



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

Promoting the wise use of land
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Tentative Notice of Action

MEETING DATE September 16, 2016 LOCAL EFFECTIVE DATE September 30, 2016 APPROX FINAL EFFECTIVE DATE October 21, 2016	CONTACT/PHONE Brandi Cummings, Project Manager 805-781-1006 bcummings@co.slo.ca.us	APPLICANT Mike Keough	FILE NO. DRC2015-00113
SUBJECT A request by MIKE KEOUGH for a Minor Use Permit/Coastal Development Permit (DRC2015-00113) to allow the construction of a 598 square-foot detached, unconditioned workshop. The proposed project will result in approximately 600 square-feet of permanent site disturbance on an 11,000 square-foot parcel in the Residential Single Family land use category. The project site is located at 1198 Pinewood Drive, approximately 1,000 feet east of Oakhurst Drive, in the community of Cambria. The site is located in the North Coast planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2015-00113 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption (ED16-017) was issued on August 1, 2016.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Archaeologically Sensitive Area, Geologic Study Area, Local Coastal Plan, Terrestrial Habitat	ASSESSOR PARCEL NUMBER 013-313-012	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Monterey Pine Forest Terrestrial Habitat (SRA), Water Conservation Requirements, Cambria Community Services District Review, Cambria Fire Department Review, Erosion Control, Landscaping, Exterior Lighting, Archaeological Resource Protection, Residential Single-Family Standards <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Appeals to the Coastal Commission, Environmentally Sensitive Habitat, Geologic Study Area <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: Single Family Dwelling	
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: North Coast Advisory Council, Public Works, Cambria Fire, Cambria Community Services District, and California Coastal Commission	
TOPOGRAPHY: Moderately sloping	VEGETATION: Monterey Pines, Oaks, Grasses
PROPOSED SERVICES: Water supply: Cambria Community Services District Sewage Disposal: Cambria Community Services District Fire Protection: Cambria Fire	ACCEPTANCE DATE: March 25, 2016

DISCUSSION

The applicant is proposing to construct a 598 square-foot detached and unconditioned workshop. The parcel currently has a 2,231 square-foot single-family dwelling with a detached 484 square-foot garage and 300 square-foot guesthouse, which is attached to the detached garage.

PLANNING AREA STANDARDS:

As described below, the project complies with applicable Combining Designations, Cambria Urban Area, and the Residential Single Family development standards of the North Coast Area Plan.

Monterey Pine Forest Terrestrial Habitat (SRA) (TH). The purpose of these standards is to minimize tree removal and avoid impacts to the sensitive Monterey pine forest habitat. All development within Monterey pine forest (TH) shall include the following minimum standards:

- A. **Establishment of a ‘project limit area.’** A project limit area shall be established in a manner that avoids Monterey pine forest impacts to the maximum extent feasible, is located on the least sensitive portion of the site, and safeguards the biological continuance of the habitat. The project limit area shall include all areas of the site where vegetation will need to be trimmed or removed for fire safety purposes.
- B. **New Development siting.** Applications for new development within the Monterey pine forest shall demonstrate that no native vegetation outside the “project limit area” shall be removed, except for trees identified as hazardous by a qualified professional.
- C. **Plan Requirements.** All site, construction and grading plans submitted to the County shall identify by species and diameter all Monterey pine trees that are six inches or more in diameter 4.5 feet above ground and oak trees four inches or more in diameter 4.5 feet

above ground identified by species and diameter. The plans shall indicate which trees are to be retained and which trees are proposed for removal.

- D. **Construction Practices.** Construction practices to protect Monterey pines, oak trees and significant understory vegetation shall be implemented.
- E. **Replacement of Vegetation.** Any Monterey pine trees that are six inches or more in diameter 4.5 feet above the ground shall be replaced at a 4:1 ratio for each tree removed, and at a 2:1 ratio for each tree impacted but not removed. Any oak trees that are four inches in diameter 4.5 feet above ground shall be replaced at a 6:1 ratio for each tree removed, and at a ratio of 3:1 ratio for each tree impacted but not removed. All open areas of the site disturbed by project construction are to be seeded with native, drought and fire resistant species that are compatible with the habitat value of the surrounding forest.
- F. **Understory Vegetation Removal.** No understory vegetation shall be removed until a permit has been issued or unless an immediate hazardous condition exists. Understory vegetation removal to create, improve, or maintain adequate defensible space and Fire Hazard Fuel Reduction shall be the minimum necessary

Staff comments: The project site contains no Monterey pine trees and a number of oak trees. No oak trees are proposed for removal, and no oak trees are expected to be impacted. A project limit area has been established and will be enclosed by protective fencing for the duration of construction.

Limitation on Development

- A. Water Service in Cambria. Until such time as may be otherwise authorized through a coastal development permit approving a major public works project involving new potable water sources for Cambria, new development not using CCSD connections or water service commitments existing as of November 15, 2001 (including those recognized as "pipeline projects" by the Coastal Commission on December 12, 2002 in coastal development permits A-3-SLO-02-050 and A-3-SLO-02-073, shall assure no adverse impacts to Santa Rosa and San Simeon Creeks;
- B. 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 service area, or through other verifiable actions to reduce existing water use in the service area. All coastal development permits authorizing such development shall be conditioned to require applicants to provide to the Planning Director for review and approval prior to construction, written evidence of compliance with CCSD Ordinance 1-98, as approved by the CCSD Board of Directors on January 26, 1998, and modified on November 14, 2002, and as codified in the CCSD Code Chapter 4.20 in 2004. Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from the CCSD. Also prior to final building inspection the applicant shall submit a water and sewer service condition compliance letter from the CCSD.

Staff comments: The proposed project is consistent this standard because existing residence has had a water service commitment since before November 15, 2001. The applicant has provided a Confirmation of Water and Sewer Availability from the CCSD dated March 17, 2016. The proposed workshop will add four (4) additional fixtures (a toilet, two sinks, and a shower) and has paid the CCSD water impact fees for the new fixtures.

Cambria Community Services District Review. Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from the Cambria Community Services District. A water and sewer service condition compliance letter from the Cambria Community Services District shall be provided to the Department of Planning and Building prior to final building inspection.

Staff comments: The proposed project is consistent this standard because existing residence has had a water service commitment since before November 15, 2001. The applicant has provided a Confirmation of Water and Sewer Availability from the CCSD dated March 17, 2016. The proposed workshop will add four (4) additional fixtures (a toilet, two sinks, and a shower) and has paid the CCSD water impact fees for the new fixtures.

Cambria Fire Department Review. All new development shall comply with applicable state and local Cambria fire codes. Prior to application acceptance, land use and building permit applications shall include a fire plan review from the Cambria Fire Department.

Staff comments: The applicant submitted a Fire Plan Review from the Cambria Fire Department dated March 18, 2016.

Erosion Control. In addition to other applicable requirements of the Coastal Zone Land Use Ordinance, all runoff from impervious surfaces such as roofs, driveways, walks, patios, and/or decks shall be collected and retained on-site to the greatest extent possible. Run-off not able to be retained on-site shall be passed through an effective erosion control device or filtration system approved by the Public Works Department. Impermeable surfaces should be minimized in order to maximize the amount of on-site run-off infiltration.

Staff comments: The applicant is required and conditioned to submit drainage, erosion, and sedimentation control plans at the time of construction permit application

Landscaping. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. Non-native, invasive, fire prone, and water intensive (i.e. turf grass) landscaping shall be prohibited on the entire site. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials shall be used to mimic or enhance naturally occurring vegetation. Materials shall be propagated from appropriate native stock to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building. Use of plants listed in the California Invasive Plant Council (Cal IPC) Invasive Plant Inventory is prohibited.

Staff comments: This project is conditioned to provide a landscape plan at time of construction permit application.

Exterior Lighting. Use only the minimum amount necessary to achieve essential illumination. 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 the direct illumination does not fall onto or across any public or private street or road. Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases. All light fixtures are required to be fully shielded.

Staff comments: No exterior lighting is proposed at this time. Lighting plans will be checked at time of construction permit application for compliance with this standard.

Archaeological Resource Protection. New development projects that have the potential to impact archaeological resources shall be referred to the affected Native American tribe. In the event archaeological resources are unearthed or discovered during any construction activities, construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. Construction activities shall not commence until a mitigation plan, prepared by a qualified professional archaeologist in consultation with appropriate Native American representatives and reviewed and approved by the Planning Director, is completed and implemented. The mitigation plan shall include measures to avoid the resources to the maximum degree feasible and shall provide mitigation for unavoidable impacts. A report verifying that the approved mitigation plan has been completed shall be submitted to the Planning Director prior to occupancy or final inspection, whichever occurs first. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Staff comments: The proposed 598 square-foot workshop is being located on a previously disturbed area of the site – on a portion of the existing graded and paved driveway/parking area. The project is conditioned to cease construction in the event archaeological resources or human remains are discovered during construction.

Residential Single-Family

Height. The maximum height is 28 feet above average natural grade.

Staff comments: The proposed project is 14 feet high, above average natural grade, and complies with this standard.

Building Size. Development in the Single Family Residential category in areas subdivided into 25-foot lots shall comply with the footprint and gross structural area requirements. These standards do not apply to Tract 163, Tract 61, Tract 358, Tract 420, Tract 44, Tract 112, Cambria Pines Estates #1, and the two marine terrace blocks south to Lampton Street.

Staff comments: The proposed project is located in Tract 112 and is not required to comply with this standard.

Setbacks. For all lots less than one acre in size, front and rear setbacks must total 25 feet, with a minimum of 10 feet in the front and 10 feet in the rear. For lots 50 feet and wider, side setbacks shall total a combined 12 feet with a 5 foot minimum on each side.

Staff comments: The proposed project has a front setback of 32 feet, a left side setback of 5 feet, a right side setback of approximate 50 feet, and a rear setback of approximately 85 feet and therefore complies with this standard.

Parking and Access Standards. Two off-street spaces are required for each single-family dwelling. At least one space shall be covered (garage or carport), and the other space may be located within the front setback.

Staff comments: The existing residence has an existing two-car garage and complies with this standard.

Residential Design Criteria. The North Coast Area Plan contains discretionary design criteria for single-family residential development in Cambria. As described below, the proposed residence is consistent with applicable design criteria.

- A. **Impermeable Surfaces.** The project will result in approximately 598 square-feet of new impermeable area. The project is conditioned to submit a Storm Water Control Plan Application and Coversheet at the time of construction permit application.
- B. **Parking Drives and Garages.** The existing residence provides for a two-car garage, driveway, and approach. Though prominent the garage does not dominate the design of the residence. The project proposes to replace 50 linear feet of driveway with permeable brick pavers. The project is conditioned to remove the proposed brick pavers from extending into the County right-of-way.
- C. **Topography.** The subject parcel is gently sloping, with an average slope of 10%. The proposed project will not result in abrupt grade changes and proposes no topography revisions except minor fish grading to facilitate drainage within 5 feet of the building line.
- D. **Drainage.** The project complies with this guideline as it will be designed and constructed to retain water on-site, and the project is conditioned to provide a drainage plan, consistent with the North Coast planning area standards, to Public Works for review and approval.
- E. **Building Design Standards.** The workshop includes articulation to break up the bulk of the structure, compatible in design and materials with the neighborhood design patterns. The project will utilize a gable roof to match the existing garage, and exterior wood board and batten siding in earth tones to match existing wall colors.

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

The project is appealable to the Coastal Commission because the subject parcel is located in an Environmentally Sensitive Habitat Area (Terrestrial Habitat).

Section 23.07.170.e(1-5) Environmentally Sensitive Habitat (ESH) Development Standards

1. New development within or adjacent to the habitat shall not significantly disrupt the resource.
2. New development within the habitat shall be limited to those uses that are dependent upon the resource.
3. Where feasible, damaged habitats shall be restored as a condition of development approval.
4. Development shall be consistent with the biological continuance of the habitat.
5. Grading adjacent to Environmentally Sensitive Habitats shall conform to the provisions of Section 23.05.034.c (Grading Standards.)

Staff comments: The proposed workshop meets these standards because there are no Monterey pine trees onsite and none of the onsite oak trees are proposed for removal and are not expected to be impacted. A project limit area has been established and will be enclosed by protective fencing for the duration of construction.

Section 23.07.080: Geologic Study Area

The project site is located within the Geologic Study Area (GSA) combining designation, and is subject to the provisions of the CZULO. 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 proposed project is exempt from this standard as the proposed addition does not exceed 50% of the assessed value of the existing structure.

Section 23.08.032: Residential Accessory Uses

As an accessory use, the existing single-family dwelling is allowed: a detached garage not more than 1,000 square-feet in area; a guesthouse limited to 40 percent of the habitable floor area of the main residence, up to a maximum of 600 square-feet; and a workshop limited to 40 percent of the floor area of the principal structure.

Staff comments: The parcel currently has a 2,231 square-foot single-family dwelling. Under this standard, the site is allowed 1,000 square-feet of detached garage area, a 600 square-foot guesthouse, and 892 square-feet of workshop area. The site currently has a 484 square-foot detached garage and a 300 square-foot guesthouse, which is attached to the detached garage. The applicant is proposing to construct a 598 square-foot detached and unconditioned workshop, which meets this requirement.

COASTAL PLAN POLICIES:

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: Policy No(s): 1, 3, 29, and 30
Agriculture: N/A
Public Works: Policy No: 1
Coastal Watersheds: Policy No(s): 8, 9, 10, and 11
Visual and Scenic Resources: Policy No(s): 1 and 2
Hazards: N/A
Archeology: Policy No(s): 1, 4, and 6
Air Quality: N/A

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

COASTAL PLAN POLICY DISCUSSION:

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: *The proposed workshop meets these standards because there are no Monterey pine trees onsite and none of the onsite oak trees are proposed for removal and are not expected to be impacted. A project limit area has been established and will be enclosed by protective fencing for the duration of construction.*

Policy 3: Habitat Restoration: *The proposed workshop meets these standards because there are no Monterey pine trees onsite and none of the onsite oak trees are proposed for removal and are not expected to be impacted. A project limit area has been established and will be enclosed by protective fencing for the duration of construction.*

Policy 29: Protection of Terrestrial Habitats: *The proposed workshop meets these standards because there are no Monterey pine trees onsite and none of the onsite oak trees are proposed for removal and are not expected to be impacted. A project limit area has been established and will be enclosed by protective fencing for the duration of construction.*

Policy 30: Protection of Native Vegetation: *The proposed workshop meets these standards because there are no Monterey pine trees onsite and none of the onsite oak trees are proposed for removal and are not expected to be impacted. A project limit area has been established and will be enclosed by protective fencing for the duration of construction.*

Public Works:

Policy 1: Availability of Service Capacity. *The proposed project is consistent this standard because the applicant has provided a Confirmation of Water and Sewer Availability from the CCSD dated March 17, 2016. The existing residence has had a water service commitment since November 15, 2001, and the proposed workshop will not increase water demand.*

Coastal Watersheds:

Policy 8: Timing of Construction and Grading. *The proposed project is conditioned to comply with this policy as the project shall have an erosion and sedimentation control plan where grading is conducted or left in an unfinished state during the period from October 15 through April 15.*

Policy 9: Techniques for Minimizing Sedimentation. *The proposed project is conditioned to comply with this policy as the applicant shall apply Best Management Practices in the selection and implementation of site maintenance.*

Policy 10: Drainage Provisions. *The proposed project is conditioned to comply with this policy as the applicant shall provide a drainage plan to San Luis Obispo County Public Works Department for review and approval, and shall implement the approved drainage plan, showing that construction of the guesthouse and garage will not increase erosion or runoff.*

Policy 11: Preserving Groundwater Recharge. *The proposed project is consistent with this policy as the project shall retain groundwater on-site to the extent feasible.*

Visual and Scenic Resources:

Policy 1: Protection of Visual and Scenic Resources. *The proposed project complies with this policy, as the project will be developed on a residential lot with an existing residence. The lot is within a developed section of Cambria and shall be in character and scale with the surrounding neighborhood, and will not significantly block existing scenic vistas.*

Policy 2: Site Selection for New Development. *The proposed project complies with this standard, as the proposed workshop will be developed on an existing residential lot, with an existing residence, and the development will not block existing public views.*

Archaeology

Policy 1: Protection of Archaeological Resources. *The proposed 598 square-foot workshop is being located on a previously disturbed area of the site – on a portion of the existing graded and paved driveway/parking area. The project is conditioned to cease construction in the event archaeological resources or human remains are discovered during construction.*

Policy 4: Preliminary Site Survey for Development within Archeologically Sensitive Areas. *The proposed 598 square-foot workshop is being located on a previously disturbed area of the site – on a portion of the existing graded and paved driveway/parking area. The project is conditioned to cease construction in the event archaeological resources or human remains are discovered during construction.*

Policy 6: Archaeological Resources Discovered during Construction or through Other Activities. *The proposed 598 square-foot workshop is being located on a previously disturbed area of the site – on a portion of the existing graded and paved driveway/parking area. The project is conditioned to cease construction in the event archaeological resources or human remains are discovered during construction.*

COMMUNITY ADVISORY GROUP COMMENTS:

The North Coast Advisory Council (NCAC) considered this item at their May 18, 2016 meeting. The Council moved to recommend approval of the project as submitted.

AGENCY REVIEW:

Public Works – Per attached referral response (Tomlinson, April 27, 2016), the proposed project requires a drainage plan, storm water control plan, erosion and sedimentation plan, and is subject to the North Coast Road Impact fee. Applicant shall revise site plan to remove proposed brick pavers from extending into the County right-of-way.

Building Division – Per attached referral response (Stoker, May 2, 2016), the proposed project shall comply with all applicable building and safety codes.

Cambria Fire – Fire Plan review provided.

Cambria Community Services District – See attached Confirmation of Water & Sewer Availability letter, dated March 17, 2016.

California Coastal Commission – No response.

LEGAL LOT STATUS:

The one existing lot is Lot 12 of Block 9 of Pine Knolls Estates (Tract 112) and was legally created by a recorded deed at a time when that was a legal method of creating lots.

Staff report prepared by Brandi Cummings and reviewed by Airlin M. Singewald.