



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

**Tentative Notice of Action**

Promoting the wise use of land

MEETING DATE <b>July 17, 2015</b> LOCAL EFFECTIVE DATE <b>July 31, 2015</b> APPROX FINAL EFFECTIVE DATE <b>August 21, 2015</b>	CONTACT/PHONE Schani Siong, Project Planner (805) 781-4374	APPLICANT David and Diana McLaughlin	FILE NO. <b>DRC2014-00104</b>
SUBJECT Hearing to consider a request by <b>DAVID AND DIANA MCLAUGHLIN</b> for a Minor Use Permit/ Coastal Development Permit to allow for the construction of a new 2,170 square-foot two-story single family residence, a 350 square-foot attached garage and an approximately 230 square-foot deck. The project will result in the disturbance of approximately 4,000 square feet on a 5,040 square-foot parcel. The proposed project is within the Residential Single Family land use category, within the Small Scale Design Neighborhood, and is located at 11 9 <sup>th</sup> Street, approximately 150 feet north of Pacific Avenue in the community of Cayucos. The site is located in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit/ Coastal Development Permit DRC2014-00104 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemptions were issued on May 7, 2015 (ED14-238)			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Small Scale Neighborhood, Local Coastal Plan Area	ASSESSOR PARCEL NUMBER 064-152-036	SUPERVISOR DISTRICT 2
PLANNING AREA STANDARDS: Small Scale Neighborhood <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Coastal Appealable Zone <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	
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: Cayucos Community Advisory Council, Public Works, Building Division, Cayucos Fire, Cayucos Sanitary District, Paso Robles Beach Water Association, and the California Coastal Commission.	
TOPOGRAPHY: Fairly level	VEGETATION: Grasses
PROPOSED SERVICES: Water supply: Paso Robles Beach Water Association Sewage Disposal: Cayucos Sanitary District Fire Protection: Cayucos Fire	ACCEPTANCE DATE: March 18, 2015

**DISCUSSION**

The applicant is proposing to construct a new 2,170 square-foot two-story single family residence, a 350 square-foot attached garage and an approximately 230 square-foot solid deck. The site is approximately 5,040 square foot and is currently vacant. The project is located on 11 9<sup>th</sup> Street, in the community of Cayucos. As outlined below, the proposed project is consistent with the Small Scale Neighborhood design standards of the Estero Area Plan as well as applicable Coastal Zone Land Use Ordinance standards and general plan policies.

**PLANNING AREA STANDARDS**

**Small Scale Neighborhood Design Standards:**

Front Setback: For two story construction, the minimum front lower floor setback is 15 feet, the minimum front second floor setback is an additional 3 feet from the lower wall except open rail, uncovered decks are excluded from this additional setback and may extend to the lower floor wall. *Staff comments: The proposed new residence and open deck design is consistent with this standard. The lower floor setback is 15 feet from the front boundary. The second floor is setback approximately 5 feet from the lower floor wall. There is a small, open balcony of approximately 60 square foot proposed on the second floor at the front of the residence that extends to the lower floor wall.*

Side Setbacks: For two-story construction, the minimum side setback for the lower floor is 4 feet. For the second floor side setbacks, a minimum of 2 ½ feet greater than the lower floor setback is required. Thirty percent of the upper story sidewall may align with the lower floor wall provided it is within the rear two-thirds of the structure. *Staff comments: The proposed new residence design is consistent with this standard. The lower floor walls are setback 4 feet from the property side boundaries. The upper right walls are further set back 2 ½ feet from the lower wall face. An open deck is proposed on the upper floor and lines to the lower left wall face.*

Rear Setback: Minimum rear setback shall be 10 feet. *Staff comments: The rear setback is 14 feet and complies with this standard.*

Height: Heights shall be measured from the center line of the fronting street at a point midway between the two side property lines projected to the street center line, to the highest point of the roof. Roof heights exceeding 22 feet but not exceeding the maximum height allowed (24 feet) shall have a roof pitch of at least 5:12. *Staff comments: The proposed height of the residence is 24 feet and the proposed roof pitch is 6:12. This project is compliant with this standard.*

Gross Structural Area: The parcel is 5,040 square feet. On parcels larger than 5,000 square feet in size, new development or additions exceeding one story or 15 feet in height are limited to a maximum gross structural area (including the area of all garages) of 50% of the usable lot, 2,520 square feet. *Staff comments: The proposed development is 2,520 square feet and is within the gross structural area standards. The project is consistent with this standard.*

Deck Rail Height: Rail heights for decks above the ground floor shall not exceed 36 inches. A maximum additional height of 36 inches of untinted, transparent material with minimal support members is allowable. *The project proposes a deck on the second floor. The project is conditioned to meet the 42 inch California Building Code requirement and be consistent with this standard.*

Parking: At least one off-street parking space shall be enclosed with an interior space a minimum size of 10 feet by 20 feet, and a maximum of one required off-street parking space may be located in the driveway within the required front yard setback area. However, the minimum front yard setback from the property line to the garage is 20 feet if this design is used. *Staff comments: The proposed residence has one parking space in the covered garage and a second parking space in the driveway within a 20' front setback. This project complies with this standard.*

Driveway Widths: Driveway widths may not exceed 18 feet. *Staff comment: The proposed driveway is 14' wide and complies with this standard.*

Streetscape Plan: A scale drawing showing the front exterior elevation (view) of the proposed project, and the front elevations of the adjacent buildings, is required as part of the application submittal. *Staff comment: The applicant submitted a streetscape plan, which is attached to this staff report.*

Topographic Map: A topographic map including the elevation of the fronting street, site contours, and existing and proposed drainage patterns is required as part of the application submittal. *Staff comment: The applicant submitted a topographic map, which is attached to this staff report.*

## COASTAL ZONE LAND USE ORDINANCE STANDARDS

### **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.

## COASTAL PLAN POLICIES

Following is a brief list of the Coastal Plan Policies (discussion of specific 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: N/A

Agriculture: N/A

Public Works:  Policy No(s): 1

Coastal Watersheds:  Policy No(s): 7, 8, 9, and 10

Visual and Scenic Resources:  Policy No(s): 1 and 6

Hazards: N/A

Archeology: N/A

Air Quality: N/A

### **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 would replace an existing single family residence with a new single family residence. It is conditioned to obtain a water and sewer service condition compliance letter prior to final inspection.*

### **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. *Staff comment: 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 category and development is situated on slopes of less than 20 percent.*

*Policy 8: Timing of Construction and Grading.* Land clearing and grading shall be avoided during the rainy season if there is a potential for serious erosion and sedimentation problems. All slope and erosion control measures should be in place before the start of the rainy season. Soil exposure should be kept to the smallest area and the shortest feasible period. *Staff comment: The proposed project is consistent with this policy because it's conditioned to require an erosion and sedimentation control plan when grading is conducted or left in an unfinished state during the period from October 15 through April 15.*

*Policy 9: Techniques for Minimizing Sedimentation.* Appropriate control measures (such as sediment basins, terracing, hydro-mulching, etc.) shall be used to minimize erosion and sedimentation. *Staff comment: The proposed project is consistent with this policy because the applicant is conditioned to apply Best Management Practices in the selection and implementation of site maintenance.*

*Policy 10: Drainage Provisions.* Site design shall ensure that drainage does not increase erosion. This may be achieved either through on-site drainage retention, or conveyance to storm drains or suitable watercourses. *Staff comment: The proposed project is conditioned to comply with this policy by meeting all drainage plan and erosion control measures required the San Luis Obispo County Public Works department.*

**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 because it complies with the Small Scale Design Neighborhood standards, is in character and scale with the surrounding neighborhood, and will not block existing scenic vistas.*

*Policy 6: Special Communities and Small-Scale Neighborhoods.* 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 comment: Staff comment: The proposed project is consistent with this standard because it complies with all the standards for Cayucos Small Scale Design Neighborhoods.*

**COMMUNITY ADVISORY GROUP COMMENTS:**

Cayucos Citizens Advisory Council - The Land Use Committee reviewed and supported the project (March, 2015).

**AGENCY REVIEW:**

Public Works – per referral comments dated March 13, 2015. This project will be conditioned to revise the driveway approach design to meet County standards.

Cayucos Fire – No response

California Coastal Commission – No response

Paso Robles Beach Water Association – See final will-serve letter dated March 9, 2015.

Cayucos Sanitary District – See final will-serve letter dated February 25, 2015.

Building Department – per referral comments dated March 6, 2015:

- 1) Construction shall comply with the 2013 California Residential Code.
- 2) The design of the openings, projections, wall rating based on fire separation distance will need to be shown on the plans to comply with CRC Section 302, including Table 302.1(2) for buildings with sprinklers.
- 3) The front elevation as shown on sheet A6 shows the structure has projections extending to the property line. Please see comment 2 above as projections are not permitted to extend to the property line.

- 4) Provide plans which clearly show the structural design for the project to verify compliance with the prescriptive requirements of the 2013 California Residential Code or any structural element(s) not complying with the prescriptive requirements will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design. All supporting documentation (structural calculations, truss calculations, product information, etc) will need to be provided as well.
- 5) A grading permit may need to be provided and grading plans submitted for review.
- 6) Provide an electrical plan to show the location of all electric panels, sub-panels, receptacles, light switches, lights, smoke detectors and Co alarms, etc.
- 7) Provide notes and information on the plans for the plumbing fixtures requirements, the design of the waste lines, vents, and water lines as they will need to comply with the 2013 CPC.
- 8) Energy calculation will need to be submitted to verify compliance with the 2013 California Energy Code.
- 9) The plans will need show compliance with the 2013 California Green Building Code and the County of San Luis Obispo's Green Building Ordinance.
- 10) Fire sprinklers will be required under a separate permit and plans showing the design provided for review.

**LEGAL LOT STATUS:**

The one parcel was legally created by the recording of a certificate of compliance for Lot Line Adjustment COAL 91-154, Parcel 2, Doc. 1993-026235, at a time when that was a legal method of creating parcels.

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