

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
27-4863

Th 23b



Filed:	09/3/99
49 <sup>th</sup> Day:	10/22/99
180 <sup>th</sup> Day:	3/1/00
Staff:	RB-SC
Staff Report:	11/12/99
Hearing Date:	12/8/99
Commission Action:	
Open and Continue	10/13/99

## STAFF REPORT: APPEAL NO SUBSTANTIAL ISSUE

APPEAL NUMBER: A-3-SLO-99-060, Miles & Cohn

LOCAL GOVERNMENT: SAN LUIS OBISPO COUNTY

DECISION: Approved with conditions, 8/17/99

APPLICANT: R. Miles & G. Cohn

APPELLANTS: E. Tamoush; Ronald & Georgia Tamoush; Robert Campbell; Christine Takahashi; Lilalee Tolles; Ron Wilson; Rebecca Wyatt; Louise Fontaine; Joe Koepke; Larry Le Gras; Jan Lewis; Cyndi Malmen; Arley Robinson; James & Laila Sexton; Bari St. James; April Weeks

PROJECT LOCATION: Ocean Avenue & E. Street (Estero Planning Area), Cayucos (San Luis Obispo County) APN 064-119-022

PROJECT DESCRIPTION: Construct a three story, 30-unit motel ("Victorian Inn") with parking structure for 35 parking spaces.

FILE DOCUMENTS: San Luis Obispo County certified Local Coastal Program; Final Local Action Notice 3-SLO-99-118; San Luis Obispo County Planning Commission Resolution No. 98-45; San Luis Obispo County Board of Supervisors Resolution No. 99-328.

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## SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission determine that **NO** substantial issue exists with respect to the grounds on which the appeal has been filed (see Exhibit 4 for full text of appellants' contentions). The Commission previously opened and continued the substantial issue hearing for this matter on October 13, 1999.

The project is the construction of a 3-story, 30-unit motel, which includes an underground parking structure for 35 parking spaces (project plans attached as Exhibit 2). It is located on the southeast corner of Ocean Avenue and E Street, within the Central Business District of the community of Cayucos, in the Estero Planning Area of San Luis Obispo County (project location shown by Exhibit 1).

The appellants contend that the project does not comply with the San Luis Obispo County Local Coastal Program (LCP) because the project:

- is too massive and is not compatible with the architectural style and scale of existing commercial structures in Cayucos and is therefore inconsistent with Coastal Plan Policy 6 for Visual and Scenic Resources.
- will set a dangerous precedent for future development.

These contentions do not raise a substantial issue because:

- the proposed building height and setbacks are allowed by Cayucos Urban Area Standards (Estero Area Plan) for development in Commercial Retail areas (p. 8-12), and Coastal Zone Land Use Ordinance (CZLUO) Sections 23.04.108, 23.04.110, and 23.04.112.
- proposed building materials conform to Architectural Character requirements of Cayucos Urban Area Standards (Estero Area Plan) for development in Commercial Retail areas (p. 8-12);
- the Victorian architectural style satisfies the intent of Special Communities and Small-Scale Neighborhoods Policy 6 (Coastal Plan Policies);
- The scale of the proposed building is compatible with surrounding commercial uses on Ocean Avenue, as seen in Exhibit X.

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**1. LOCAL GOVERNMENT ACTION**

The San Luis Obispo County Board of Supervisor's approved the subject proposal to construct the 30 foot structure with zero front and side setbacks and a 19 foot rear setback, with a 9 foot landscaping element that extends into the rear setback. The project faced initial opposition from the Cayucos Citizen's Advisory Committee (CCAC) in regards to overall square footage; however, the project was reduced in size by approximately 6% (in square footage) and subsequently approved by the Planning Commission on June 11, 1998. The decision was then appealed to the Board of Supervisors, where it was continued for several months in order to work out a compromise between the applicant and the CCAC. After the CCAC considered revised plans and made a recommendation for approval, the Board approved the project. The revised final plans (Exhibit 2) show the second and third floors reduced by almost 30% (in square footage) from the plans previously approved by the Planning Commission.

**2. APPEAL PROCEDURES**

Coastal Act section 30603 provides for the appeal of approved coastal development permits in jurisdictions with certified local coastal programs for development that is (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater

distance; (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff; (3) in a sensitive coastal resource area; (4) for counties, not designated as the principal permitted use under the zoning ordinance or zoning district map; and (5) any action on a major public works project or energy facility. This project is appealable because it is located in a sensitive coastal resource area designated by the LCP. This designation is related to commercial and recreational uses on Ocean Avenue, defined as a Special Community.

The grounds for appeal under section 30603 are limited to allegations that the development does not conform to the standards set forth in the certified local coastal program or the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct a *de novo* coastal development permit hearing on an appealed project unless a majority of the Commission finds that "no substantial issue" is raised by such allegations. Under section 30604(b), if the Commission conducts a *de novo* hearing, the Commission must find that the proposed development is in conformity with the certified local coastal program. Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter Three of the Coastal Act, if the project is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone. This project is not located between the first public road and the sea.

### 3. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE

The staff recommends that the Commission determine that no substantial issue exists with respect to the grounds on which the appeal has been filed, pursuant to Coastal Act Section 30603.

**MOTION:** *I move that the Commission determine that Appeal No. A-3-SLO-99-060 raises no substantial issue with respect to the grounds on which the appeal has been filed.*

Staff recommends a **YES** vote on the motion. An affirmative vote by a majority of the Commissioners present is required to pass the motion.

### 4. RECOMMENDED FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

#### A. Project Location and Description

The project is located on the southeast corner of Ocean Avenue and E Street in Cayucos, within the Estero Planning Area of San Luis Obispo County (please see Exhibit 1). The LCP designates this area as Commercial Retail (within which motels are a principal permitted use), and the project site is surrounded by commercial retail uses to the southeast and northwest, and

multi-family residential to the northeast and southwest. The LCP also designates the area as a Sensitive Resource Area, due to its location within the Special Community designation on Ocean Avenue.

The project involves the construction of a new 30,217 square foot building that will cover most of the lot. Approximately 12,617 square feet will be used for an underground parking garage, and approximately 17,600 square feet will consist of the remaining two-story motel facilities, which includes the lobby, guest rooms, office, manager's unit, and exercise and laundry rooms. Landscaping provisions included as part of the project have been designed to screen the backs and sides of the building. Project plans are attached to this report as Exhibit 2.

As conditioned by the County (Exhibit 3), the project includes but is not limited to the following additional measures intended to mitigate the impacts to the character of the town, in relation to the scale and architectural style of surrounding structures, and visual resources:

- Building square footage shall not exceed the following maximums:

Parking garage:	12,617 square feet
First floor lobby and rooms:	4,900 square feet
Second floor lobby and rooms:	9,200 square feet
Third floor rooms:	3,500 square feet

- Covered walkways (breezeways) between floors are permissible only as shown on approved site and floor plans
- Buildings shall be Victorian style architecture
- Windows shall be single hung windows, multi-pane windows or similar window packages consistent with Victorian style architecture
- Siding shall be wood ship lap, colonial, board and batt, wood shingles or wood appearing wood impregnated concrete siding (not vinyl).
- Use of stucco is not allowed on wall faces and is discouraged elsewhere but may be used in very limited areas only as approved by the Director of Planning and Building
- No glass railings (inconsistent with the Victorian architectural style) shall be allowed on any deck railings nor elsewhere within the project
- Roof lines shall be broken up into a variety of roof styles including a combination or some or all of the following: parapet, shed, dormer windows, larger gables as well as hip roof styles to create a "rhythm of roof heights and styles" more in keeping with the existing downtown commercial buildings of Cayucos
- Building height shall not exceed 30 feet measured from average existing grade, because the site has been previously disturbed

- All exterior light sources shall be low-level and adjusted so that light is directed away from surrounding residential neighborhoods
- Landscaping plan shall include a plant container size mix that includes a sufficient number of large trees and shrubs to provide initial screening of the backs and sides of the buildings and the parking structure, a sufficient number of plants to be effective in providing additional screening, and landscaping at the corner of Ocean Avenue and E Street

## **B. Substantial Issue Analysis**

The appellants contend that the project does not comply with the San Luis Obispo Local Coastal Program because it is too massive, not compatible with the architectural style and scale of surrounding commercial structures, and will set a dangerous precedent for future development. As discussed below, the approved project is not inconsistent with relevant LCP ordinances covering scale and massing; and does not raise a substantial issue in regards to the LCP's visual and community character policies.

### **1. Scale and Massing**

The appellants contend that the project does not comply with the massing and character of surrounding structures. The Cayucos Urban Area Standards for Commercial Retail land use categories require that heights be limited to 30 feet (Cayucos Urban Area Standards – Commercial Retail). The additional LCP standards applicable to this contention can be found at the following sections of the Coastal Zone Land Use Ordinance, which establish the following setback requirements:

**Section 23.04.108 b:** *No front setbacks are required within a central business district.*

**Section 23.04.110 b:** *The side setback on the street side of a corner lot is to be a minimum of 10 feet, except that:*

*(1) In a central business district no side setback is required.*

**Section 23.04.110 d:** *No side setback is required in the Commercial or Industrial land use categories, except:*

*(1) As required for corner lots by subsection b of this section (stated above).*

**Section 23.04.112 b:** *No rear setback is required in Commercial or Industrial land use categories except:*

*(2) Where the rear property line abuts a residential category or use, the rear setback is to be a minimum of 15 feet, except:*

*(ii) The minimum building setback is to be increased one foot for each three feet of commercial or industrial building height above 12 feet, with the height*

*in this case measured along a line projected from the building face at the subject back line.*

The planning area standards for this site allow a maximum height of 30 feet as measured from the "average natural grade;" however, the site has been previously disturbed. In this situation existing grade should be used since "natural" grade cannot be determined with accuracy. The existing average grade elevation was determined to be 25'1" and the highest point on the roofline of the building is 55'1" (Exhibit 2 - Elevations). Therefore, the proposed project does not exceed the height requirement as stated in the Cayucos Urban Area Standards for Commercial Retail land use categories.

CZLUO Section 23.04.112 b (2)(ii) requires a minimum rear 15-foot setback, with an additional setback of one foot per three feet of building height above 12 feet, as measured along a line projected from the building face at the subject setback line. As seen in Exhibit 2, the proposed motel is 24 feet in height at the rear of the lot, which requires an additional setback of four feet. As such, the total required (and proposed) rear setback is 19 feet.

The subject lot is located on the corner of Ocean Ave and E Street, and the proposed motel has neither front nor side setbacks, which is consistent with the minimum standards of CZLUO Sections 23.04.108 b; 23.04.110 b (1); and 23.04.110 d as stated above. The proposed rear setback is 19 feet, and although the landscaping element on the first floor reduces the setback to 10 feet, this exception to setback requirements is allowed pursuant to the following standard:

**Section 23.04.104:** *The minimum setback requirements of this chapter apply in all cases except the following, which do not include exceptions to the blufftop setbacks required by Section 23.04.118 of this title:*

*b. Decks, terraces, steps, earthworks, and other similar landscaping or design elements placed directly on finished grade that do not exceed an average height of 30 inches above the surrounding finished grade, provided that no such wood structure shall extend closer than 36 inches to a property line, unless it complies with applicable fire resistive construction requirements of the Uniform Building Code.*

In conclusion, the appeal does not raise a substantial issue in terms of project compliance with the LCP ordinances related to scale and massing because the proposed development conforms to all setback and height requirements of the CZLUO and Cayucos Urban Area Standards.

## **2. Community Character**

Appellants also contend that the approved project is inconsistent with the following policies:

### **Coastal Plan Policy 6 for Visual and Scenic Resources:**

*Within 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.*

## **Chapter 10: Visual and Scenic Resources**

**C. Special Communities (Cayucos – Ocean Boulevard).** *Ocean Boulevard is presently characterized by small-scale commercial development. Recent development has used a western-rural style of architecture which includes extensive use of wood-detailed facades. The Ocean Boulevard area is a special community due to the commercial-service orientation of the development that is within walking distance of the beach. Two historically significant structures are the John Cass home and the present Veteran's Hall which was a Cass warehouse.*

Special communities, as defined by Section 23.11.030 of the San Luis Obispo County Coastal Zone Land Use Ordinance, includes the Commercial and Recreation categories along Ocean Avenue in Cayucos.

Although not specifically identified by the appellants, the following Cayucos Urban Area Standard regarding architectural character in the Commercial Retail category is applicable:

*New development shall include detailed façade plans which reflect western or victorian style architecture. Elements of this plan could include the use of 50% wood or wood-appearing materials; detailed window trims and moldings; second-story railings and balconies; wooden porches, railings, entryways, walkways, etc.*

The LCP policies cited by the appellants require the protection of the unique community of the central business district of Cayucos. This area is made special by the style and character of development along Ocean Avenue. In particular, the surrounding commercial district is characterized by elements of western-rural and Victorian style architecture. Building size is largely defined by the underlying lot pattern of the town's early subdivision with a predominant 50 foot lot width, meaning that the building frontages are more or less continuous, yet they are typically broken up by different architectural forms approximately every 50 feet. Although the proposed structure has street frontages of 150 feet on both Ocean Avenue and E Street, the elevations and model (Exhibit 2) indicate that the façade is varied in depth and height which gives the impression that the building is actually three individual structures. The project is also conditioned to include a variety of roof heights and styles to keep in context with the remaining commercial buildings in Cayucos.

Existing structures along Ocean Avenue are typically one- to two-story Victorian style buildings, and not more than 25 feet in height. The submitted plans for the project reflect the Victorian style of the surrounding area; however, the proposed third story is a point of contention because the appellants feel it makes the building too tall and out of scale with the area. The applicant has worked with the Cayucos Citizen's Advisory Committee and the County to address this issue, and agreed to significantly reduce the square footage of the third floor. The final plans indicate that the third floor will be set back approximately 55 feet from the front and side of the

building adjacent to the two streets, which significantly reduces the mass visible from both streets.

Design review is often somewhat discretionary; however, given the County's conditions of approval relating to architectural style, roof treatment, and building materials, in addition to the increased third floor setback, the structure appears to be of the same general mass, scale, and architectural design as development currently found in this area. Therefore, the project is substantially consistent with neighboring commercial development along Ocean Avenue and this issue does not rise to the level of a substantial issue in terms of the project's conformance with the certified LCP.

### **3. Dangerous Precedent for Future Development**

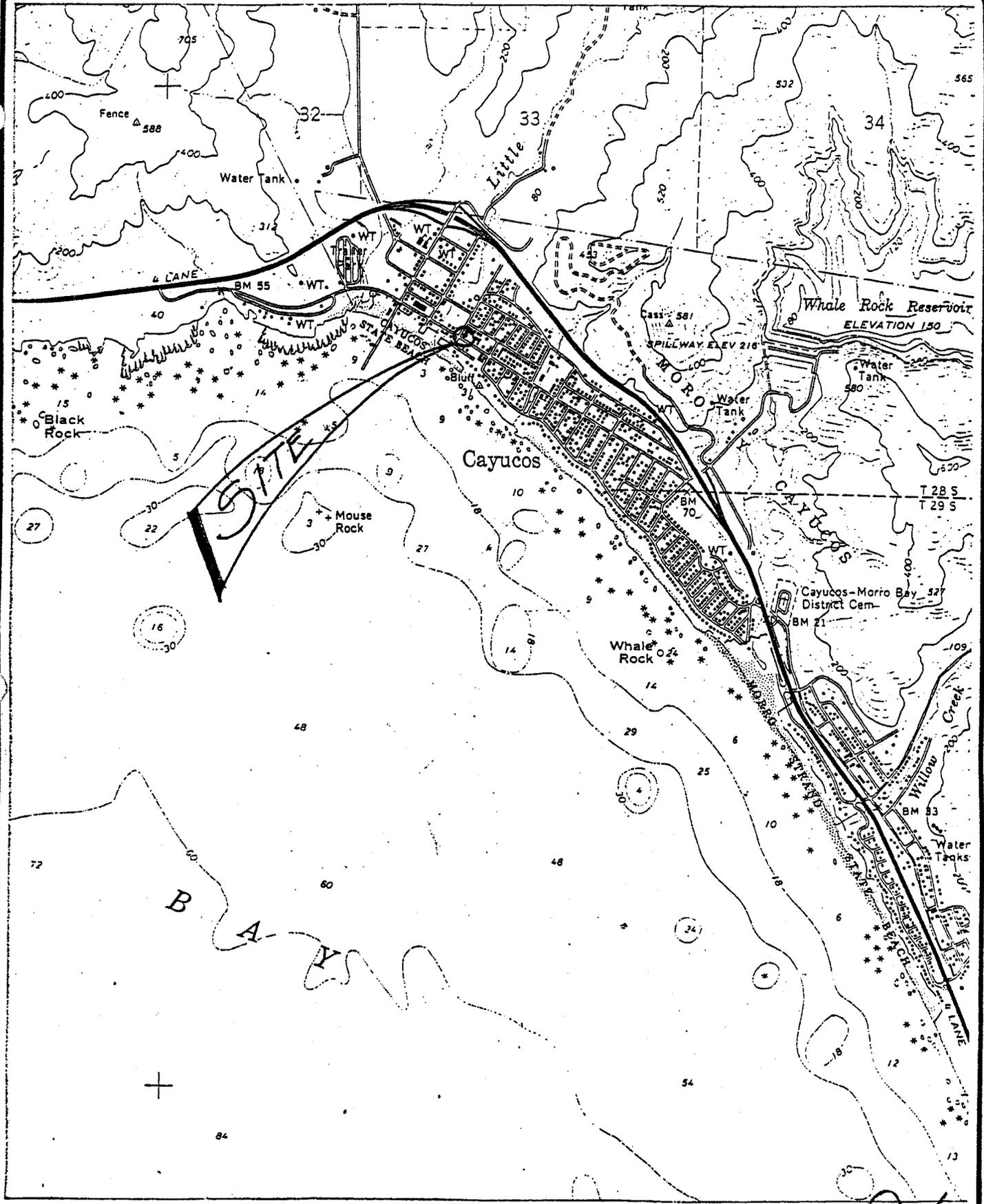
The appellants' contend that the project, as proposed, will set a dangerous precedent for future development in Cayucos. Although no policy specifically addresses this issue, the concern for future development can be analyzed based on the project's compliance with applicable building and design standards. As concluded in the preceding sections, the project conforms to all setback and height requirements stated in the CZLUO and is substantially in character with existing commercial uses in the Central Business District. Therefore, the proposed development will not set a dangerous precedent for future development and does not raise a substantial issue with regard to LCP conformance.

### **5. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures that would substantially lessen any significant adverse effect that the project may have on the environment.

The County of San Luis Obispo certified a Negative Declaration for the project on December 19, 1997. With respect to the appealed project, the Commission's review of this appeal has not identified any environmental impacts that have not been appropriately resolved by the project and the County's conditions of approval. Thus, the project is not expected to have any significant adverse impact on the environment within the meaning of the California Environmental Quality Act.

4-29



PROJECT  
 VICTORIAN INN  
 D960038P

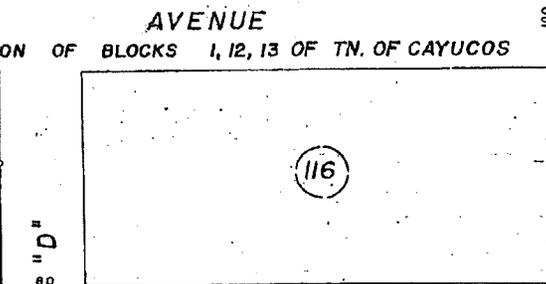
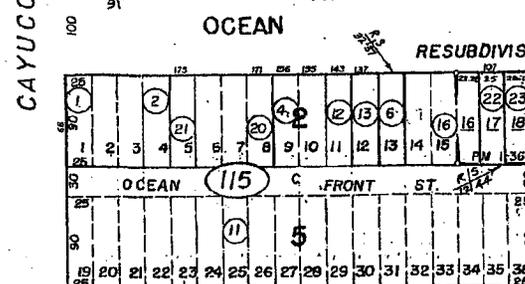
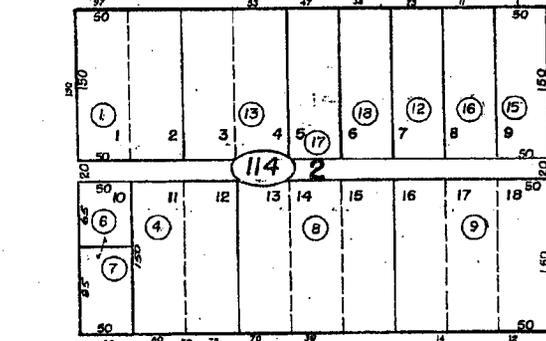
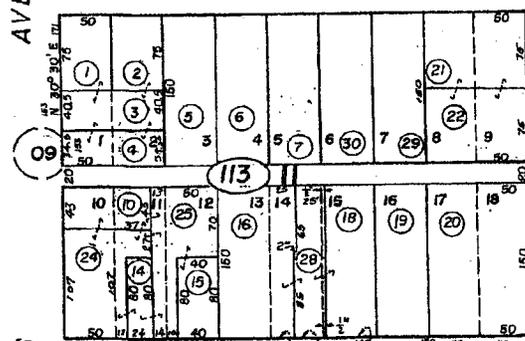
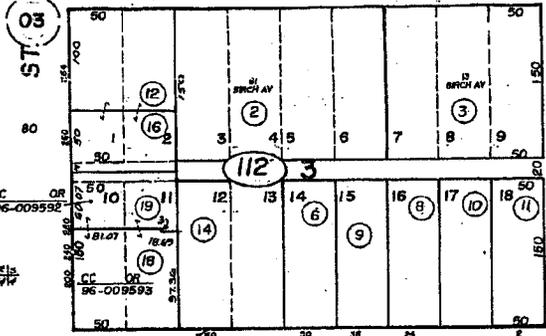
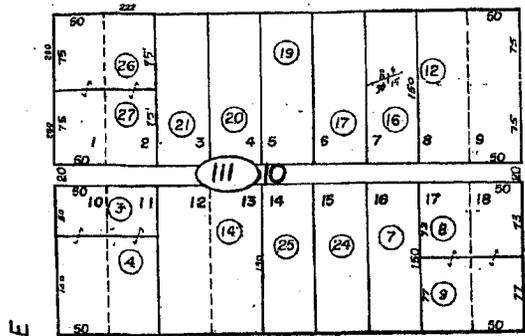


EXHIBIT  
 VICINITY MAP *CM*

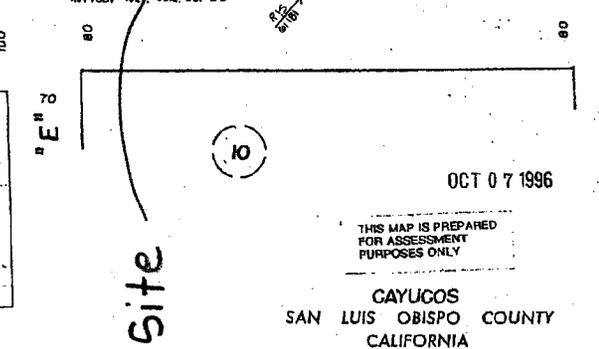
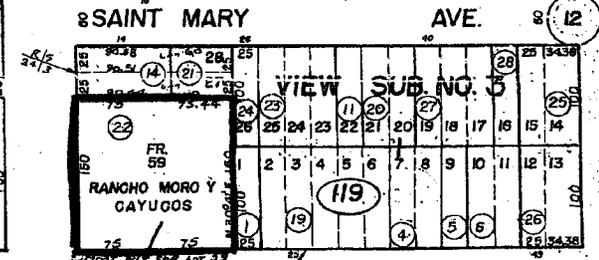
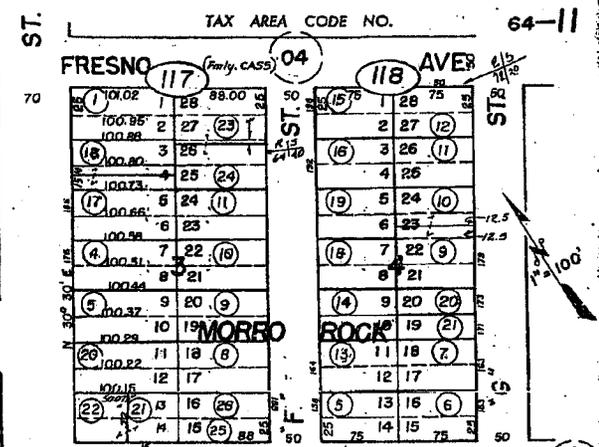
TRW-REDI  
1-800-345-7334



SCALE IN 1/10 OF AN INCH



OCEAN AVENUE  
RESUBDIVISION OF BLOCKS 1, 12, 13 OF TN. OF CAYUCOS



TAX AREA CODE NO. 64-11

1	101.02	25	88.00	26	15	75	15
2	100.85	27	(23)	28	2	27	12
3	100.88	28	1	16	3	26	11
4	100.73	29	1	17	4	25	10
5	100.66	30	1	18	5	24	9
6	100.58	31	1	19	6	23	8
7	100.51	32	1	20	7	22	7
8	100.44	33	1	21	8	21	6
9	100.37	34	1	22	9	20	5
10	100.29	35	1	23	10	19	4
11	100.22	36	1	24	11	18	3
12	100.15	37	1	25	12	17	2
13	100.08	38	1	26	13	16	1
14	100.01	39	1	27	14	15	0
15	99.94	40	1	28	15	14	0
16	99.87	41	1	29	16	13	0
17	99.80	42	1	30	17	12	0
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23	99.38	48	1	36	23	6	0
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36	98.47	61	1	49	36	0	0

12-17-90 9-5-89 3-26-94  
Rev 3-29-84, 2-19-86 10-19-90 8-30-96  
3-24-92 10-20-95

Site

OCT 07 1996  
THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY  
CAYUCOS  
SAN LUIS OBISPO COUNTY  
CALIFORNIA

Exhibit 1



Existing Site (looking north from Ocean Avenue)



Neighboring Site to the east on Ocean Avenue



Shoreline Inn (located on northwest corner of Ocean Avenue and E Street)

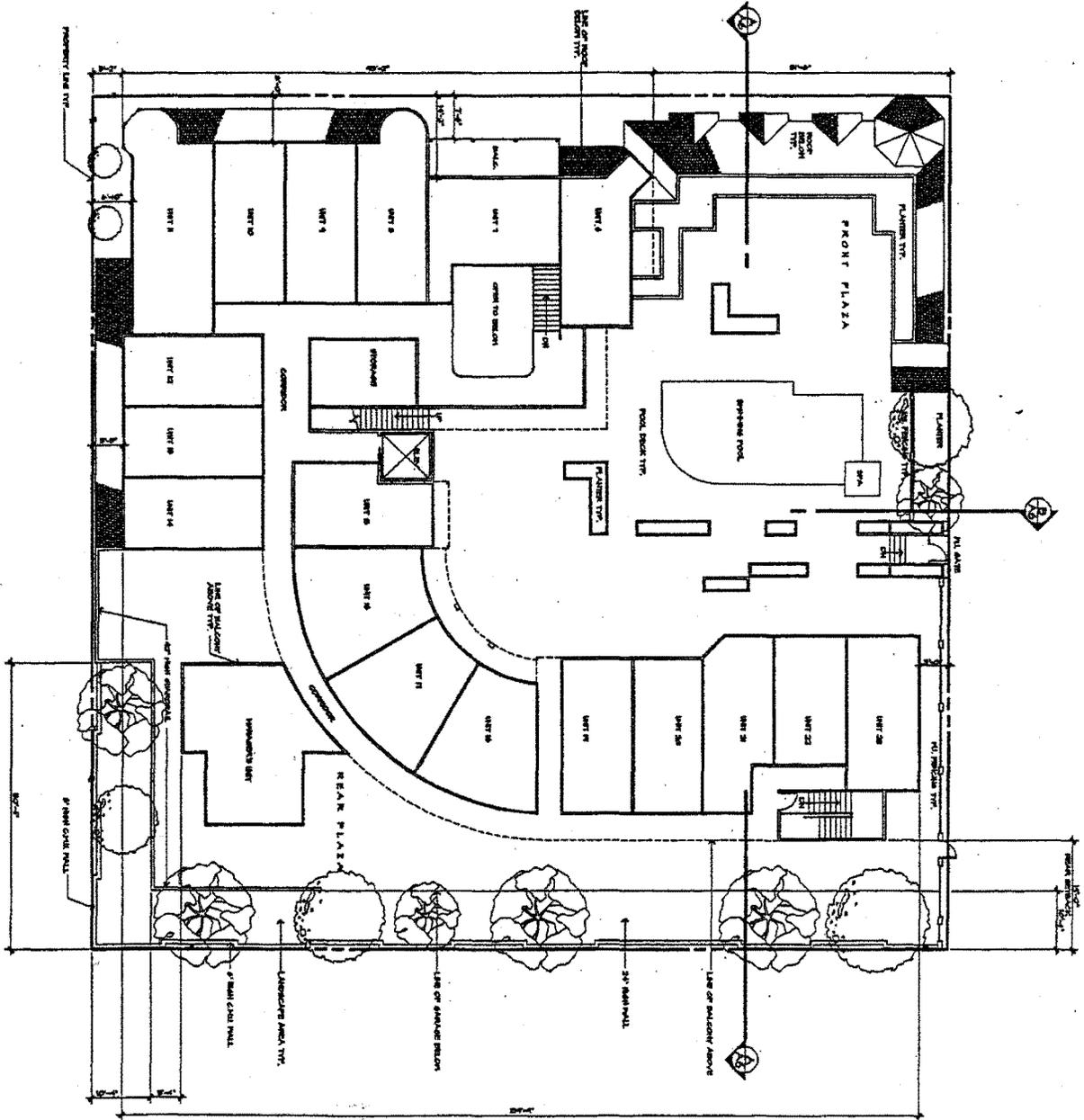


**SECOND FLOOR PLAN**

CORRIDORS/ HOTEL ROOM AREA 1300 SQ. FT.

SCALE 3/8" = 1'-0"

REVISED 8-13-99



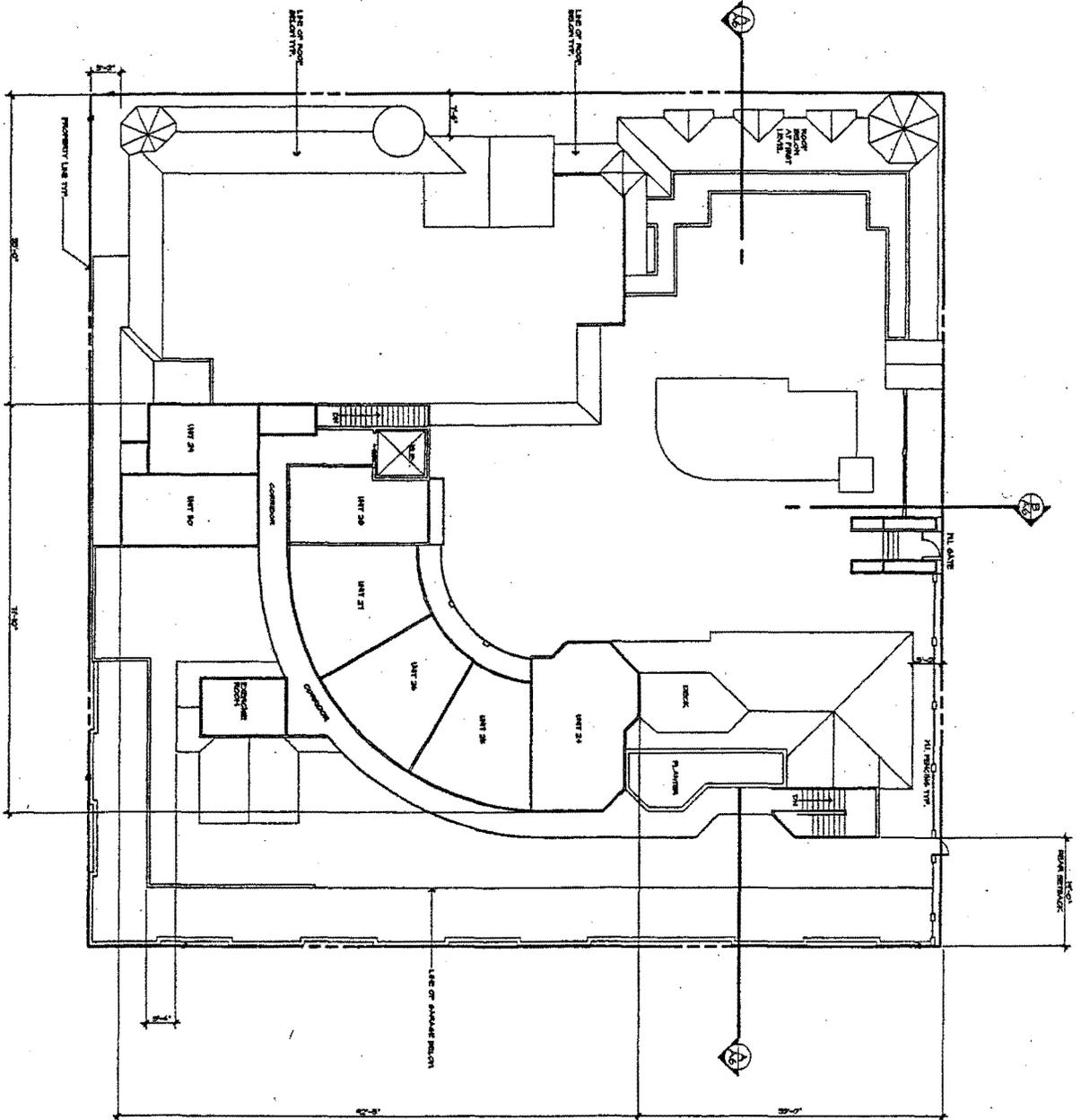
**Exhibit 2 (2 of 7)**

<p>COMN + ASSOCIATES ARCHITECTURE PLANNING</p> <p>1000 W. 10th St. San Francisco, CA 94118 Tel: 415.774.1100 Fax: 415.774.1101</p>	<p><b>THE VICTORIAN INN</b></p> <p>GATVICS CALIFORNIA</p>		<p>REV. 08/13/99 REV. 08/13/99 REV. 08/13/99 REV. 08/13/99 REV. 08/13/99 REV. 08/13/99 REV. 08/13/99 REV. 08/13/99 REV. 08/13/99 REV. 08/13/99</p>
	<p>A2</p>	<p>DATE: 8/13/99</p>	<p>BY: [Signature]</p>

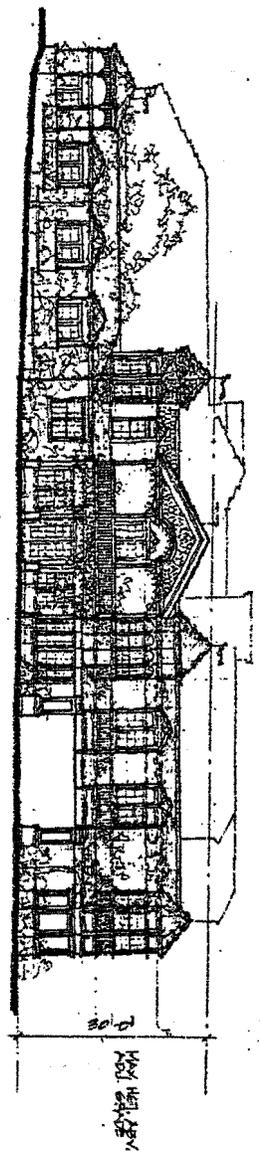
**THIRD FLOOR PLAN**

CORRIDORS/ HOTEL ROOM AREA 5300 SQ.FT. SCALE 1/4" = 1'-0"

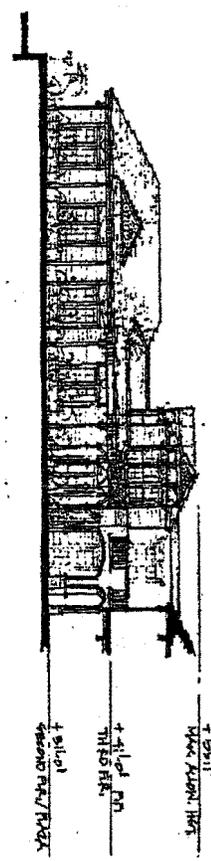
REVISED 8/13/99



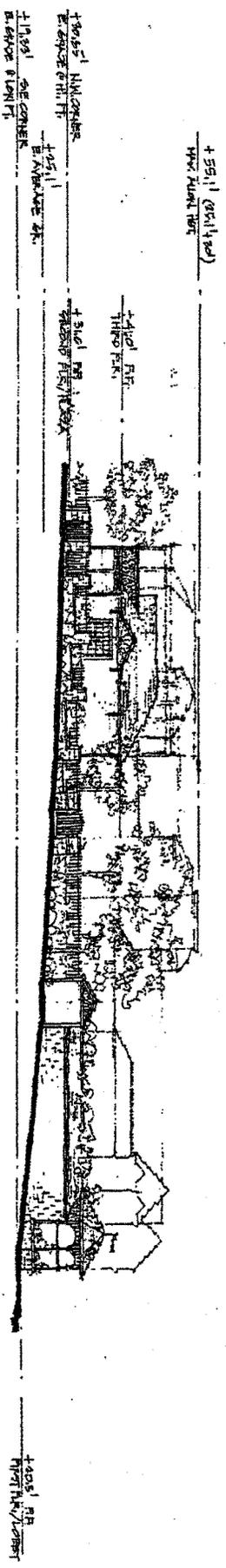
**Exhibit 2 (3 of 7)**



SOUTH ELEVATION - OCEAN AVENUE



SOUTH PLAZA ELEVATION

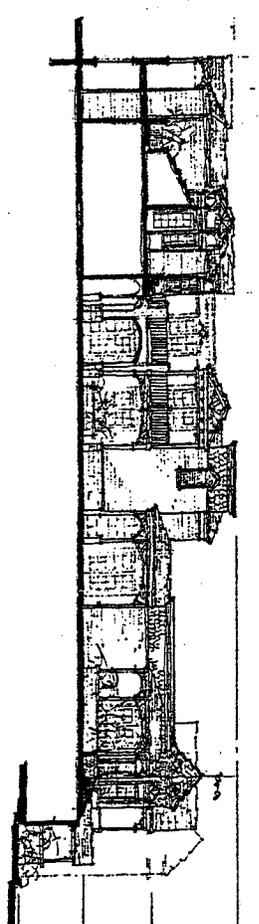


WEST ELEVATION - E STREET

EXTERIOR ELEVATIONS

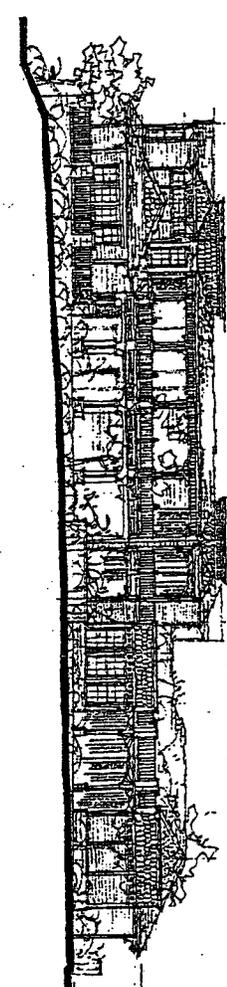
REVISED 8-13-99

Exhibit 2 (4 of 7)



WEST PLAZA ELEVATION

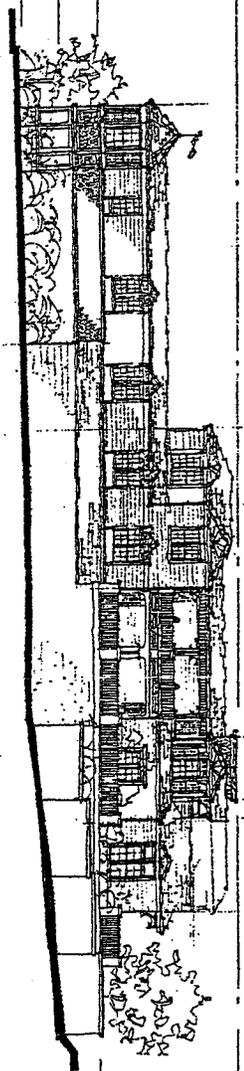
+ 95' 11" MAX. ALLOW. HGT.  
 + 41' 0" F.F. THIRD FLR.  
 + 31' 0" F.F. SECOND FLR. / THIRD FLR.  
 + 0' 0" F.F. FIRST FLR. / GROUND



NORTH ELEVATION

+ 95' 11" MAX. ALLOW. HGT.  
 + 41' 0" F.F. THIRD FLR.  
 + 31' 0" F.F. SECOND FLR. / THIRD FLR.

+ 95' 11" (45' 1" + 48') MAX. ALLOW. HGT.  
 + 0' 0" F.F. MIN. CORNER FINISH  
 + 0' 0" F.F. FINISH  
 + 19' 6" 4. B. CORNER FINISH & LOR. F.F.



EAST ELEVATION

+ 95' 11" MAX. ALLOW. HGT.  
 + 41' 0" F.F. THIRD FLR.  
 + 31' 0" F.F. SECOND FLR. / THIRD FLR.

EXTERIOR ELEVATIONS

REVISED 8-13-99

Exhibit 2 (5 of 7)

E Street

Exhibit 2 (6 of 7) - Model

Victorian Inn



Exhibit 2 (7 of 7)

EXHIBIT A  
BOARD OF SUPERVISOR'S  
FINDINGS D960038P  
AUGUST 17, 1999

FINDINGS

- A. The proposed project, with revisions required by the conditions of approval, and uses are consistent with the Local Coastal Program and the Land Use Element of the general plan because it is a "special" use under Table "O" of the Land Use Element and Local Coastal Plan.
- B. The proposed project or uses, as conditioned, satisfies all applicable provisions of this title.
- C. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the uses because the project will require a building permit and is subject to the safety standards of the Uniform Building Code, and local ordinance.
- D. The proposed project or use if revised to adhere to the conditions of approval, will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project has been designed to be similar to and consistent with the architecture of adjoining commercial buildings in the designated special community within the central business district of Cayucos.
- E. The proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on an existing public road, capable of handling the relatively minor traffic generated by this use.
- F. On the basis of the Initial Study and all the comments received, there is no substantial evidence that the project will have a significant effect on the environment.

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County Findings + conditions  
Exhibit 3 (1 of 6)

EXHIBIT B - D960038P  
BOARD OF SUPERVISOR'S  
CONDITIONS OF APPROVAL  
AUGUST 17, 1999

Authorized Use

1. This approval authorizes the following:
  - a) A motel with up to 30 units and a managers unit and related motel facilities
  - b) A minimum of 35 parking spaces shall be provided on the site overall.
  - c) Building square footage shall not exceed the following maximums including covered walk-ways, storage and elevators:

Parking Garage:	12,617 square feet
First floor lobby and rooms:	4,900 square feet
Second floor lobby and rooms:	9,200 square feet
Third floor rooms:	3,500 square feet

The project is not authorized as a "time share" hotel. A General Plan amendment and additional development plan approval would be needed to authorize such use.

2. Grading permit and building permit applications are required prior to site development.
3. Approval of grading and drainage plans does not authorize the applicant to do work off-site. The applicant must obtain written authorization from all affected off-site property owners (if any).
4. All permits shall be consistent with the *revised* Site Plan, Floor Plan and Elevations (dated August 4, 1999).

Revised Plans

5. Prior to issuance of a grading or building permit the applicant shall submit revised plans to the development review section of the Department of Planning and Building for review and approval. Sections for each building clearly showing point of measurement for building height with height labeled and dimensioned on the plan. To bring the project into compliance with the Local Coastal Plan criteria for Special Communities the revised site plan floor plans and elevations shall conform to the following criteria:

- a) covered walkways (breeze ways) between floors is permissible only as shown on approved site and floor plans.
- b) Buildings shall be Victorian style architecture.
- c) Windows shall be single hung windows, multi-pane windows or similar window packages consistent with Victorian style architecture.
- d) Siding shall be wood ship lap, colonial, board and batt, wood shingles or wood appearing wood impregnated concrete siding (not vinyl).
- e) Use of stucco is not allowed on wall faces and is discouraged elsewhere but may be used in very limited areas only as approved by the Director of Planning and Building.
- f) No glass railings (inconsistent with the Victorian architectural style) shall be allowed on any deck railings nor elsewhere within the project.
- g) Roof lines shall be broken up into a variety of roof styles including a combination of some or all of the following: parapet, shed, dormer windows, larger gables as well as hip roof styles to create a "rhythm of roof heights and styles" more in keeping with the existing downtown commercial buildings of Cayucos.
- h) Parking area driveway and aisle grade shall not exceed 5%.

### **Building Height**

- 6. Building height shall not exceed 30 feet measured from average *existing* grade, because the site has been previously disturbed ( interpreted to be the average of the high and low points at which each building will touch existing grade prior to any further disturbance). **Prior to setting forms and the foundation inspection**, the applicant shall have a registered engineer or surveyor set a control point for height measurement. The control point shall be verified by a building inspector prior to pouring footings or retaining walls and all building height measurements shall be made from this control point.

### **Agency Clearance**

- 7. **Prior to issuance of a building permit** the applicant shall obtain clearance for the existing drainage plan and system, or submit a revised drainage plan for review and approval by the County Engineering Department.

8. An encroachment permit shall be obtained from the County Engineering Department prior to any construction activities in the public right-of-way.
9. A letter of clearance from Cayucos Fire Department shall be required prior to issuance of any permits, indicating compliance with their standards and requirements.
10. Prior to issuance of any grading or building permits the applicant shall obtain a letter of release from the Cayucos Sanitary District regarding sewer line improvements, connections and all sewer facility improvements necessary to serve the project. Detailed sewer improvement plans shall be submitted to the District as well as County Department of Planning and Building, development review section and the County Engineering Department, for joint review and approval.
11. Prior to issuance of any grading or building permits the applicant shall obtain a final water will serve letter.

#### Grading and Drainage

12. Prior to issuance of any permits, or any grading activities, submit grading, sedimentation and erosion control, and drainage plans prepared in accordance with the requirements of Section 23.05.028, 23.05.036, and 23.05.044 of the County Land Use Ordinance to the Department of Planning and Building for review and approval. The plans shall be designed by a professional licensed to prepare grading and drainage plans. Review of the plans shall be subject to an inspection and checking agreement with the Engineering Department.
13. At the time of application for construction permits, the applicant shall indicate on the construction plans, the drainage improvements required by the County Engineering Department. The plans shall be subject to review and approval by the County Department of Planning and Building and the County Engineering Department. Drainage plan shall include energy dissipaters and shall include improvements to ensure no worsening of drainage conditions.

#### Visual/Aesthetic

14. Prior to issuance of building permits, the applicant shall provide an exterior lighting plan showing the location and type of lighting proposed throughout the development. All exterior light sources shall be low-level and adjusted so that light is directed away from surrounding residential neighborhoods.

### Color and Materials Board

15. Prior to issuance of a building permit the applicant shall submit a color and materials board to the Development Review Section of the Department of Planning and Building for review and approval to verify that the primary building color and materials are consistent with Victorian style architecture.

### Landscaping Plan

16. At the time of application for building permits, the applicant shall submit revised, final landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval. The landscape plan shall be prepared as provided in Section 23.04.186 of the Land Use Ordinance and provide vegetation that will soften the appearance of the new development.
- a) A plant container size mix that includes a sufficient number of larger trees and shrubs to provide initial screening of the backs and sides of the buildings and the parking structure.
  - b) Sufficient number of plants to be effective in providing initial screening.
  - c) Identify and include landscaping at the corner of E Street and Ocean Avenue.

The landscaping plan shall utilize only drought tolerant plant material consistent with Section 23.04.184 of the Land Use Ordinance.

17. Prior to application for building permits, a cost estimate for a planting plan, installation of landscaping, and maintenance of new landscaping for a period of three years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. Prior to issuance of construction permits, a performance bond, equal to the cost estimate, shall be posted by the applicant.

### Effective Time Period

18. This minor use permit initial approval period is two years. 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, but may be granted on an annual basis for 3 additional years.

### Indemnification

19. The applicant shall, as a condition of the approval and use of this development plan, defend, at its sole expense, any action brought against the County of San Luis Obispo, its present or former officers, agents or employees, by a third party challenging either its decision to approve and issue this development plan or the manner in which the county is interpreting or enforcing the conditions of this development plan, or any other action by a third party relating to approval or implementation of this development plan. Applicant shall reimburse the county for any court costs and attorney's fees which the county may be required by a court to pay as a result of such action, but participation shall not relieve applicant of its obligation under this condition.

### Archaeology

20. If any archaeological resources are found during grading work on the project site, work shall stop until such time as the resource can be evaluated by an archaeologist. The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator.

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APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

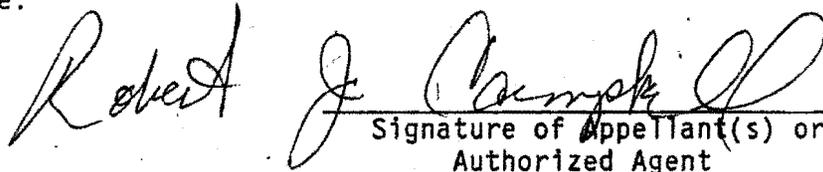
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Chapter 10 of the current San Luis Obispo Coastal Plan describes Cayucos as a special community, presently characterized by small-scale commercial development. And the Victorian Inn development is much too massive and is not compatible with the scale of existing structures in Cayucos and is therefore inconsistent with Coastal Plan Policy 6. I feel this is grounds for appeal.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

  
Signature of Appellant(s) or  
Authorized Agent

Date Aug. 27, 1999

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Exhibit 4  
(1 of 18)

\_\_\_\_\_  
Signature of Appellant(s)

Date \_\_\_\_\_

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

*A thousand words can't change the fact that this project is trucking for Cayman. A 3 story, 30 room building on a 150 ft. lot. Brief description. It has been obvious from the start that he would <sup>didn't</sup> appeal, as the CCAC and the Supervisors have made it plain they ~~did~~ want to deal with a favorable settlement for Cayman. As "keepers" of the Coast, you are our last hope of salvation from this monstrous building in downtown Cayman. This developer neither knows nor cares about a promise or a compromise. How close will he keep to code?*

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Luis A. Fontaine  
Signature of Appellant(s) or  
Authorized Agent

Date Sept. 13, 1999

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Exhibit 4  
(2 of 18)

Date \_\_\_\_\_

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

The Victorian Inn is too large for Cayucos. The large scale of this project is not compatible with the town.

This project should be limited to two (2) stories.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Ronald M. Fencil  
Signature of Appellant(s) or Georgia F. Semrush  
Authorized Agent

Date August 30, 1999

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Exhibit 4 Date \_\_\_\_\_  
(3 of 18)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

DOES NOT COMPLY WITH  
COASTAL PROGRAM.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

*Edward F. Kammels*  
Signature of Appellant(s) or  
Authorized Agent

Date 8/25/99

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Exhibit 4 Date \_\_\_\_\_  
(1 of 12)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

I feel this project does not meet the San Luis Obispo County Coastal Plan (Chapter 1D) description of Cayucos as a "small scale commercial development". It is also inconsistent with the Coastal Plan Policy 6 goal of development "complement and be usually compatible with existing characteristics" especially in regard to "scale" because the project is too massive, also, no plans for the Beach Access at 'E' St. have been considered.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Rebecca Wynn  
Signature of Appellant(s) or  
Authorized Agent

Date 9/2/99

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Exhibit 4  
(5 of 18)

Date \_\_\_\_\_

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

*\* SEE ATTACHED SHEET*

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Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

*Bm WA*

Signature of Appellant(s) or Authorized Agent

Date 9/10/99

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Exhibit 4  
(1 of 18)

Signature of Appellant(s)

## SECTION IV. Reasons Supporting This Appeal

The Victorian Inn Project is clearly out of scale with existing buildings in Cayucos and consequently is inconsistent with the San Luis Obispo County Coastal Plan. This project has been appealed to both the San Luis Obispo County Planning Commission and the Board of Supervisors. It certainly deserves a hearing before the California Coastal Commission.

Chapter 10 of the current San Luis Obispo County Coastal Plan describes Cayucos as a special community, presently characterized by small-scale commercial development. As approved by the San Luis Obispo County Board of Supervisors, The Victorian Inn development is much too massive and is not compatible with the scale of existing structures in Cayucos and is therefore inconsistent with Coastal Plan Policy 6.

If constructed as approved, the Victorian Inn will set a dangerous precedent that will forever destroy the characteristic small-scale architectural style of this unique seaside village.

### **County of San Luis Obispo Coastal Plan Policies**

#### **Chapter 10: Visual and Scenic Resources**

**Special Communities: Cayucos – Ocean Boulevard**  
page 10-7

Ocean Boulevard is presently characterized by small-scale commercial development. Recent development has used a western-rural style of architecture which includes extensive use of wood-detailed facades. The Ocean Boulevard area is a special community due to the commercial-service orientation of the development that is within walking distance of the beach. Two historically significant structures are the John Cass home and the present Veteran's Hall which was a Cass warehouse.

**Policy 6: Special Communities and Small-Scale Neighborhoods**  
page 10-12

Within the urbanized areas defined as small-scale 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.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

The San Luis Obispo County Board of Supervisors agrees that The Victorian Inn is much too massive and is not compatible with the small scale existing structures of Capucos' commercial development. therefore inconsistent with Coastal Plan Policy 6 and Chapter 10 of the current San Luis Obispo County Coastal Plan. The Victorian <sup>Inn</sup> threatens to forever destroy the characteristic small-scale architectural style and set a dangerous precedent in Capucos.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

*Spiral Wecker*

Signature of Appellant(s) or  
Authorized Agent

Date 8/31/99

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Exhibit 4

(8 of 18)

Date

Signature of Appellant(s)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

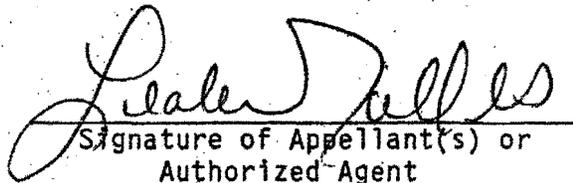
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Cayucos is a special community characterized by small-scale commercial development. The Victorian Inn is much too massive incompatible with the scale of existing structures. I don't want to see our small town destroyed forever.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

  
Signature of Appellant(s) or Authorized Agent

Date 9/2/99

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Exhibit 4  
(9 of 18) Date \_\_\_\_\_  
Signature of Appellant(s)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Cayucos is one of the last small, unique beach towns left in California. It is located on the beautiful central coast.

The proposed, Victorian Inn, is not compatible with the scale of the existing community. It is too large of a structure, for our small town.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Christine Takahashi

Signature of Appellant(s) or  
Authorized Agent

Date

9/9/99

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Exhibit 4  
(18 of 18)

\_\_\_\_\_  
Signature of Appellant(s)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

*We believe this development is too massive and is not compatible with the scale of existing structures in Cayucas & will set a dangerous precedent for future developments. We want to keep with the present small-scale architectural style of our unique seaside town. The Victorian Inn must be scaled down to become compatible!*

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

*Bari St. James & Fernando Monreal*  
Signature of Appellant(s) or Authorized Agent

Date 9/13/99

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize Lila Sexton to act as my/our representative and to bind me/us in all matters concerning this appeal.

Exhibit 4 \_\_\_\_\_  
(11 of 18) Signature of Appellant(s)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

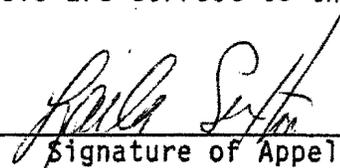
Chapter 10 of the current San Luis Obispo Coastal Plan describes Cayucos, as a special community, presently characterized by small-scale commercial development. As approved by the San Luis Obispo County Board of Supervisors, the Victorian Inn development is much too massive and is not compatible with the scale of existing structures in Cayucos and is therefore inconsistent with Coastal Plan Policy 6.

If constructed as approved, the Victorian Inn will set a dangerous precedent that will forever destroy the characterisitic small-scale architectural style of this unique seaside village.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

  
\_\_\_\_\_  
Signature of Appellant(s) or  
Authorized Agent

Date 9-15-99

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Exhibit 4  
(17 of 18)

\_\_\_\_\_  
Signature of Appellant(s)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

The Victorian Inn project is too massive and not compatible to the existing scale of the downtown structures. Therefore it is not consistent with Coastal Plan Policy 6. Cayucos is described as a special community under Chapt. 10 of the current SLO County Coastal Plan and is presently characterized by small-scale commercial development. Please don't set a precedent that will destroy our uniqueness.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Janis Lewis

Signature of Appellant(s) or  
Authorized Agent

Date 9/13/99

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Exhibit 4  
(13 of 18)

Signature of Appellant(s)

Date \_\_\_\_\_

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Our town is a small quaint town -  
We have a small downtown area  
with 2 turn of Century buildings that  
are 3 stories tall - they are in character  
w/ our town because they are old +  
have no extra facade on them to make  
them appear taller - this project is to they (MASSIVE)  
to fit w/ the Character of Caycos, it will stick  
out like the sore thumb it has been.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

*Cynthia Malmon*

Signature of Appellant(s) or  
Authorized Agent

Date 9-9-99

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize *Jaila Sexton* to act as my/our representative and to bind me/us in all matters concerning this appeal.

*Cynthia Malmon*

Signature of Appellant(s)

Exhibit 4  
(14 of 18) Date

9-9-99

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Chapter 10 of the current San Luis Obispo County Coastal Plan describes Cayucos as a special community, presently characterized by small-scale commercial development. As approved by the San Luis Obispo County Board of Supervisors, The Victorian Inn development is much too massive and is not compatible with the scale of existing structures in Cayucos and is therefore inconsistent with Coastal Plan Policy 6.

If constructed as approved, the Victorian Inn will set a dangerous precedent that will forever destroy the characteristic small-scale architectural style of this unique seaside village.

*ALSO ATTACHMENT I*

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

*Arley R. Robinson*  
\_\_\_\_\_  
Signature of Appellant(s) or  
Authorized Agent

Date *8/30/99*

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

*Exhibit 4  
(15 of 18)*

\_\_\_\_\_  
Signature of Appellant(s)

**Chapter 10: Visual and Scenic Resources**

**Special Communities: Cayucos – Ocean Boulevard**

page 10-7

Ocean Boulevard is presently characterized by small-scale commercial development. Recent development has used a western-rural style of architecture which includes extensive use of wood-detailed facades. The Ocean Boulevard area is a special community due to the commercial-service orientation of the development that is within walking distance of the beach. Two historically significant structures are the John Cass home and the present Veteran's Hall which was a Cass warehouse.

**Policy 6: Special Communities and Small-Scale Neighborhoods**

page 10-12

Within the urbanized areas defined as small-scale 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.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

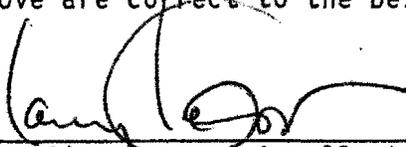
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Cayucos is a special community according to Chapter 10 of the SLO county Coastal Plan - characterized by small scale development. Policies defines Small scale neighborhoods - The Victorian Inn is too large for Cayucos and is not compatible with the ~~the~~ small scale of the other business. (Victorian Inn)  
Our family has been here for over 70 years and this development will harm our community by making it dangerous precedent that will forever destroy our small scale unique seaside village.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

  
\_\_\_\_\_  
Signature of Appellant(s) or Authorized Agent

Date 8-24-99

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Exhibit 4 \_\_\_\_\_  
(17 of 18) Date \_\_\_\_\_  
Signature of Appellant(s)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

*This project is MASSIVE and not charastia of our village. Other places may welcome such a huge structure in the center of their town. This thing is SO FAR out of place HERE. PLEASE SEE CHAPTER 10 - § Policy 6 - BOTH ENCLOSED. Thank you*

**County of San Luis Obispo Coastal Plan Policies**

**Chapter 10: Visual and Scenic Resources**

**Special Communities: Cayucos - Ocean Boulevard**

page 10-7

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**Policy 6: Special Communities and Small-Scale Neighborhoods**

page 10-12

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I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Exhibit 4  
(18 of 18)

\_\_\_\_\_  
Signature of Appellant(s)

Date \_\_\_\_\_

October 20, 1999

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CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA  
California Coastal Commission  
Central Coast District Office  
Steve Monowitz  
725 Front St., Suite 300  
Santa Cruz, CA 95060

RE: The Victorian Inn Project - Cayucos, CA

My name is Ronald Magoffin and I am a past member of the Cayucos Citizen's Advisory Council after serving a term of two+ years. I was in attendance at several council meetings regarding the Victorian Inn project proposed by Rodney Miles.

At one of the above meetings, the consensus was reached that the Council would not be in favor of this project unless it was reduced 30% from the original project design that was presented.

I felt very strongly that this project as proposed in the initial stages, was too large and massive to meet the criteria in the Estero General Plan Update referencing "in character with the community." Consequently, I was one of the original signers of a petition that was circulated throughout Cayucos in favor of appealing the approval by the County Board of Supervisors.

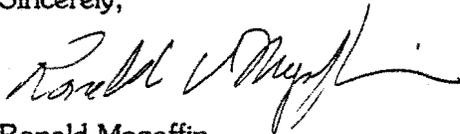
After following the progress of this appeal, it became more and more apparent that Mr. Miles took this appeal seriously, and began working more closely with the community and the appellants to resolve this matter.

The San Luis Obispo Board of Supervisors requested that Mr. Miles reduce his project by 15% and to reduce the massiveness of the 3<sup>rd</sup> floor. Mr. Miles complied with this request as put forth by the Supervisors and submitted this reduction to the Cayucos Advisory Council and the appellants. The Council and some of the other appellants were still not pleased with the amount of this reduction and continued to work with Mr. Miles and his architect to accomplish the initial request for the 30% reduction.

Although I am not particularly fond of the design of this project, it is my opinion that Mr. Miles and his architect, Gary Cohn have done their best to work with the community, council members, and appellants to honor their request for a reduction of the project. This reduction resulted in elimination of several rooms and reduced massiveness of the 3<sup>rd</sup> floor.

Therefore, I request that you approve this project based on Mr. Rodney Miles compliance with the requests and recommendations put forth to him for the Victorian Inn.

Sincerely,



Ronald Magoffin

Correspondence  
Exhibit 5  
(1 of 8)

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October 21, 1999

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

California Coastal Commission  
Central Coast District Office  
Steve Monowitz  
725 Front St., Suite 300  
Santa Cruz, CA 95060

RE: The Victorian Inn  
Cayucos, California  
Developer, Rodney Miles

My name is Becky Siemen and I have been a resident of Cayucos for approximately 12 years and a current business owner. I would like to take this opportunity to express my opinion regarding the proposed Victorian Inn for Cayucos.

Initially, I was considering signing the petition that was circulated for an appeal of the Victorian Inn project because I felt that it appeared too large and massive for our community. I chose not to sign it based on the fact that I own a business in Cayucos and I am also the Editor and Publisher of a Cayucos Newspaper, "The Cayucan." I did not want to appear biased one way or another on a particular subject that I might be covering in my newspaper.

As the editor of this newspaper, I started covering this proposal at many, many, meetings of the Cayucos Advisory Council, and separate meetings of the Land Use Committee where many of the appellants were also in attendance. At the onset, as I mentioned previously, I had almost become an appellant so therefore I was making every attempt possible to stay unbiased on this topic in coverage of this issue in the paper. As the appeal progressed with meeting after meeting, I observed what I would consider absolute, unjustified, nit-picking. I also began to realize that in my opinion, this topic was becoming more of a power struggle and personality conflict than a quest for "the right thing." I then became so frustrated with what was going on, I changed my approach to reporting on this project as an unbiased reporter, to publishing my view of it in my Editorials.

It is a fact that Mr. Miles has not exactly ingratiated himself with some of my fellow Cayucans. I now wonder which came first so to speak, the chicken or the egg. A puzzle I am sure I will never solve. The bottom line in my perspective is, had it been anyone else in our community, there would not have been nearly as much attention paid to this development. Since when is approval of a project based on "personality" and who likes who? Just recently there was a variance request by a local church that was presented to the council for removal of a portion of their property from the small-scale neighborhood. I have heard many times over at these meetings that they are **extremely reluctant** to grant **any** type of variance. I definitely do not hold anything against the church and I was in favor of the decision, although I must say that they had next to no problem obtaining their variance without jumping through hoops, as many others in our community are having to do.

In my capacity with the paper and with my other business, I have contact with a multitude of Cayucos citizens. Anytime a new project comes up in Cayucos, if the word "Developer" even comes close to being mentioned - the frenzy starts. The comparison begins with "Orange County", "Newport Beach", Pismo Beach, etc. I have lived in areas such as these, and I understand the concern because I too have made that comparison at times.

Exhibit 5

It is interesting though, that when I think of this comparison, I don't think of a single hotel, business, restaurant or anything like that being the culprit of the demise of a community. I think of look-a-like condos on hills and mountains, I think of large parking lots, I think of **HUGE** houses that are "out of character with the town," that sit on roads that can barely hold two cars passing at the same time.

For those of you who have not enjoyed the pleasure of visiting our town - I would like to mention that although it is lovely, one of the eyesores to me when I first started coming here over 12 years ago were all the empty and dirty lots strewn throughout the business district that were not mowed regularly and have trash constantly in sight.

If I were to choose between Mr. Miles project and these empty, trashy lots, - I would choose his project any day. Not only do I feel it is a nice design, "Victorian" which is one of the preferred choices for our town, he has now reduced the size to what I feel is now more "in character" with the rest of the community.

In light of the fact that Mr. Miles has worked towards compliance with the requests of the appeal for a reduction of size and mass, I now feel that Mr. Miles is entitled to approval of this project.

Thank you in advance for your time and consideration.

Sincerely,

*Becky Siemen*

Becky Siemen

Exhibit 5  
(3 of 8)

State of California  
Coastal Commission,  
Santa Cruz, Ca

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NOV 09 1999

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Dear members,

We would like to go on record in support of the Victorian slum, project in Cayucos California. The appeal of this project lies in the face of over a year of compromises between the developer & some members of the community. Although the Victorian slum did not require any variances from existing guidelines etc & was approved by the county planning it was still objected to by some people in the community as being too massive. The Victorian slum was reduced in size by almost 30% from the original approved plan, and although there are many buildings that are as tall or taller & are 3 stories tall it was still appealed.

We believe that this project will be a attractive & reasonable addition to our community of Cayucos. We have enclosed a editorial from our local paper for your review.

Respectfully,

Bar & Gus Bulmer

P.O. Box 498, Cayucos, Ca 93430

Exhibit E (A-168)

P.S.

It should be noted the other Thursday at about 6 PM on Oct evening we drove through town and what appeared that every Hotel and motel has a sign on with "No Vacancy" and "Sorry Full." in downtown Cayucos. Traffic was not a problem as all motel have off street parking as will the Victorian Inn.

Thank you again for your consideration of my position.

**COLETTE M. CAME**  
**31 - 17th Street**  
**Cayucos, CA 93430**

October 18, 1999

California Coast Commission  
Re: Victorian Inn, Cayucos, California

To Whom It May Concern,

I am a 20 year resident of Cayucos. I own a home in Cayucos and am raising a family here. The "character" of Cayucos has always been important to us. I have looked at the design of this inn and think that it is well within the character of our town. I work in the construction industry and have had a chance to observe many projects, and must note that taste and sensitivity have been applied to this endeavor so as to bring to the community a "plus" in terms of fitting in and being in "character".

Also, please consider that providing more motel/inn rooms in our community may help those of us residing in the single family zones that are affected by the "vacation home rental" nightmare. That issue, in itself, should garner support for motel/inns in our town.

No one wants "what is best" for Cayucos more than I. Progress does happen and can certainly benefit the citizens. This project fits into the character of Cayucos and will definitely benefit the community.

Sincerely,

  
Colette M. Came

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CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Exhibit 5  
(1 of 8)

October 9, 1999

Dear Coastal Commissioners

This note is in response to the appeal of the Victorian Inn project by a few tenacious and extreme residents of Cayucos. As you are aware from the staff package, this project has an extremely long history. In response to public input, the applicant's architect achieved substantial reductions in the square footage of the top 2 levels and successfully displaced the mass of the upper floor away from supposedly critical sight lines. These extensive alterations were performed on a design that met then current planning standards. It's worth noting that these concessions resulted in major compromises to the ocean views and potential income from a number of the units.

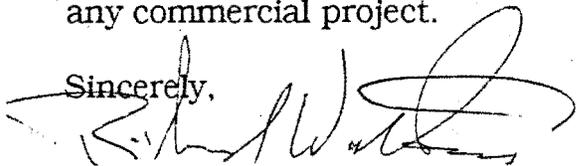
Throughout the process of redesign, the appellants showed total disregard to any economic consideration associated with their suggestions. Even now, they attempt to extract further concessions under the guise of concern for scale and character. I now detect a shift in motivation toward measuring success by how much diminution of value they can impose on an applicant seeking to develop a large parcel of land in "their" town.

The past and present arguments raised by the appellants center on the rather nebulous criteria of scale and character. The central Cayucos commercial corridor has experienced very little development since the 1940's. As a result, many of the structures are modest in scale and eclectic in character. The appellants evidently feel that underdeveloped commercial lots containing structures that often fall far from meeting modern code requirements create an ambiance so compelling that it defines a specific character for the community worthy to serve as a benchmark for all future design and construction.

Many in the community feel that the present character of the Cayucos commercial areas is actually a reflection of truncated evolution due to building moratoria and a weak economic base. If so, it seems presumptuous to use the present buildings as a theme for the community. It's also important to consider that the character of the community is defined by the community as a whole and not its most extreme and vocal elements.

As demonstrated by the Moon appeal on Studio Drive, Cayucos contains individuals willing to appeal almost anything to the Coastal Commission--just because they can and because it costs the applicant time and money. This approach is not consistent with the intent of the California Coastal Act and the appeal process. I urge you to deny the appeal of the Victorian Inn. Ample public input and the cooperation of the applicant have already produced plans that achieve a reasonable balance among the disparate criteria that shape any commercial project.

Sincerely,



Richard Watkins

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NOV 09 1999

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST

26 11th Street, Cayucos, CA 93430-1229

Exhibit 5  
(7 of 8)

TO: California Coastal Commission

I believe that the proposed Victorian Inn project is in keeping with the character and scale of Cayucos. The project has been modified many times and reduced in size to what the Cayucos Community Advisory Council wanted and more than what the Board of Supervisors sought. The Community Advisory Council voted to drop their objections to the project after it was so reduced. The town has spoken. Additional hotel rooms are needed in this community at various times of the year for those who wish to visit the coastal area in Cayucos. There are existing buildings in our town that are taller than the project and more massive. Please do not let a small, vocal minority stop this project that will bring some economic vitality to Cayucos.

Dated: 11-2-99



Address:

36 No. Ocean  
Cayucos, CA 93430

This letter represents 1 of 6 received by Commission staff.

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NOV 09 1999

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Exhibit 5  
(e-f)

