



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT
Tentative Notice of Action**

MEETING DATE July 17, 2015 LOCAL EFFECTIVE DATE July 31, 2015 APPROX FINAL EFFECTIVE DATE August 21, 2015	CONTACT/PHONE Schani Siong, Project Manager 805-781-4374	APPLICANT Harry Mckellop	FILE NO. DRC2014-00071
SUBJECT Hearing to consider a request by HARRY MCKELLOP for a Minor Use Permit/Coastal Development Permit to allow the construction of a new 1,460 square feet, single story covered patio and the conversion of an existing 649 square foot cottage into a bakery kitchen and storage building. The proposed covered patio is the new dining area for the existing restaurant at the historic Cass House in Cayucos. The application also includes temporary events with up to 100 attendees. The project requests modifications to the ordinance standards to allow a reduced number of parking spaces and the use of off-site parking. The project will result in the disturbance of approximately 2,500 square feet on a 7,500 square foot parcel. The project site is in the Commercial Retail land use category and is located on the northwest corner of North Ocean Avenue and Cayucos Drive, in the community of Cayucos, in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2014-00071 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator found that the previously adopted Negative Declarations (County File D94153D / ED95-211; County File D000300P / ED00-545) are adequate for the purposes of compliance with CEQA. Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162) an Addendum to the adopted Negative Declaration was prepared as the following conditions apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) no new information of substantial importance which was not known or could not have been known at the time of the adopted Negative Declaration has been identified. No new mitigation measures have been proposed.			
LAND USE CATEGORY Commercial Retail	COMBINING DESIGNATION Local Coastal Plan, Visitor-Serving Area, Central Business District, Coastal Special Community, Geological Sensitive Area, Archeological Sensitive Area	ASSESSOR PARCEL NUMBER 064-094-014	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Estero Planning Area, Communitywide: Parking Lot Design – Central Business District <i>Does the project meet applicable Planning Area Standards: Yes – see discussion</i>			
LAND USE ORDINANCE STANDARDS: Section 23.07.120 - Local Coastal Program Area, Section 23.07.104 – Archeological Sensitive Area, Section 23.07.080 – Geological Sensitive Area, Section 23.05.106 – Curb, Gutter, Sidewalk, Section 23.04.162 – Off-Street Parking Required, Section 23.04.166 Number of Parking Spaces Required, Section 23.04.170 – Off-Site Parking, Section 23.05.150 Archeological Resources Discovery. <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:

Vacant commercial (seasonal use accessory to the Cass House Bed & Breakfast operations)

SURROUNDING LAND USE CATEGORIES AND USES:

North: Commercial Retail / Cass House bed & breakfast *South:* Commercial Retail / gas station
East: Commercial Retail / retail and mixed uses *West:* Commercial Retail / restaurants

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:

The project was referred to: Public Works, Cayucos Sanitary District, Building, Cayucos Fire, Morro Rock Mutual Water Company, California Coastal Commission, and the Cayucos Community Advisory Committee

TOPOGRAPHY:

Fairly level

VEGETATION:

Ornamental landscaping, one cypress tree

PROPOSED SERVICES:

Water supply: Community system – Morro Rock Mutual Water
 Sewage Disposal: Community system – Cayucos Sanitary
 Fire Protection: Cayucos Fire

ACCEPTANCE DATE:

June 4, 2015

BACKGROUND

This parcel (APN:064-094-014) was once part of the historic Cass House residence, which was extensively renovated in 2001 (County file D000300P). The Cass House and accessory structures (APN:064-094-017 and 018) were renovated into a five room bed & breakfast inn with a restaurant and a caretaker's cottage. The restoration project also included a parking lot to serve the new uses, restoration of the water tower, landscaping, fencing and frontage improvements along Ocean Avenue towards B Street. Unfortunately, this parcel was not under the same ownership in 2001 and was excluded from the Cass House restoration work.

In 1996, a two-story commercial building (Exchange Building) was proposed on this parcel (County file D940153D). This commercial building was part of a larger commercial development under common ownership surrounding the Cass House property. A small commercial cottage (649 sq.ft.) located on this parcel, was proposed to be relocated to Lot 13, north of the Cass House. This proposal includes modifications to the parking standards, provision of 50 on-street parking spaces and archeological mitigation measures to minimize significant impacts to the archeological resources on site. This project was approved and a Mitigated Negative Declaration was filed in 1996. However, the project was not built and the permit expired. The parcel is currently used as a garden and seasonal event space for the Cass House bed and breakfast inn. The existing cottage is used as an additional inn room.

PROJECT DETAIL

In 2014, the applicant acquired the historic Cass House and the subject site, with the intention to continue the inn and restaurant operations. Currently, the subject parcel consists of a garden, outdoor bbq area and a guest cottage room, which are considered part of the Cass House bed and breakfast operations. The garden is used for temporary events, typically weddings during the warmer months. The applicant is proposing to build a 1,460 square foot covered patio in the garden area and convert the existing cottage into a bakery kitchen. The proposed patio will be

the new dining area for the existing restaurant at the inn. The restaurant will be open to public dining 5 days a week. With this permit application, the applicant is also requesting temporary events with up to 100 attendees. During any temporary events, the restaurant will be closed to the public. The proposed patio, bakery kitchen and temporary events are considered accessory to the Cass House bed and breakfast inn, an allowable principle use. In order to support the overall uses at the Cass house, this project is also requesting modifications to the ordinance standards to allow a reduced number of parking spaces and the use of off-site parking.

PLANNING AREA STANDARDS

Communitywide

A. Resource Capacity and Service Availability. Application for new land divisions and land use permits for new development shall be accompanied by letters from the applicable water purveyor and the Cayucos Sanitary District stating their intent to serve the proposed project.

Staff comments: This project complies with this standard. The applicant submitted evidence of existing water will serve letter from Rock Mutual Water Company, dated February 13, 2015 and intent-to serve letter from Cayucos Sanitary District, dated May 4, 2015.

C. Parking Lot Design – Central Business District

1. **Parking lot location.** Where feasible, locate parking areas to the rear or side of buildings.
2. **Access.** Minimize the number of driveways. Where feasible, access to parking areas shall be taken from side streets, alleys, or the less busy street.
3. **Size of Parking Areas.** Wherever possible, separate the parking lot into smaller connected areas of 20 or less cars, interrupted by planted areas and sidewalks.
4. **Pedestrian Connections.** Wherever possible, provide safe, convenient and landscaped pedestrian connections between parking areas, walkways and businesses; and between businesses and surrounding neighborhoods.

Staff Comments: The proposed development complies with this standard. The project will use the existing commercial parking spaces on the parking lot, which is located at the rear of Cass House. The parking lot is accessed from the alley and contains 19 on-site spaces. Well defined pedestrian connections are provided throughout the property. This project is conditioned to improve the frontage along Ocean Boulevard and Cayucos Drive with curb, gutter and sidewalks.

F. Setbacks. The required setbacks are as follows: front – 10 feet, sides – 3 feet, and rear – 5 feet.

Staff comments: This project complies with this standard.

Commercial Retail

A. Architectural Character. New development shall include a detailed façade plan which reflects western, Victorian or nautical/seaside architecture. The façade plan shall show articulation of building facades to create relief and visual interest by using architectural elements, such as 50% wood or wood-appearing materials; detailed window trims and moldings; second-story railings and balconies; wooden porches, railings, entryways, walkways, etc.

B. Building Height. Maximum building height shall be 30 feet, except as otherwise required in the Central Business District.

Staff Comment: The proposed development complies with this standard. The proposed patio design reflects a mix of western architectural influences, compatible materials and period articulation that match the historic Cass House. The proposed patio is 14 feet high, consistent with the height standard.

C. Central Business District

1. **Building Location.** In order to create a pedestrian-friendly environment, locate the front façades of new buildings adjacent to the street or other public spaces such as internal plazas.
2. **Pedestrian Connections.** Wherever possible, provide safe, convenient and landscaped pedestrian connections between parking areas, walkways and businesses; and between business, recreation areas, and surrounding neighborhoods.
4. **Building Height, Mass, Scale, and Pedestrian Orientation, Ocean Avenue.** The following standards are intended to reduce the visual massing of buildings in the central business district, while allowing a wide range of two-story building designs. The following standards apply only to properties having frontage on Ocean Avenue:
 - a. **Measurement of Height.** Building and plate heights shall be measured from the center line of Ocean Avenue, at a point midway between the two side property lines projected to the street center line, to the highest point of the structure. However, on lots having an average natural grade less than the Ocean Avenue center line elevation – as measured above – building and plate heights shall be measured from the average natural grade of the lot to the highest point of the structure.
 - b. **Building Height.** All proposed development, including additions and building replacement, shall meet all of the following:
 - 1) Buildings shall be no more than two stories, not to exceed 28 feet in height.
 - 2) Maximum plate height shall be 24 feet. Above that height, only pitched roofs or decorative elements are allowable.
 - 3) No wall facing a public street shall be greater than 24 feet above finished grade. NO other wall shall be greater than 28 feet above finished grade.
5. **Projections into Front Right-of-Way.** Awnings, trellises, and other accessory building structures are relatively open and do not restrict pedestrian or vehicular movement may project into the front right-of-way, subject to an encroachment permit from the County Public Works Department. Decorative structures or architectural elements may project from upper floors into the front right-of-way, provided that they are not designed to be occupied by persons, and the space between the sidewalk and the first floor building face is open and usable to the general public.

Staff Comments: The proposed development complies with these standards. The proposed patio fronts Ocean Avenue and 14 feet high. There is no change to the exterior of the cottage (proposed bakery kitchen), except for an accessible ramp addition. The proposed patio and converted cottage are small structures, with well-connected and safe pedestrian access from Ocean Boulevard and Cayucos Drive.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.01.043c(1) – Appealable Development. As set forth in the Public Resources Code Section 30603(a), and this title, an action by the County on a permit application, including any Variance, Exception or Adjustment granted, for any of the following project may be appealed to the California Coastal Commission:

- ii. Areas possessing significant recreational value, including any “V” (Visitor Serving designation) as shown in the Land Use Element and areas in or within 100 feet of a park or recreation area.
- v. Special Communities or Small-Scale Neighborhoods which are significant visitor destination areas as defined by Chapter 23.11 of this title

Staff Comments: The project is appealable to the Coastal Commission because the project site is within a Visitor-Service section of Cayucos and is located within the Coastal Special Communities as defined by Chapter 23.11.

Section 23.04.162 – Off-Street Parking Required

All uses requiring a land use permit are to provide off-street parking except when qualify for the following modifications:

d. Shared on-site parking adjustment: Where two or more nonresidential uses are on a single site, the number of parking spaces may be reduced through adjustment at a rate of 5% for each separate nonresidential use, up to a maximum of 20%; as long as the total of spaces is not less than required for the use requiring the largest number of spaces.

Staff Comments: This project qualifies for the shared on-site parking adjustment. Based on the three proposed uses (bed and breakfast, restaurant, and temporary event), the number of parking spaces can be reduced by 5% for each use, up to a total of 15%. With the adjustment, the project complies with the required number of parking spaces (see Section 23.04.166 discussion for details).

h. Modifications of parking standards. The parking standards of this chapter may be modified as follows:

- 1) **Permit Requirements.** Proposals to reduce the required number of parking spaces, or to modify any of the other parking standards of this chapter may be authorized through Minor Use Permit approval.
- 2) **Criteria for approval.** Proposed modifications of parking standards shall be approved only where the Director of Planning and Building first determines, based upon specific findings of fact, that:
 - (i) The characteristics of a use, the site, or its immediate vicinity do not necessitate the number of parking spaces, types of design, or improvements required by this chapter; and

- (ii) Reduced parking or an alternative to the parking design standards of this chapter will be adequate to accommodate on the site all parking needs generated by the use, or that additional parking is necessary because of specific features of the use, site, or site vicinity; and
- (iii) No traffic safety problems will result from the proposed modification of parking standards.

Staff Comments: With this Minor Use Permit, the applicant is requesting modification to parking standards by waiving 21 parking spaces required for the proposed Cass House uses (bed and breakfast, restaurant, and temporary events). Waiver of the 21 parking spaces is justified given the characteristics of the site and its immediate vicinity. The project site is located in the commercial retail zone within the Central Business District in Cayucos. The reduced parking will be adequate to accommodate the parking needs generated by the daily use of the bed and breakfast and restaurant because of the visitor serving nature of the uses. The historic Cass House bed and breakfast inn and restaurant is a popular place for tourists to stay and dine The proposed outdoor restaurant will also attract pedestrians coming from the beach or other businesses in the area.

The property is located at the corner of North Ocean Avenue and Cayucos Drive. There is a public parking lot approximately 200 feet across North Ocean Avenue from the property. In addition, there are ample curbside parking along the Cass House frontage on North Ocean Boulevard, and curbside parking along the Cayucos Drive frontage. These frontages have partial curb, gutter and sidewalks with formal parking along North Ocean Boulevard. The project will be required to improve these frontages and provide continuous curb, gutter and sidewalk with formal on-street parking on Cayucos Drive. With the frontage improvement and availability of nearby public parking, the reduced parking is justified for the regular bed and breakfast and restaurant use at the site.

During a temporary event, the applicant has secured additional off-site parking for the event guests. The off-site parking will be offered to all event guests with shuttle services. No traffic safety problems will result from the proposed modification of parking standards because there are ample public parking at the public parking lot, street frontages, and off-site parking (during events). With frontage improvement such as continuous sidewalks and formal street parking, pedestrians can safely travel to and from the project site.

Section 23.04.166 – Number of Parking Spaces Required

Parking requirements are set by the types of land use proposed. See table below for details:

Staff Comments:

The Cass House has 19 on-site parking spaces and the applicant is requesting to waive 21 parking spaces per Section 23.04.162(h). With the parking waiver, this property can provide a total of 40 parking spaces.

As proposed, the bed and breakfast will require 7 parking spaces and the restaurant will require 36 parking spaces. For regular operations, the bed and breakfast and restaurant will require a total of 43 parking spaces. With an adjustment of 10% per Section 23.04.162(d), the required parking spaces are reduced to 39.

When the bed and breakfast is used for temporary events, the restaurant will be closed. During a temporary event, a total of 57 parking spaces are required. The applicant will provide additional 15 off-site parking spaces for event guests and shuttle services between the off-site parking and the Cass House. With an adjustment of 5% per Section 23.04.162(d), the required parking spaces are reduced to 55.

PARKING TABLE FOR VARIOUS USES AT THE CASS HOUSE, CAYUCOS			
Parking Spaces: 40 (19 on-site spaces with waiver of 21 spaces)			
Use: Bed & Breakfast (Section 23.04.166 c.9)			
Standard	Required	Proposed (or Existing)	In Compliance
Parking	2 spaces, plus 1 per unit (bedroom)	Existing: 5 bedroom B&B 2+5 = 7 spaces	
		Total Spaces Needed for B&B Use : = 7	Yes
Use: Restaurant (Section 23.04.166 c.7)			
Standard	Required	Proposed (or Existing)	In Compliance
Staff Parking	Kitchen 1 per 100 sf prep area	Existing: 220sf Commercial Kitchen Existing: 300s sf. BBQ area Proposed: 180sf Bakery Kitchen Total Prep Area: 700 sf 700/100 = 7 spaces	
	Customer Dining Area 1 per 360 sf.	Proposed Patio: 1,460 sf. 1,460/360 = 4 spaces	
Customer Parking	1 per 60 sf. Dining Area	Proposed: 1,460 sf Dining Patio 1,460/60 = 24.3 spaces	
		Total Spaces Needed for Restaurant Use : 11 (staff) + 25 (guest) = 36	
Parking Required for <u>B&B</u> and <u>Restaurant Use</u>: 7 + 36 = 43 spaces Total Parking Spaces Proposed = 40 spaces <i>(19 on-site spaces & waiver of 21 spaces)</i> Shared on-site parking adjustment (Section 23.04.162) = 39 spaces (10% for two uses)			Yes <i>(with adjustment and waiver)</i>

Use: B&B with Temporary Event (Section 23.08.248)			
<i>* Restaurant not open to public during temporary event</i>			
Standard	Required	Proposed (or Existing)	In Compliance
Parking	<p>B&B Guests = 7 spaces Event Staff = 10 spaces <i>(based on industry standard)</i></p> <p>Temporary Events 400 sf per vehicle; open areas with slopes of 10 % or less</p> <p>Required Parking for 100 attendees/ event = 40 <i>(Based on Resolution 2008-152 in trip generation: 2.5 person/car capacity)</i></p>	<p>Existing parking for B&B with event staff : 7 +10 = 17 spaces</p> <p>Parking for Event Guests = 17 spaces</p> <ul style="list-style-type: none"> • 15 spaces off-site (Post Office) • 2 spaces on-site (remaining) <p>Proposed Parking for B&B, Event Staff and Guests = 34 spaces</p> <p>Total Proposed Parking for B&B, Event Staff and Guests (with 21 spaces waived) = 55 spaces</p>	
<p>Parking Required for <u>B&B</u> and <u>Temporary Event</u>: 17 + 40 = 57 spaces</p> <p>Total Parking Spaces Proposed = 55 spaces <i>(19 on-site parking, waiver of 21 parking spaces including frontage parking & 15 off-site parking)</i></p> <p>Shared on-site parking adjustment (Section 23.04.162) = 55 spaces (5% adjustment for temporary event)</p>			<p>Yes <i>(with adjustments and waiver)</i></p>

Section 23.04.170 – Off-Site Parking

Where it is not feasible to provide sufficient on-site parking, an adjustment may be granted to allow the required parking to be located off-site provided that:

- a. The most distant parking space is not more than 400 feet from the use;
- b. The parking lot site is in the same ownership as the principal use, or is under a recorded lease with the use in a form approved by County Counsel. In the event that off-site parking is leased, the approved use is to be terminated within 60 days of termination of the lease providing parking, unless the parking is replaced with other spaces that satisfy the requirements of this Title; and
- c. The parking lot site is not located in a Residential land use category unless the principal use requiring the parking is allowable in a residential land use category.

Staff Comments: With this Minor Use Permit, the applicant is requesting modifications to the parking standards required for off-site parking. The applicant has secured an agreement to use the Cayucos Post Office parking lot as an off-site parking during temporary events at the Cass House. The off-site parking is approximately 650 feet from the Cass House, and is not under the same ownership. The applicant will provide shuttle services with attendant to facilitate guests pick up and drop off.

Per Section 23.04.162(h), modifications to parking standards can be approved with the Minor Use Permit provided such modification meets the required findings. Given the close proximity of the off-site parking, shuttle service provision, after-hours operations and the availability of good conditioned sidewalks leading to the Cass House, the alternative off-site parking is suitable for use, adequate to accommodate the proposed event parking, and does not impose traffic safety problems to nearby properties in the vicinity.

Section 23.05.106 – Curb, Gutters and Sidewalks

The project site is located within the Commercial Retail land use category within an urban reserve line, which requires curb, gutter and sidewalk improvement.

Staff Comments: The project is conditioned to provide curb, gutters and sidewalks with the building permit.

Combining Designations

23.07.080: Geologic Study Area (GSA)

All land use permit applications for projects located within a Geologic Study Area (except those exempted by Section 23.07.082) shall be accompanied by a report prepared by a certified engineering geologist and/or registered civil engineer (as to soils engineering), as appropriate.

Staff Comments: The project site is fairly level. The proposed patio and the conversion of the cottage are considered minor development on the parcel, which does not pose any landslide or liquefaction hazards to the property. At the time of building permit, the applicant shall be required to submit a geotechnical engineering report/ soils report prepared by a certified engineering geologist.

Section 23.07.104 - Archaeologically Sensitive Areas

The project sites are not within the mapped AS combining designation within the Cayucos Urban Area. However, consistent with Section 23.07.104(a)(3), the project is subject to the AS combining designation provision due to the fact that archeological resources related to the historic Cass House had been found on the site.

Staff Comments: In 1996, a larger commercial building (Exchange Building) was approved to be built on the same subject site. Two archeological studies have been prepared for the commercial development with recommendations to minimize impacts to the archeological resources related to the historic Cass House property (Bertrando and Bertrando, 1995; Parker and Associates, 1993).

This project is conditioned to incorporate appropriate archeological mitigation measures as recommended for the previously approved Exchange Building. The Exchange Building was

much larger and could result in more impacts to archeological resources on the site. The proposed development is much smaller in scale and lesser in site disturbance, therefore can rely on the recommended archeological mitigation measures, as appropriate for the scale of 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.

COASTAL PLAN POLICIES:

Shoreline Access:	N/A
Recreation and Visitor Serving:	Policy No(s): 1 and 2
Energy and Industrial Development:	N/A
Commercial Fishing, Recreational Boating & Port Facilities:	N/A
Environmentally Sensitive Habitats: <input checked="" type="checkbox"/>	N/A
Agriculture:	N/A
Public Works: <input checked="" type="checkbox"/>	Policy No(s): 1
Coastal Watersheds: <input checked="" type="checkbox"/>	N/A
Visual and Scenic Resources: <input checked="" type="checkbox"/>	Policy No(s): 6
Hazards:	N/A
Archaeology: <input checked="" type="checkbox"/>	Policy No(s): 1, 5, 6
Air Quality:	N/A

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

COASTAL PLAN POLICY DISCUSSION

Recreation and Visitor Serving

Policy 1: Recreation Opportunities. Coastal recreational and visitor-serving facilities, especially lower-cost facilities, shall be protected, encouraged and where feasible provided by both public and private means. Removal or conversion or existing lower cost facilities and opportunities in areas designated with the "V" Visitor Serving Overlay in the LUE shall be prohibited unless the use will be replaced by a facility offering comparable visitor serving or recreational opportunities. Visitor serving facilities include all lodging establishments included in the definition of Hotels, Motels in Chapter 7 of Framework for Planning of the Land Use Element and Local Coastal Plan; provided that hotels and motels which are condominium or planned development projects may be approved only where specifically identified as an allowable use by planning area standards of the Land Use Element and Local Coastal Plan. The new construction of non-visitor-serving or non-principally permitted uses shall only be permitted if it can be found that they would not prejudice the provision of adequate visitor-serving facilities to meet the foreseeable demand over the next 20 years.

Policy 2: Priority for Visitor-Serving Facilities. Recreational development and commercial visitor-serving facilities shall have priority over non-coastal dependent use, but not over agriculture or coastal dependent industry in accordance with PRC 30222. All uses shall be consistent with protection of significant coastal resources. The Land Use Plan shall incorporate provisions for areas appropriate for visitor-serving facilities that are adequate for foreseeable demand. Visitor-serving commercial developments that involve construction of major facilities should generally be located within urban areas. Provisions for new facilities or expansion of existing facilities within rural areas shall be confined to selected points of attraction.

Staff comments: This project complies with these standards. The proposed patio and bakery kitchen further support the historic Cass House bed and breakfast and restaurant, which are prominent visitor serving uses in downtown Cayucos.

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 comments: The project complies with this standard. Conditional will serve letters (water and sewer) were submitted for the proposed development.

Visual and Scenic Resources

Policy 6: Special Communities and Small Scale Neighborhood. Within the urbanized areas defined as small-scale neighborhoods or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community.

Staff comments: This project complies with this standard. The proposed patio design is compatible with the architectural historical style of the Cass House.

Archaeological Resources

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.

Policy 5: Mitigation Techniques for Preliminary Site Survey before Construction

Where substantial archaeological resources are found as a result of a preliminary site survey before construction, the county shall require a mitigation plan to protect the site. Some examples of specific mitigation techniques include:

- a. Project redesign could reduce adverse impacts of the project through relocation of open space, landscaping or parking facilities.
- b. Preservation of an archaeological site can sometimes be accomplished by covering the site with a layer of fill sufficiently thick to insulate it from impact. This surface can then be used for building that does not require extensive foundations or removal of all topsoil.
- c. When a project impact cannot be avoided, it may be necessary to conduct a salvage operation. This is usually a last resort alternative because excavation, even under the best conditions, is limited by time, costs and technology. Where the chosen mitigation measure necessitates removal of archaeological resources, the county shall require the evaluation and proper deposition of the findings based on consultation with a qualified archaeologist knowledgeable in the Chumash culture.
- d. A qualified archaeologist knowledgeable in the Chumash culture may need to be on-site during initial grading and utility trenching for projects within sensitive areas.

Policy 6: Archaeological Resources Discovered during Construction or through Other Activities. Where substantial archaeological resources are discovered during construction of new development, or through non-permit related activities (such as repair and maintenance of public works projects) all activities shall cease until a qualified archaeologist knowledgeable in the Chumash culture can determine the significance of the resource and submit alternative mitigation measures.

Staff comments: The project is consistent with these policies. This project is conditioned to incorporate appropriate archeological mitigation measures as recommended for the previously approved Exchange Building (Bertrando and Bertrando, 1995; Parker and Associates, 1993). The Exchange Building was much larger and could result in more impacts to archeological resources on the site. The proposed development is much smaller in scale and lesser in site disturbance, therefore can rely on the recommended archeological mitigation measures, as appropriate for the scale of this project.

COMMUNITY ADVISORY GROUP COMMENTS:

Cayucos Community Advisory Council – Recommended approval on March 4, 2015.

AGENCY REVIEW:

Public Works – *Project may trigger Curb, Gutter and Sidewalk requirements per Section 23.05.106. (Glenn Marshall, June 2015).*

Cayucos Sanitary District – Will serve letter issued. (CSD, May 2015)

Morro Rock Mutual Water Company - Will serve letter issued (Feb, 2015)

Cayucos Fire Department – No comments

California Coastal Commission – No response

LEGAL LOT STATUS:

The one existing parcel is Lot 18 of Block 14 of Town of Cayucos according to map recorded in Book A, Page 160 of Maps, and was legally created by deed at a time when that was a legal method of creating parcels. A voluntary merger application has been submitted for processing, M15-0002 (SUB2014-00038), to merge Lots 15 portion, 16, 17 and 18.

Staff report prepared by Schani Siong and reviewed by Karen Nall, Supervising Planner.