



DEPARTMENT OF PLANNING AND BUILDING

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DATE: MAY 26, 2016

TO: PLANNING COMMISSION

FROM: JAMES CARUSO, SENIOR PLANNER

SUBJECT: CONTINUED HEARING FOR THE CAMPBELL-SHEPP TENTATIVE TRACT MAP AND DEVELOPMENT PLAN (SUB2015-0001)

Recommendation

Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. **and** Approve Vesting Tentative Tract Map and Conditional Use Permit SUB2015-00001 (Tract 3074) based on the Findings listed in A and C and the Conditions listed in Exhibit B & D.

Background

Your Commission first considered the subject project on March 24, 2016 and continued the hearing to today. The following direction was given to staff at the conclusion of the March 24th hearing:

1. Cypress Glen Ct to be 20 feet wide with 10 feet on either side of the centerline. The applicant was directed to prepare a revised exhibit.
2. Cypress Glen Ct improvements shall extend to 20 feet from the edge of Environmentally Sensitive Habitat Area (ESHA).
3. Modify Cypress Glen Ct road improvement conditions to require the revised road alignment and design.
4. Consider eliminating findings K2 and L3 from Exhibit C - Tentative Map findings.
5. CC&R's and Additional Map Sheet conditions to be revised to require carports to remain open.
6. Revise fence plan to minimize fences in the 20 foot riparian setback area.

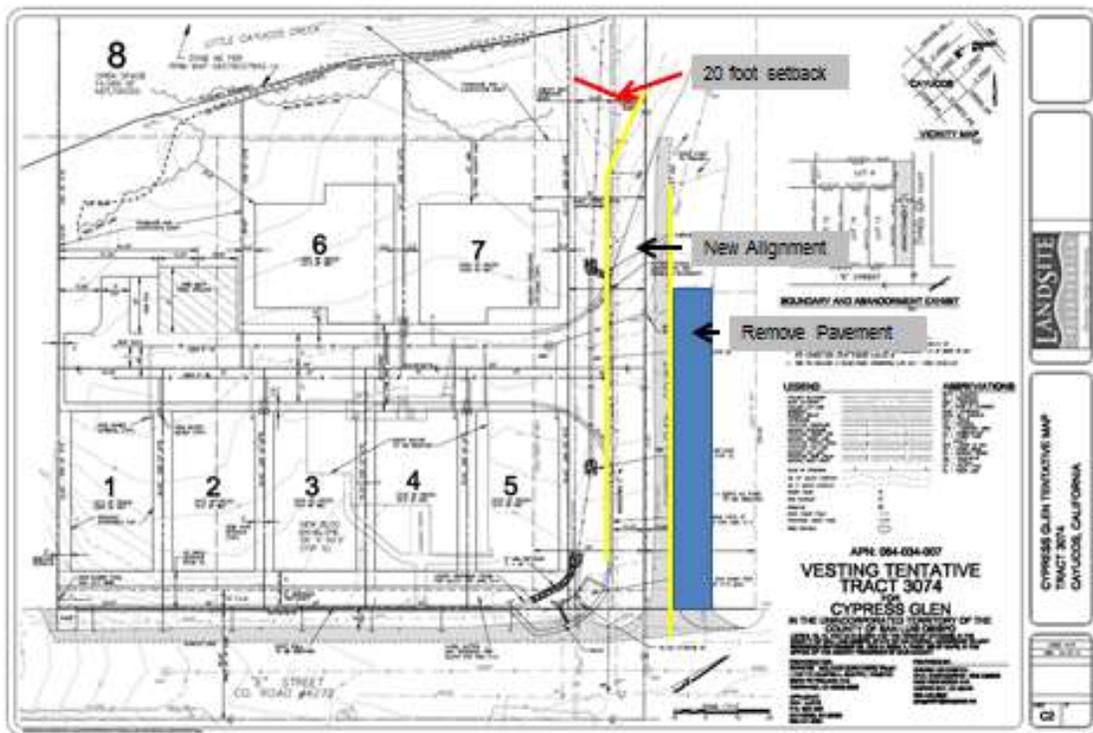
The revised tentative map showing the revision to the Cypress Glen Ct right of way improvements is included in Attachment 1. A further explanatory exhibit describing the changes in alignment, changes in level of improvements, extent of pavement removal and the edge of ESHA are found in Attachment 2. The proposed fencing plan showing the extent of fencing in the 20 foot setback is found in Attachment 3. Clean Findings and Conditions exhibits for the Tentative Map and the Development Plan are found in Attachments 4-7.

Revised Tentative Map

The revised tentative map in Attachment 1 shows the change to the improvements on Cypress Glen Ct. The centerline has been shifted toward the project site resulting in less width of pavement fronting the first property on Cypress Glen Ct (Main). The new road alignment will allow for approximately 4 feet of pavement to be removed (see grey area on Attachments 1 and 2) from E Street extending to a point 20 feet from the upland extent of riparian vegetation. The alignment then bends right to access the three residences at the end of Cypress Glen Ct. The point at which the paved road bends to access the last three residences' driveway must be 20 feet from the edge of riparian vegetation.

Road Improvements at Edge of Riparian

The proposed improvement of Cypress Glen Ct must meet the 20 foot setback to the edge of riparian vegetation. The road, now shifting toward the proposed project site, can continue toward the creek until a point past the existing fire hydrant. New road improvements (as opposed to the existing paved areas) must remain at least 20 feet from the upland extent of riparian vegetation.



Attachment 2

Revised Road Improvement Conditions

The revised road improvement conditions are in Attachment 7 – Exhibit D Tentative Map Conditions. The changes in the conditions are as follows:

Road Improvements

2. Road and/or streets to be constructed to the following standards, unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
 - a. E Street shall be widened to complete the project frontage of a County A-2 urban street section fronting the property **with a minimum of (2)-10 foot travel lanes and (1)-8 foot parking lane**, and within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. Cypress Glen Court shall be **realigned and improved as shown on the tentative map. Improvement must be designed and constructed to the satisfaction of Cayucos Fire Department standards** ~~widened to complete the project frontage to Cayucos Fire Department access road standards. The improvements shall be 20 foot paved road with 2 foot shoulders on either side and shall be centered within the historic right of way. An attached all weather sidewalk shall be constructed from the project driveway to E Street as shown on the Vesting Tentative Map.~~
 - c. **The intersection of E street and Cypress Glen Court shall be constructed to a modified B-1 urban driveway standard as shown on the tentative map.**
 - d. The onsite access road shall be constructed to Cayucos Fire Department road and turnaround standards.

Offers, Easements and Restrictions

3. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. For road improvement purposes 1-foot along E Street to be described as 36-feet from the recorded centerline, with additional width as necessary to contain all elements of the roadway prism.
 - b. For pedestrian access purposes 6-feet along E Street to be described as 42-feet from the recorded centerline, with additional width as necessary to contain all elements of the roadway prism.
 - c. ~~A 20 foot radius right of way along the property line returns at the intersection of E Street and Cypress Glen Ct.~~
 - c. A public utility easement along E Street to be described as 6-feet beyond the right-of-way, plus those additional easements as required by the utility company, shall be shown on the final map.
 - d. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
4. The applicant shall reserve the following private easements by certificate on the map or by separate document:
 - a. **A private access, drainage, and utility easement of sufficient width along the realigned Cypress Glen Court in favor of all new and neighboring parcels that require Cypress Glen Court for access to their property.** ~~A minimum 22 foot shared private access and utility easement in favor of parcels 1 through 8 with additional width as necessary to include all elements of the driveway prism and Fire Agency approved road terminus.~~

- b. **An onsite minimum 20-foot private access and utility easement in favor of Parcels 1 through 8, with additional width as necessary to include all elements of the driveway prism and Fire Agency approved road terminus.**
- c. An **onsite** reciprocal private drainage easement in favor of Parcels 1 through 8. Easement shall include all drainage appurtenances (basins, inlets, pipes, swales, etc).

These revised conditions are in Attachments 5 (CUP Conditions) and 7 (Tentative Map conditions).

Findings K2 and L3

The Commission requested these two findings be deleted from the tentative map findings (Attachment 6) that approve the use of a private easement for access to five or more parcels. Finding K2 states that one point of access on Cypress Glen Ct would be superior to five (5) driveway encroachments on E street that require cars to back out onto the public right of way. Finding L3 states that a continuous streetscape unbroken by driveways on E Street deemphasizes the focus on vehicles in the neighborhood.

K2 - having one point of access as opposed to multiple points of access onto E Street is safer and more predictable for existing residents and other vehicles; and

L3 - having one point of access via Cypress Glen Ct will provide a streetscape that de-emphasizes the vehicle as a focus of neighborhood character.

Carport Conditions

A Condition has been added to Additional Map Sheet and CC&R conditions in Exhibit D (Attachment 7) addressing the open carports:

22n. The open carports on lots 1-5 shall be maintained in their approved open condition for the life of the project.

The same condition has been added to Condition 23 (CC&Rs):

23m. The open carports on lots 1-5 shall be maintained in their approved open condition for the life of the project.

Fence Plan

The fence plan is part of the proposed landscape plan (see attachment 3). Six (6) foot tall fences are proposed for side lot lines on lots 6 and 7. The lot 6 side fence extends 10 feet from the rear of the dwelling and at that point converts to the 42" high open wire fence. This low fence extends across the back of the lots parallel to the creek. A 6 foot high wood fence is proposed on the side lot lines between lots 6 and 7 and the side lot line on lot 7.



Proposed Fence Plan

The Landscape Plan for these backyard areas on lots 6 and 7 will consist of landscaping compatible with the riparian restoration plan as required in the proposed conditions of approval.

Other Issues

Grading: The CZLUO grading chapter requires a minimum 50 foot setback from ESHA for grading activities. In the previous staff report (and for previous projects) the ESHA 50 foot grading setback was over-ridden by the 20 foot ESHA setback for Little Cayucos Creek.

However, it is been determined that the language of the grading setback requires grading to meet the 50 foot setback and the structure to meet the 20 foot setback. The recommended conditions have been revised to require this grading setback.

- a. **Little Cayucos Creek Setback.** Other than habitat restoration related development, all development including but not limited to retaining walls, drainage features, fencing, decking, and parking areas, shall be set back a minimum distance of 20 feet from the upland edge of Little Cayucos Creek riparian vegetation.

All grading, as defined by the CZLUO, shall be setback from the edge of riparian vegetation a minimum of 50 feet.

Development Plan Conditions: A revised Development Plan condition has been added tying the Development Plan to the tentative map time extensions.

Permit Vesting

~~2. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade. This DP/CDP will remain valid and run concurrently with the approved map.~~

Effective Time Limits

71. The approval period for this Development Plan will run with the approval period for tentative tract map 3075. Map time extension approvals granted with the map shall similarly extend the Development Plan approval period. Time extensions must be submitted in writing by the applicant and are subject to evaluation and action based on the circumstances prevailing at the time of the request.

Attachments

1. Revised Tentative Map/Site Plan
2. Cypress Glen improvement detail
3. Proposed Fence/Landscaping Plan
4. Exhibit A – Development Plan Findings
5. Exhibit B – Development Plan Conditions
6. Exhibit C – Tentative Map Findings
7. Exhibit D – Tentative Map Conditions