed underground storage tank will be placed on the southeast portion of the property, in a previously disturbed area lacking native vegetation. The excess displaced soil will be placed on the northern portion of the property (a grassy field), in a previously disturbed area lacking native vegetation.

Residential Suburban

Setbacks. Maintain a minimum building setback of 50 feet for development on lots adjacent to riparian area along Los Osos Creek and Eto Lake.

Staff Comment: The proposed water tank will be placed approximately 300 feet from the Los Osos Creek.

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 23.07.060 – Flood Hazard Area

The project parcel is located within the Flood Zone designation. Drainage plan approval is required where any portion of the proposed site is located within a Flood Hazard combining designation. This project is conditioned to required drainage plan approval prior to building permit issuance.

Section 23.07.104 – Archaeologically Sensitive Areas

The project site is located within an Archaeologically Sensitive Area. A Phase 1 Cultural Resources Study was conducted by Applied EarthWorks, Inc. Based on a records search and field survey, no cultural resources were identified within or adjacent to the project parcel, and it was recommended that no further archaeological study is warranted for this project.

Section 23.07.120 - Local Coastal Program

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 Plan.

Section 23.07.160 – Sensitive Resource Area

The project site is located in a designated Sensitive Resource Area for *Morro Bay Kangaroo Rat*. The proposed underground storage tank will be placed on the southeast portion of the

property, and the excess displaced soil will be placed on the northern portion of the property (a grassy field), both of which are previously disturbed areas lacking native vegetation.

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: <input checked="" type="checkbox"/>	Policy No: 21
Agriculture:	N/A
Public Works:	N/A
Coastal Watersheds: <input checked="" type="checkbox"/>	Policy No: 8, 9
Visual and Scenic Resources:	N/A
Hazards:	N/A
Archeology: <input checked="" type="checkbox"/>	Policy No: 4, 6
Air Quality:	N/A

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

Environmentally Sensitive Habitats

Policy 21: Development in or Adjacent to a Coastal Stream: *The proposed project is consistent with this policy because the project is located approximately 300 feet from Los Osos Creek, and will not impact the stream.*

Coastal Watersheds

Policy 8: Timing of new construction: *The proposed project is consistent with this policy because the project is required to have a Stormwater Management Plan and an erosion and sedimentation control plan, and all sedimentation and erosion control measures will be in place before the start of the rainy season.*

Policy 9: Techniques for Minimizing Sedimentation: *The proposed project is consistent with this policy because the project is required to have an erosion and sedimentation control plan, and all sedimentation and erosion control measures will be in place before the start of the rainy season.*

Archeology

Policy 4: Preliminary Site Survey: *The proposed project complies with this standard because a Phase 1 Cultural Resources Study was conducted by Applied EarthWorks, Inc. Based on a records search and field survey, no cultural resources were identified within or adjacent to the project parcel, and it was recommended that no further archaeological study is warranted for this project.*

Policy 6: Archaeological Resources Discovered during Construction or through Other Activities: *The proposed project is conditioned to comply with this standard.*

COMMUNITY ADVISORY GROUP COMMENTS:

This project was reviewed by the Los Osos Advisory Council in their March 2014 meeting and the council had no concerns.

AGENCY REVIEW:

Public Works – *Per referral dated 2/27/2015*

1. *How is the applicant filling the cistern?*
2. *The cistern's overflow will need a drainage, sedimentation and erosion control plan.*

Environmental Health – No response.

Los Osos Community Services District – No response.

California Coastal Commission – No response.

LEGAL LOT STATUS

The one existing parcel is Lot 8P of Block B of Bayview Heights, according to map recorded October 10, 1925, in Book 3, Page 67 of Maps.

Staff report prepared by Brandi Cummings and reviewed by James Caruso.