



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

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE May 20, 2016	CONTACT/PHONE Cody Scheel, Project Manager (805) 781-5157 / cscheel@co.slo.ca.us	APPLICANT J. TenBroeck Inc.	FILE NO. DRC2015-00071
LOCAL EFFECTIVE DATE June 3, 2016	APPROX FINAL EFFECTIVE DATE June 24, 2016		
SUBJECT A request by J. TENBROECK INC. for a Minor Use Permit/Coastal Development Permit (DRC2015-00071) to allow the construction of a 2,415 square foot, three level single family residence with a 460 square foot garage and approximately 200 square feet of deck area. The proposed project will result in the disturbance of the entire 2,431 square foot vacant parcel. The proposed project is within the Residential Single Family land use category and is located at 3256 Shearer Avenue, approximately 300 feet south of the intersection of El Sereno Avenue and Shearer Avenue, in the community of Cayucos. The site is in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit/ Coastal Development Permit DRC2015-00071 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A General Rule Exemption was issued on March 8, 2016 (ED15-257).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Local Coastal Program Area	ASSESSOR PARCEL NUMBER 064-426-064	SUPERVISOR DISTRICT 2
PLANNING AREA STANDARDS: Resource Capacity and Service Availability, Building Height, Setbacks & Lot Coverage <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Grading Adjustment <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 lot	
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 Citizens Advisory Council, Public Works, Building Division, & Cayucos Fire	
TOPOGRAPHY: Moderately sloping	VEGETATION: Grasses, ornamentals
PROPOSED SERVICES: Water supply: County Service Area 10 (Cayucos Water) Sewage Disposal: Cayucos Sanitary District Fire Protection: Cayucos Fire	ACCEPTANCE DATE: March 8, 2016

DISCUSSION

The applicant is proposing to build a 2,415 square-foot, three-level single family residence with a 460 square-foot attached garage and approximately 200 square feet of deck area. The property is currently vacant and is surrounded by single family residences. The project is located at 3256 Shearer Avenue, in the community of Cayucos. As outlined below, the proposed project is consistent with the Cayucos Urban Area Standards of the Estero Area Plan as well as applicable Coastal Zone Land Use Ordinance standards and general plan policies.

PLANNING AREA STANDARDS

Cayucos Urban Area Standards

Communitywide

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 because the applicant submitted intent-to-serve letter from the County Service Area 10 (Cayucos Water), dated February 8, 2016, and the Cayucos Sanitary District, dated April 12, 2016.

Setbacks. The following special setbacks apply: Front – 10 feet, Side – 3 feet, Rear – 5 feet.
Staff comments: This project complies, with setbacks as follows: 10 feet (front), 3 feet (sides), and 5 feet (rear).

Residential Single Family

Height Limitation. New development shall not exceed 28 feet (above average natural grade) unless a more restrictive height limitation is specified.

Staff comments: This project complies with this standard. The overall residence is proposed at a height of 28 feet above average natural grade.

Outside of Community Small-Scale Design Neighborhoods

Building Face Height and Setback. The maximum height of the front and rear building faces (including decks and balconies), as measured from the finished grade, shall be as shown in the following table, and the minimum setback from that building face to the next higher story shall be six feet.

Average Slope of Lot Prior to Grading (Percent)	Maximum Height of Front and Rear Building Face From Finished Grade (Ft.)
Less Than 20	22
20 and Greater	24

Staff comments: This project complies with this standard. The average slope of the lot is 21%; therefore, the allowable maximum building face height is 24 feet from finished grade. The proposed project complies with this requirement because the proposed residence has a solid rear building face of 21 feet above the finished grade.

Lot Coverage. The maximum building footprint of all structures, including garages and carports, shall be 50 percent of the total area of the site. All covered decks, and the portions of uncovered decks and balconies that extend into any required setback, shall be included in the building footprint.

Staff comments: The project complies with this standard. The proposed lot coverage is 1,198 square feet (<50 percent) of the 2,431 square foot lot.

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.

Section 23.05.034(b)(3): Grading Adjustment

Grading on slopes between 20% and 30% may occur by Minor Use Permit or Development Plan approval subject to the following:

- (i) The applicable review body has considered the specific characteristics of the site and surrounding area including: the proximity of nearby streams or wetlands, erosion potential, slope stability, amount of grading necessary, neighborhood drainage characteristics, and measures proposed by the applicant to reduce potential erosion and sedimentation.
- (ii) Grading and erosion control plans have been prepared by a registered civil engineer and accompany the request to allow the grading adjustment.
- (iii) It has been demonstrated that the proposed grading is sensitive to the natural landform of the site and surrounding area.

- (iv) It has been found that there is no other feasible method of establishing an allowable use on the site without grading on slopes between 20% and 30%.

Staff comments: Construction of the proposed residence would necessitate grading on slopes between 20% and 30%. The proposed project complies with this standard because it is not located in close proximity to streams or wetlands and, as conditioned, the applicant will be required to submit grading, drainage, and sedimentation and erosion control plans for review and approval before issuance of construction and/or grading permits. The parcel does not contain a feasible building site on slopes less than 20%.

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, 10 and 11

Visual and Scenic Resources: Policy No(s): 2

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 comments: This project complies with this standard because the applicant submitted intent-to-serve letters from the County Service Area 10 (Cayucos Water), dated February 8, 2016, and the Cayucos Sanitary District, dated April 12, 2016.

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, except existing lots of record in the Residential Single Family category and where a residence cannot be feasibly sited on a slope less than 20 percent.

Staff comments: The proposed project complies with this policy because the site has a uniform slope with an average of 21% and does not contain a feasible building site or adequate building areas where slopes less than 20%.

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 comments: The proposed project is consistent with this policy because it is 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 comments: 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 comments: 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.

Policy 11: Preserving Groundwater Recharge. In suitable recharge areas, site design and layout shall retain runoff on-site to the extent feasible to maximize groundwater recharge and to maintain in-stream flows and riparian habitats.

Staff comments: The proposed project is consistent with this policy because site grading has been designed to retain groundwater on-site to the extent feasible.

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. In particular, new development should utilize slope created 'pockets' to shield development and minimum visual instruction.

Staff comment: This project complies with this standard because the proposed residence is designed utilizing the existing slope to create a lower floor at the rear, and maintaining a two-level single family residence appearance at the front (top of slope).

COMMUNITY ADVISORY GROUP COMMENTS:

Cayucos Citizens Advisory Council (CCAC) – The CCAC Land Use Committee reviewed and supported the project per referral response dated February 3, 2016.

AGENCY REVIEW:

Public Works – Per referral response dated March 7, 2016: The project meets the applicability criteria for Storm Water Management. Therefore, the project is required to submit a Storm Water Control Plan Application and Coversheet. Public Works Department recommended conditions of approval are included in Exhibit B – Conditions of Approval. *(Further review will occur at the building permit stage of the review process.)*

Building Department – Per referral response dated January 12, 2016: A building permit is required. The project shall comply with current codes adopted by the County of San Luis Obispo (2013 California Building Standards Codes and Title 19 of the SLO County Codes). *(A comprehensive review of construction plans will occur at the building permit stage of the process.)*

Cayucos Fire – Per referral response dated February 2, 2016: No comment.

LEGAL LOT STATUS:

The one existing parcel is a portion of Lot 22 in Block 14 of Morro Strand Unit No. 3 according to map recorded December 6, 1928 in Book 3, Page 112 of Maps, and was legally created by deed at a time when that was a legal method of creating parcels.

Staff report prepared by Cody Scheel and reviewed by Terry Wahler, Senior Planner.