



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

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PLANNING COMMISSION

MEETING DATE March 24, 2016 LOCAL EFFECTIVE DATE April 7, 2016 APPROX FINAL EFFECTIVE DATE April 28, 2016	CONTACT/PHONE Cody Scheel, Project Planner (805) 781-5157 cscheel@co.slo.ca.us	APPLICANT Dean Vadnais	FILE NO. DRC2015-00047
SUBJECT Hearing to consider a request by Dean Vadnais for a Development Plan / Coastal Development Permit to allow for an existing as-built recycling collection station, and modification to the maximum allowable area for a recycling collection station of 100 square feet, per Section 23.08.098(f)(3). The existing as-built recycling collection station consists of a 160 square foot storage container enclosed by a wood panel facade, a 96 square foot storage shed, and a 67 square foot awning cover. The proposed project results in the disturbance of approximately 550 square feet of an approximately 4.3 acre parcel. The proposed project is in the Commercial Retail land use category and is located on the north side of Tamsen Drive, approximately 300 feet east from where Knollwood Circle meets Tamsen Drive, within the community of Cambria. The site is in the North Coast planning area.			
RECOMMENDED ACTION Approve Development Plan / Coastal Development Permit DRC2015-00047 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 February 26, 2016 (ED15-200).			
LAND USE CATEGORY: Commercial Retail	COMBINING DESIGNATION Geologic Study Area, Archaeologically Sensitive Area, Local Coastal Program Area, Central Business District, Coastal Special Community, and Visitor Serving Area	ASSESSOR PARCEL NUMBER 013-101-081	SUPERVISOR DISTRICT 2
PLANNING AREA STANDARDS: Limitation on Development (water); Cambria Fire Department Review; Mid-Village Area Design Standards (Height Limit, Setbacks, Roofs)			
LAND USE ORDINANCE STANDARDS: Section 23.01.043 – Appeals to the Coastal Commission (Coastal Appealable Zone) Section 23.07.104 – Archaeologically Sensitive Area Section 23.07.120 – Local Coastal Program Area Section 23.08.098 – Recycling Collection Stations			
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.			

EXISTING USES: Recycling collection station	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family / residences <i>East:</i> Commercial Retail / undeveloped <i>South:</i> Public Facilities / Cambria grammar school <i>West:</i> Commercial Retail / commercial retail	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, North Coast Advisory Council, Cambria Community Services District & the California Coastal Commission	
TOPOGRAPHY: Nearly level to moderately sloping	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: N/A Sewage Disposal: N/A Fire Protection: Cambria CSD Fire Department	ACCEPTANCE DATE: November 8, 2015

DISCUSSION

PROPOSED PROJECT

The proposed project is to permit an existing as-built recycling collection station that consist of a 160 square foot storage container enclosed by a wood panel facade, a 96 square foot storage shed, and a 67 square foot awning cover. All structures are adjacent to each other, and result in a footprint of approximately 350 square feet. Because of the size of the existing facility a modification to the maximum allowable area for a recycling collection station of 100 square feet is required. The facility is located on the northeast end of Tamsen Drive, a private access road, and the site is built out with existing commercial retail buildings/uses.

PLANNING AREA STANDARDS:

Cambria Urban Area Standards

Limitation on Development – Water Conservation Requirements

New development resulting in increased water use shall offset such increase through the retrofit of existing water fixtures within the Cambria Community Service District's (CCSD) service area, or through other verifiable actions to reduce existing water use in the service area.

Staff Response: The project complies with the standard because no water usage is proposed or necessary for the project.

Cambria Fire Department Review

All new development shall comply with applicable State and local fire codes.

Staff Response: The proposed project was referred to the Cambria Fire Department for review, and at the time of application for construction permits, the applicant will be required to submit a fire safety plan, and all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.

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 project complies with the standard because no light fixtures are proposed.

Mid-Village Area Design

The proposed project is located within the Mid-Village area of the Cambria Central Business District. The North Coast Area Plan includes various standards for development in the Mid-Village. As described below, the project complies with these standards.

Mid-Village Design Standard	Requirement	Compliance
Height Limitation	20 feet	Existing structures do not exceed a height of 10 feet
Front and Side Setbacks	Front Setback: Development shall be set back 15 feet beyond the top of the bluff, generally a minimum of 50 feet from the front parcel line. Side Setback: 10-foot minimum.	Existing front setback is approximately 295 feet. Existing side setbacks are approximately 100 feet (east), and 270 feet (west)
Roofs	Any pitched roof shall have a minimum 3:12 pitch.	The existing roofs have an approximately 3.5:12 roof pitch

LAND USE ORDINANCE STANDARDS:

Section 23.01.043(c)(3)(i): Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the subject parcel is located within a Coastal Special Community, according to official County maps.

Chapter 7: Combining Designations

23.07.104: Archaeologically Sensitive Area

Section 23.07.104 establishes requirements to protect and preserve resources in the Coastal Zone identified as archaeologically sensitive. Those requirements include a preliminary site survey and monitoring during construction.

Staff Response: In this case, staff did not require an archaeological site assessment because the proposed project has a small footprint of approximately 500 square feet within a previously disturbed graded and paved area. The scope of the project and characteristics of the site make it unlikely for the project to have any impact on archaeological resources.

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.

23.08.098: Recycling Collection Stations

This Section of the Land Use Ordinance (Title 23) contains specific land use permit and standards for proposed wireless recycling collection stations. As described below, the proposed project meets these requirements:

Permit Requirements

Section 23.08.098(a) requires Minor Use Permit approval for proposed recycling collection stations.

Staff Response: The proposed project complies with this standard. Development Plan (rather than Minor Use Permit) approval is required to modify the 100 square-foot maximum recycling station area requirement.

Location

Section 23.08.098(b)(1)&(2) requires site access to be from a collector or arterial, except that a local street may be used where the site is located in a Commercial or Industrial land use category, and the facility location to be outside of any street right-of-way.

Staff Response: The proposed project complies with this standard because the existing facility is located in the Commercial Retail land use category and is access by a local street, and the facility is located outside of the street right-of-way.

Setbacks

Section 23.08.098(d) states that no setbacks are required, provided that no collection station is to be located within 100 feet of an intersection.

Staff Response: The proposed project complies with this standard because the existing facility is located approximately 300 feet from the nearest intersection (Knollwood Circle and Tamsen Drive).

Parking Requirement

Section 23.08.098(e)(2) states that no parking is required, unless on-street parking is unavailable at the site, in which case at least two off-street spaces are to be provided.

Staff Response: The proposed project complies with this standard because the facility has existing on-street parking (approximately 5 parking spaces).

Design Standards

Section 23.08.098(f)(1)&(2) requires portable containers to be used, and placed within a stationary wood framework, solid fence or bin to prevent the containers from being overturned; and, to be equipped with a lid to prevent access to stored materials by animals or vermin, and to preclude stored paper from being scattered by wind.

Staff Response: The proposed project complies with this standard because the existing facility consists of portable containers which are enclosed by stationary wood framework with a composition rooftop.

Section 23.08.098(f)(3) states that the maximum area of a recycling collection station is to be no larger than 100 square feet.

Staff Response: The existing as-built recycling collection station is over the maximum area standard since it consists of a 160 square foot storage container, a 96 square foot storage shed, and a 67 square foot awning cover, therefore the applicant is requesting to modify the maximum area standard. This modification can be allowed through a Development Plan (as discussed below).

Section 23.08.098(f)(4) states that all collection stations are to be provided instructional signage indicating how materials are to be separated, and stating any limitations on the types of materials accepted for recycling.

Staff Response: The proposed project is conditioned to provide instructional signage indicating how materials are to be separated, and stating any limitations on the types of materials accepted for recycling.

Section 23.08.098(g) states that all recycling collection stations are to be maintained in a clean and sanitary condition, with no material stored or discarded outside the container enclosure. All collection stations are to be emptied at intervals sufficient to preclude containers from being filled, but in no case are containers to be emptied less than once every seven days.

Staff Response: The proposed project is conditioned to have the existing recycling collection station operate and be maintained in a clean and sanitary condition, with no material stored or discarded outside the container enclosure. All collection stations are to be emptied at intervals sufficient to preclude containers from being filled, but in no case are containers to be emptied less than once every seven days.

Exception to Special Use Standards

Section 23.08.012(b) states that the Special Use standards may be waived or modified through Development Plan approval, except where otherwise provided by the Special Use chapter and except for standards relating to residential density or limitations on the duration of a use (unless specific provisions of the chapter allow their modification). Waiver or modification of standards shall be granted through Development Plan approval only where the Planning Commission first makes the subject findings (as discussed below).

Staff Response: The applicant is requesting a Development Plan to modify to the maximum allowable area for a recycling collection station of 100 square feet. The modification would allow for a maximum area of approximately 350 square feet.

Section 23.08.012(b)(1) states that a finding shall be made that the necessity for modification or waiver of the standard by identifying the specific conditions of the site and/or vicinity which makes the standard unnecessary or ineffective.

Staff Response: Modification of the maximum allowable area for the existing recycling collection station is justified given the characteristics of the site and its immediate vicinity. Due to the large lot size, the adequate access and parking, the close proximity to the on-site and adjacent commercial retail shopping centers, and the community's recycling needs, a larger recycling collection station can be justified. The site location is also unique in that the existing recycling facility cannot be seen from any public viewpoints.

Section 23.08.012(b)(2) states that a finding shall be made to identify the specific standard being waived or modified.

Staff Response: The specific standard to be modified is Section 23.08.098(f)(3) which states that the maximum area of a recycling collection station is to be no larger than 100 square feet.

Section 23.08.012(b)(2) states that a finding shall be made that the project, including the proposed modification to the maximum area standard, will satisfy all mandatory findings required for Development Plan approval.

Staff Response: The project, including the proposed modification to the maximum area standard, will satisfy all mandatory findings required for Development Plan approval.

COASTAL PLAN POLICIES:

Shoreline Access: N/A
Recreation and Visitor Serving: Policy No: 2
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: 1
Coastal Watersheds: N/A
Visual and Scenic Resources: Policy No: 1
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:

Recreation and Visitor Serving:

Policy 2: Priority for Visitor-Serving Facilities: This policy gives priority to recreational development and commercial visitor-serving facilities over non-coastal dependent uses, but not over agriculture or coastal dependent industry.

Staff Response: The proposed project complies with this policy because the proposed recycling collection station will serve visitor-serving uses that are dependent on the tourism industry of the coastal region.

Public Works:

Policy 1: Availability of Service Capacity: This policy requires new development to demonstrate that adequate public or private service capacities are available to serve the proposed development.

Staff Response: The project complies with the standard because no water usage is proposed or necessary for the project.

Visual and Scenic Resources:

Policy 1: Protection of Visual and Scenic Resources: This policy requires the unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats to be preserved protected, and in visually degraded areas restored where feasible.

Staff Response: The project complies with this policy because it would not be visible from public roads, and the primary retail building on the site is consistent with the intent of the Mid Village design standards of the North Coast Area Plan.

COMMUNITY ADVISORY GROUP COMMENTS:

The North Coast Advisory Council unanimously approved the “as-built” recycling center with the condition that the hours of operation are from 10 a.m. to 4 p.m., and no can crushing operations will be performed on site.

Staff Response: The proposed project is conditioned to operate only between the hours of 10 a.m. and 4 p.m., and the project also has a condition that no crushing of any kind (cans, bottles etc.) is allowed.

AGENCY REVIEW:

Public Works – Recommended approval with conditions (Tim Tomlinson, October 26, 2015).

Building Department – The project to comply with applicable building codes (Michael Stoker, October 15, 2015).

Cambria Community Services District (Sewer & Water) – No comments received.

Cambria Community Services District (Fire) – No comments received.

California Coastal Commission – No comments received.

LEGAL LOT STATUS:

The lot was legally created by recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Cody Scheel and reviewed by Airlin M. Singewald.