

CALIFORNIA COASTAL COMMISSION

 CENTRAL COAST DISTRICT OFFICE
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M16a

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Appeal Filed:	09/03/99
49 th Day:	10/22/99
Staff:	RB
Staff Report:	03/17/00
Hearing Date:	04/10/00
Commission Action:	
Open and Continue	10/13/99
Substantial Issue	01/12/00

STAFF REPORT: REGULAR CALENDAR COASTAL DEVELOPMENT PERMIT

APPEAL NUMBER: A-3-SLO-99-060
LOCAL GOVERNMENT: San Luis Obispo County
DECISION: Approved with conditions, 8/17/99
APPLICANT: Rodney Miles & Gary Cohn
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 a partially subterranean parking structure for 35
parking spaces.
FILE DOCUMENTS: San Luis Obispo County certified Local Coastal Program;
San Luis Obispo County Administrative Record.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the Coastal Development Permit, subject to special conditions designed to protect the community character of Cayucos, on the basis that as conditioned, the project is consistent with the certified San Luis Obispo County Local Coastal Program.

The project is the construction of a three story, 30-unit motel, which includes a partially subterranean parking structure for 35 parking spaces (preliminary project plans attached as Exhibit 2). The site is located on the southeast corner of Ocean Avenue and E Street, within the

Obispo County (project location shown by 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 proposed project conforms to all setback requirements of the Coastal Zone Land Use Ordinance (CZLUO) and does not exceed the height requirement as stated in the Cayucos Urban Area Standards for Commercial Retail land use categories. Secondly, the conditions of approval pertaining to street-front facades and increased third story setbacks all work towards further reducing the perceived size and overall massing of the project to better compliment the existing commercial development along Ocean Avenue. Finally, given the special conditions of approval relating to structural mass, architectural style, roof treatment, and building materials, the structure will be of the same general mass, perceived size, and architectural design as development currently found in this area. Thus, the project is consistent with requirements of the Coastal Zone Land Use Ordinance, and applicable Coastal Plan Policies related to visual and scenic resources and architectural characteristics required of commercial retail land uses in Cayucos.

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I. STAFF RECOMMENDATION ON COASTAL DEVELOPMENT PERMIT

Staff recommends that the Commission, after public hearing, approve the proposal as conditioned.

MOTION: *I move that the Commission approve Coastal Development Permit Number A-3-SLO-99-060 as recommended by staff, subject to the conditions below.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of the certified San Luis Obispo County Local Coastal Program. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. CONDITIONS OF APPROVAL

A. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.



4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

B. Special Conditions

Scope of Permit

1. This permit authorizes the permittee to construct a motel with a minimum of 35 on-site parking spaces, subject to the conditions below.

Compliance with Local Conditions of Approval

2. All 20 conditions of San Luis Obispo County Coastal Development Permit D960038P become conditions of this permit, with the exception of County Conditions # 1, 4, 6, and 18, which are superseded by Special Conditions 1, 5, and 5a, and Standard Condition 2, respectively, of this permit. (See Exhibit 5 of this report for a copy of the local conditions of approval). This Coastal Commission action has no effect on remaining conditions imposed by the County of San Luis Obispo pursuant to an authority other than the Coastal Act. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall provide evidence to the Executive Director that those conditions requiring action prior to the commencement of any work have been signed-off by the appropriate County official. Evidence of subsequent condition compliance must also be submitted to the Executive Director at the required stage. In the event that County officials do not exercise such authority, permittee shall submit condition compliance materials to the Executive Director for review and approval.

Local Review

3. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall provide evidence that the project plans prepared pursuant to this approval have been reviewed by the Cayucos Citizens Advisory Council.

Revised Final Plans

4. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit to the Executive Director for review and approval revised final project plans clearly showing square footage, point of measurement for building height and finished floor



heights, with heights labeled and dimensioned on the plan. The final site plan, floor plans, and elevations shall conform to the following criteria:

Setbacks

- a) Building setbacks shall be consistent with relevant LCP standards.

Building Height (General)

- b) No portion of the building shall exceed 30 feet in height, as measured from the centerline of Ocean Avenue. Only two exceptions may be made to this guideline: the provision of an additional foot in height for the elevator shaft and necessary roof peaks, to allow for increased pitches and a variety of roof lines.
- c) No portion of the building fronting a public street shall exceed 28 feet in height above finished grade.
- d) Building plate of habitable stories shall not exceed 24 feet in height above finished grade (does not include the parking garage).

Ocean Avenue Facade

- e) This facade shall be articulated as two to three distinct buildings through the use of architectural relief, setbacks, pathways, or an assemblage of smaller buildings, etc.
- f) No more than 50% (as measured by linear building frontage) of the structures fronting Ocean Avenue shall exceed 16 feet in height above finished grade. This standard applies to all portions of any structure located within 28 feet of the Ocean Avenue property line.
- g) No more than 60 contiguous linear feet shall exceed 16 feet in height above finished grade.

E Street Elevation

- h) This portion of the structure shall incorporate a plaza and/or open space area at the street level.
- i) The structure shall appear as two or more distinct buildings from this view, rather than one contiguous façade.
- j) No more than 25% of the total linear façade shall exceed 16 feet in height above finished grade. This standard applies to all portions of any structure located within 28 feet of the E Street property line.

General Guidelines

- k) Any third story component shall be set back at least 55 feet from Ocean Avenue and at least 50 feet from E Street.



- l) Covered walkways (breezeways) between floors are permissible.
- m) Buildings shall be Victorian style architecture.
- n) Windows shall be single hung windows, multi-pane windows or similar window packages consistent with Victorian style architecture.
- o) Siding shall be wood ship lap, colonial, board and batt, wood shingles or wood appearing wood impregnated concrete siding (not vinyl).
- p) Use of stucco is not allowed on wall faces and is discouraged elsewhere but may be used in very limited areas.
- q) No glass railings (inconsistent with the Victorian architectural style) shall be allowed on any deck railings nor elsewhere within the project.
- r) 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.

Visitor-Serving Facility

- 5. All overnight accommodations to be developed on the site shall be exclusively available to the general public for transient occupancy. The establishment or conversion of overnight accommodations to a private or members-only use, or the implementation of any program to allow extended or exclusive use or occupancy of the facilities by an individual or limited group or segment of the public shall be prohibited.

Non-Point Source Polluted Runoff

- 6. **Construction Drainage and Erosion Control Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit a construction drainage and erosion control plan to the Executive Director for review and approval. Such plan shall clearly identify all best management practices to be implemented during construction and their location. Such plans shall contain provisions for specifically identifying and protecting all nearby storm drain inlets and natural drainage swales (with sand bag barriers, filter fabric fences, straw bale filters, block and gravel filters, drop-inlet sediment traps, etc.) to prevent construction-related runoff and sediment from entering into these storm drains or natural drainage areas which ultimately deposit runoff into the Pacific Ocean. Silt fences, or equivalent apparatus, shall be installed at the perimeter of the construction site. At a minimum, such plans shall also include provisions for stockpiling and covering of graded materials, temporary stormwater detention facilities, revegetation as necessary, restricting grading and earthmoving during the rainy season. The Permittee shall implement the approved Construction Drainage and Erosion Control Plan for the duration of all construction activities.



The construction drainage and erosion control plans should make it clear that: (a) dry cleanup methods are preferred whenever possible and that if water cleanup is necessary, all runoff will be collected to settle out sediments prior to discharge from the site; all dewatering operations must require filtration mechanisms; (b) off-site equipment wash areas are preferred whenever possible; if equipment must be washed on-site, the use of soaps, solvents, degreasers, or steam cleaning equipment should not be allowed; in any event, this wash water should not be allowed to enter storm drains or any natural drainage; (c) concrete rinsates should be collected and they should not be allowed into storm drains or natural drainage areas; (d) good construction housekeeping should be required (e.g., clean up all leaks, drips, and other spills immediately; refuel vehicles and heavy equipment off-site and/or in one designated location; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather); and finally (e) all erosion and sediment controls should be in place prior to the commencement of grading and/or construction as well as at the end of each day.

7. **Permanent Drainage Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit a permanent drainage plan to the Executive Director for review and approval. Such plan shall clearly identify all permanent measures to be taken to control and direct all site runoff, and shall clearly identify a drainage system designed to collect all on-site runoff (in gutters, pipes, drainage ditches, swales, etc.) for use in on-site irrigation and/or to be directed to the County storm drain system. Such plan shall at a minimum provide for:
- (1) The drainage system shall be designed to filter and/or treat the volume of runoff produced from each and every storm event up to and including the 85th percentile 24-hour runoff event prior to its use for landscape irrigation and/or discharge to the County storm drain system;
 - (2) Runoff from rooftops and vegetated areas may be discharged directly from the site. Runoff from areas subject to automobile use shall be filtered by an engineered filtration system specifically designed to remove vehicular contaminants (such as petroleum hydrocarbons, heavy metals, and other particulates) prior to discharge from the site;
 - (3) Post-development peak runoff rates and volumes shall be maintained at levels similar to pre-development conditions;
 - (4) All parking lot areas, driveways, and other vehicular traffic areas on site shall be swept and/or vacuumed at regular intervals and at least once prior to October 15th of each year. Any oily spots shall be cleaned with appropriate absorbent materials. All debris, trash and soiled absorbent materials shall be disposed of in a proper manner. If wet cleanup of any of these areas is absolutely necessary, all debris shall first be removed by sweeping and/or vacuuming, all storm drains inlets shall be sealed, and wash water pumped to a holding tank to be disposed of properly and/or into a sanitary sewer system;
 - (5) Appropriate spill response materials (such as booms, absorbents, rags, etc.) to be used in the case of accidental spills shall be maintained on-site in a readily accessible area.



Employees shall be adequately trained in the use of such materials;

- (6) All outside storage areas and loading areas shall be graded and paved and either: (1) surrounded by a low containment berm; or (2) covered. All such areas shall be: (1) equipped with storm drain valves which can be closed in the case of a spill; or (2) equipped with a wash down outlet to the sanitary sewer;
- (7) All drainage system elements shall be permanently operated and maintained. At a minimum:
 - (a) All traps/separators and/or filters shall be inspected to determine if they need to be cleaned out or repaired at the following minimum frequencies: (1) prior to October 15th each year; (2) prior to April 15th each year; and (3) during each month that it rains between November 1st and April 1st. Clean-out and repairs (if necessary) shall be done as part of these inspections. At a minimum, all traps/separators and/or filters must be cleaned prior to the onset of the storm season, no later than October 15th of each year;
 - (b) Debris and other water pollutants removed from filter device(s) during clean-out shall be contained and disposed of in a proper manner; and
 - (c) All inspection, maintenance and clean-out activities shall be documented in an annual report submitted to the County Public Works Department no later than June 30th of each year.

It is the Permittee's responsibility to maintain the drainage system in a structurally sound manner and its approved state. Any proposed changes to the approved permanent drainage plan shall be reported to the Executive Director. No changes to the approved permanent drainage plan shall occur without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description and site plan of the Permittee's entire property. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.



III. FINDINGS AND DECLARATIONS

A. Project Background

On August 17, 1999, the San Luis Obispo County Board of Supervisors approved the development of a three story, 30-unit motel with a partially subterranean parking structure for 35 parking spaces on this site. Subsequently, sixteen individuals filed an appeal of the County's decision to the Commission, based on the project's overall mass and incompatibility with the existing community character of Cayucos. On January 12, 2000, the Commission found that a substantial issue exists in regard to the contentions raised by the appeals and continued the de novo hearing of the project to allow staff to work with the applicant and appellants on a revised project. The current proposal is similar in style to that which was originally approved by the County; however, it is slightly reduced in overall height and incorporates elements to break up the massing and reduce the perceived size of the structure.

B. Project Location and Description

The project site 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 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 is the construction of a three story, 30-unit motel, which includes a partially subterranean parking structure for 35 parking spaces (preliminary project plans attached as Exhibit 2). As proposed, the structure contains a total of approximately 29,600 square feet and has a building footprint of about 19,000 square feet, which will cover most of the lot. An estimated 12,600 square feet will be used for a partially subterranean parking garage, and about 17,000 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.

C. Scale and Massing

The following LCP standards and policies applicable to this project require the following in regards to building height and setbacks:

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

CZLUO 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.*

CZLUO 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).*

CZLUO 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.*

Cayucos Urban Area Standards for Commercial Retail: Height Limitation.
Heights shall be limited to 30 feet.

CZLUO Section 23.04.122: *The height of a building or structures is to be measured as the vertical distance from the highest point of the structure to the average of the highest and lowest points where the exterior walls would touch the natural grade level of the site; except that finished instead of natural grade shall be the basis for height measurement where:*

b. *The site was graded or filled pursuant to a grading permit approved before September 18, 1986.*

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. 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.

The planning area standards for this site allow a maximum height of 30 feet as measured from the existing grade because the site has been previously disturbed and natural grade cannot be determined with accuracy. In order to more closely associate the height of the building with the street that serves as the main thoroughfare in Cayucos, staff has recommended that the building height be referenced to the centerline of Ocean Avenue. This point of measurement is further supported by the recommendations made by the Cayucos Citizens Advisory Council, to be considered in the update of the Estero Area Plan of the LCP (attached as Exhibit 4).

Staff's recommendation of limiting the building height to no more than 30 feet above the centerline of Ocean Avenue (with specific exceptions to allow roof peaks and the elevator shaft to extend an additional foot in height) is intended to decrease the height of the rear portion of the building, to reduce the perceived size of the project. As stated in the conditions of approval (Special Condition 4b), the structure would be limited to an overall height approximately five feet lower than the maximum height allowed by the LCP, given the slope of the lot and the point of measurement required in the Coastal Zone Land Use Ordinance. Although more restrictive than the applicable LCP standard regarding overall height, this still allows the potential for a third story.

Specific design guidelines pertaining to building height and the Ocean Avenue façade (Special Conditions 4c – 4g) are intended to help maintain a pedestrian scale at the street level by limiting the height of the structure at the street-front and reducing the visibility of the second and third stories of the structure. The remaining design guidelines, also imposed as special conditions of approval, are intended to minimize the perceived bulk of the project, allow for a variety of roof pitches on all three stories, and break up the structure into an assemblage of smaller buildings. Furthermore, in an attempt to incorporate elements that create visual interest, break up the massing of the building, and provide for views of the ocean from areas nearby the project site, special conditions (specifically, 4h - 4j) were included to retain the qualities of the E Street elevation, including the open plaza area, as approved by the County.

In conclusion, the proposed project conforms to all setback requirements of the CZLUO and does not exceed the height requirement as stated in the Cayucos Urban Area Standards for Commercial Retail land use categories. In addition, the conditions of approval pertaining to building height, street-front facades, and increased third story setbacks all work towards further reducing the perceived size and overall massing of the project to better compliment the existing commercial development along Ocean Avenue.



D. Community Character

The following LCP policies applicable to this project require the following in regards to visual resources, community character, and architectural style:

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.

Cayucos Urban Area Standards for Commercial Retail: Architectural Character. *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.*

These LCP policies 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. Existing structures along Ocean Avenue are typically one- to two-story Victorian style buildings, and not more than 25 feet in height.

Design guidelines pertaining to the height of the building and the Ocean Avenue facade, imposed as special conditions of approval, are intended to ensure that the project reflect the articulation of existing buildings along Ocean Avenue. Because the proposed structure has



street frontages of 150 feet on both Ocean Avenue and E Street, these guidelines work towards breaking up the facade into three distinct buildings, each approximately 50 feet in width, as most of the lots along Ocean Avenue are about 50 feet wide. The preliminary project plans (Exhibit 2) show that the Ocean Avenue façade is broken up by a six foot walkway, and increased upper and lower setbacks and varied façade height give 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 existing commercial buildings in Cayucos.

Specific conditions of the County approved coastal development permit that remain applicable to the current proposal were included as conditions of approval (Special Conditions 4l – 4r). These generally relate to the suggested use of building materials and architectural details and are intended to assist the applicant in creating a project that is consistent with the existing or desired architectural character of the area.

Finally, although the special conditions of approval relating to structural mass, architectural style, roof treatment, and building materials, will ensure that the project will be of the same general mass, perceived size, and architectural design as development currently found in this area, design review, particularly with respect to the dimension of community character, is still a somewhat discretionary process. This approval thus also includes a special condition of approval that requires the applicant to provide the Cayucos Citizens Advisory Council (CCAC) an opportunity to review and comment on the revised project's compatibility with existing development in the area, prior to the Commission's review and approval of the final project plans. Thus, although the LCP community character policies reflect the Coastal Act's emphasis on the statewide significance of coastal "community character," it is also important that the Commission take full advantage of, and maximize coordination with, those local review bodies that have a day-to-day familiarity with the character of an area. Such review often provides staff with invaluable insight into the qualities that create such special communities.

Therefore, the project is consistent with neighboring commercial development along Ocean Avenue and thus, conforms to the above-mentioned Coastal Plan Policies related to visual and scenic resources and architectural characteristics required of commercial retail land uses in Cayucos.

E. Visitor-Serving Facility

The following LCP policies are applicable to this project and require the following in regards to the provision of recreation and visitor-serving facilities:

Coastal Plan Policy 1 for Recreation and Visitor-Serving Facilities:

Coastal recreational and visitor-serving facilities, especially lower-cost facilities, shall be protected, encouraged and where feasible provided by both public and private means.... Visitor-serving facilities include all lodging establishments included in the definition of Hotels, Motels in Chapter 7 of Framework for Planning of the Land Use Element and Local Coastal Plan...



Coastal Plan Policy 2 for Recreation and Visitor-Serving Facilities:

Recreational development and commercial visitor-serving facilities shall have priority over non-coastal dependent use[s]...

The proposed motel use is allowed as a principal permitted use in the Commercial Retail land use category and is consistent with the definition of a visitor-serving facility. The development will create additional overnight accommodations and provide increased opportunities for tourists to visit Cayucos and the surrounding area. In addition, a condition of approval of this coastal development permit prohibits the establishment or conversion of overnight accommodations to a private or members-only use to ensure that the general public has an equal opportunity to benefit from such a facility. Therefore, as conditioned, the proposed use is consistent with LCP requirements regarding the provision of recreation and visitor-serving uses in coastal areas.

F. Non-Point Source Polluted Runoff

The following LCP standard is applicable to this project and requires the following in regards to controlling polluted storm water runoff:

CZLUO Section 23.05.040 – Drainage: *Standards for the control of drainage and drainage facilities provide for designing projects to minimize harmful effects of storm water runoff resulting inundation and erosion on proposed projects, and to protect neighboring and downstream properties from drainage problems resulting from new development.*

Because the site is currently vacant and pervious, runoff from the site (both sheet flow and percolation) should contain relatively few urban runoff constituents (e.g., nutrients, trash and debris, sediments, heavy metals, pathogens, petroleum hydrocarbons, and synthetic organics such as pesticides and herbicides). By covering the majority of the site with impervious surface (including roof areas, driveways, etc.) and installing ornamental landscaping, the amount of typical urban runoff pollutants, which will eventually make their way into the Pacific Ocean, will increase. However, as conditioned to require implementation of Best Management Practices (BMPs) designed to reduce or eliminate the introduction of pollutants into runoff (e.g., regular sweeping/vacuuming of vehicle parking areas), and remove pollutants from runoff (e.g., silt fences to trap sediments at construction sites), the project will meet the requirements of CZLUO Section 23.05.040.

IV. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

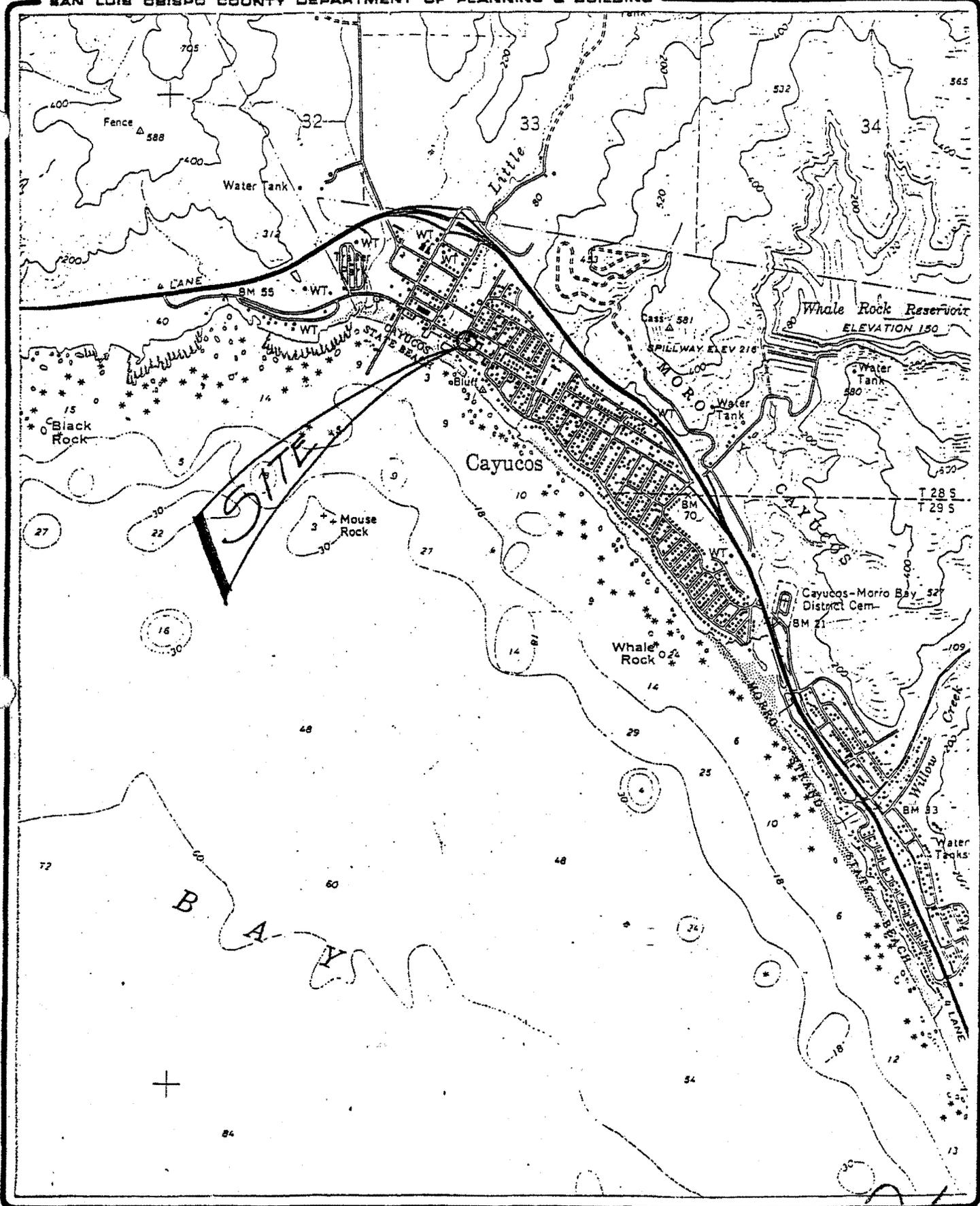
Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects which the activity may have on the environment. The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary for Resources as being the



functional equivalent of environmental review under CEQA. Accordingly, the Commission finds that the proposed project will not have significant adverse effects on the environment within the meaning of CEQA; that there are no feasible alternatives which would significantly reduce any potential adverse effects; and, accordingly, the proposal, as conditioned, is in conformance with CEQA requirements.



4-29



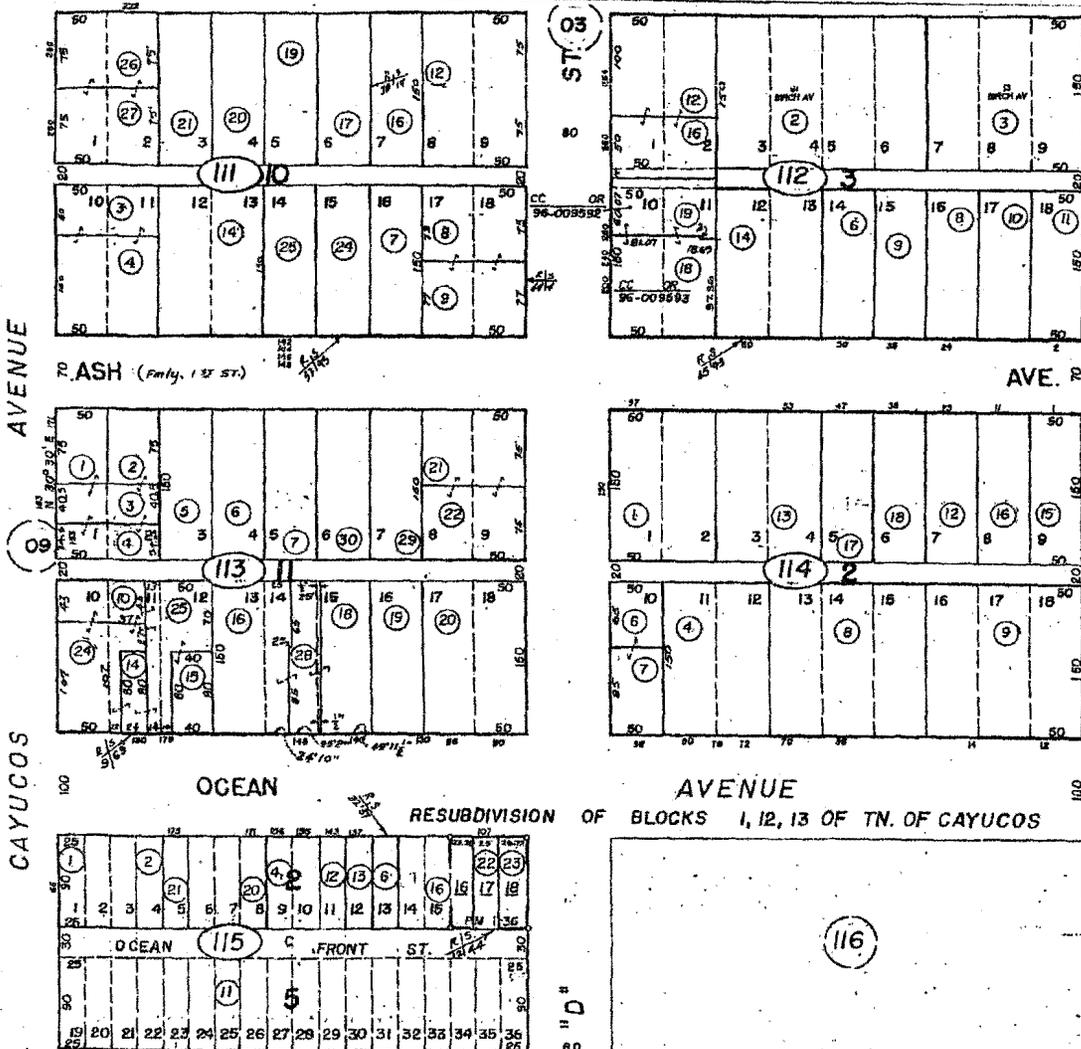
PROJECT
 VICTORIAN INN
 D960038P



EXHIBIT
 VICINITY MAP *CM*

TRW-REDI
1-800-345-7334

SCALE IN 1/16 OF AN INCH



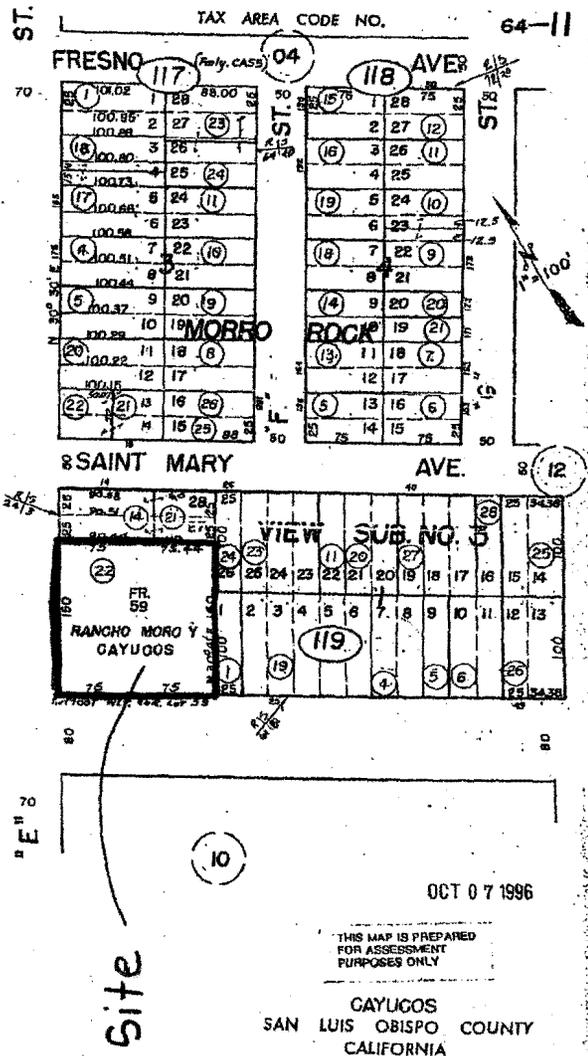
ASH (Partly, 1st ST.)

CAYUCOS AVENUE

OCEAN AVENUE

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

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 Rev 3-29-94, 249-86 5-31-94 8-20-96
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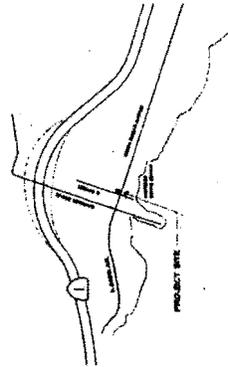
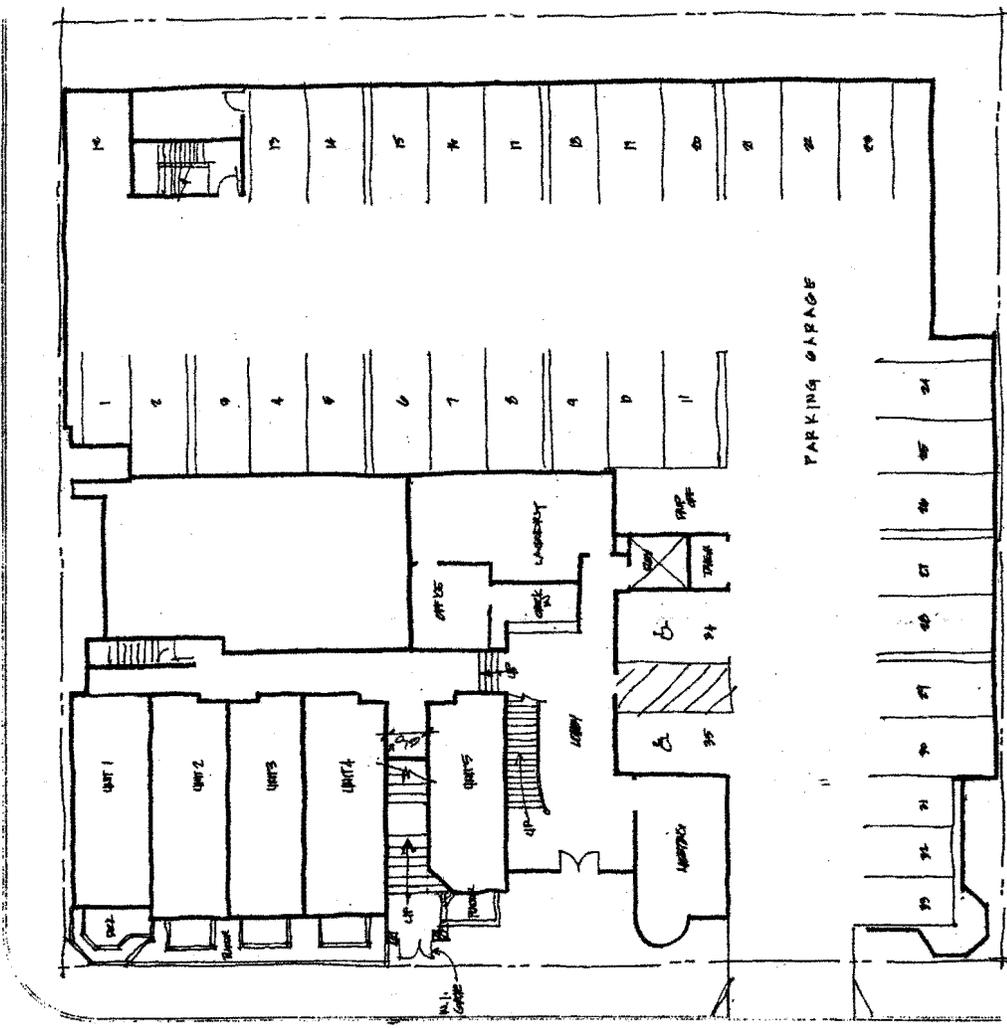
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 2. DATE: [illegible]
 3. SHEET NO.: [illegible]
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THE VICTORIAN INN

CMH + ASSOCIATES
 ARCHITECTURE PLANNING
 1000 10th Street, Suite 100
 San Francisco, CA 94103
 (415) 774-1100

A1



PACIFIC OCEAN

VICINITY MAP

SCALE: 1/4" = 1'-0"

SITE PLAN / FIRST FLOOR PLAN

Exhibit 2 Project Plans
(1 of 5)

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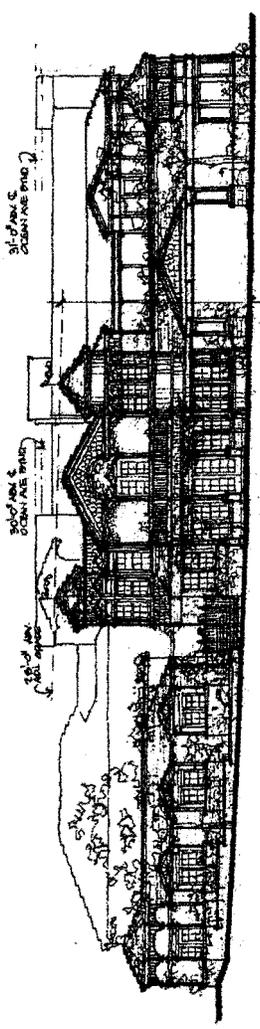
THE VICTORIAN INN

COHN + ASSOCIATES
 ARCHITECTURE PLANNING
 1000 15th St. N.W.
 WASHINGTON, D.C. 20004
 TEL: 202-331-1100
 FAX: 202-331-1101
 WWW: WWW.COHN-PA.COM

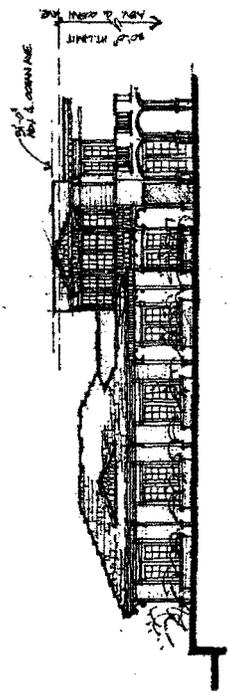
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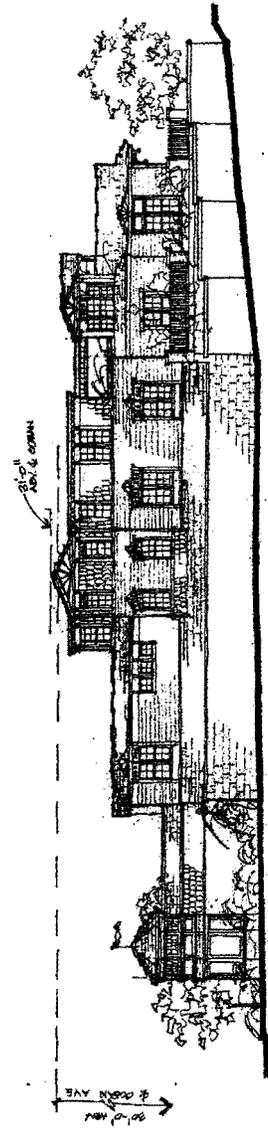
EXTERIOR ELEVATIONS



SOUTH ELEVATION - OCEAN AVENUE



SOUTH PLAZA ELEVATION



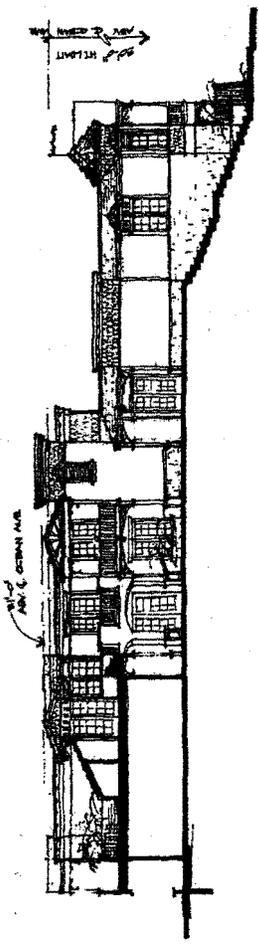
EAST ELEVATION

Exhibit 2
(4 of 5)

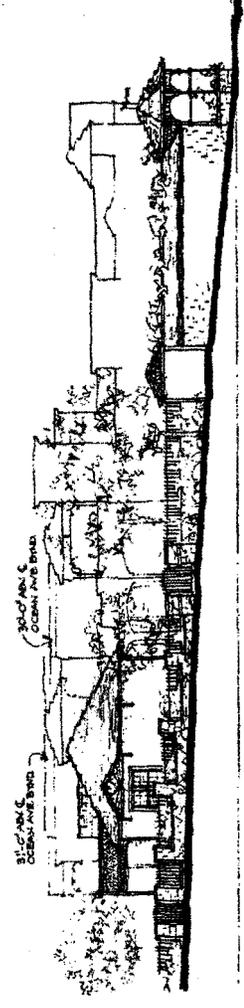
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CALIFORNIA COMMISSION
COASTAL COMMUNITY
CENTRAL COAST AREA



WEST PLAZA ELEVATION



WEST ELEVATION - E STREET

EXTERIOR ELEVATIONS

SCALE: 1/4" = 1'-0"

A5

Exhibit 2
(5 of 5)

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WWW.VICTORIANINN.COM

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PROJECT SITE



Exhibit 3
Site and Area Photos

Cayucos

September 25, 1998

CITIZENS ADVISORY COUNCIL

P.O. BOX 781 • CAYUCOS, CA 93430

Mr. Mike Wulkan
Dept. of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Dear Mike:

At our meeting of September 23, the Advisory Council passed the following recommendation for revisions to the planning area standards for the Central Business District of Cayucos (7 yes, 5 no).

Intent of the revised standards.

Allow a wide range of two-story buildings: any structure above the second-floor ceiling height would only be pitched roof or limited decorative elements. Three-story buildings would not be allowed.

Specific recommended standards.

- a) Buildings limited to two habitable stories above grade (as defined by the Coastal Zone Land Use Ordinance).
- b) Maximum building height 28 ft.
- c) Maximum plate height of 24 ft.
- d) Vertical measurements above should be referenced to the centerline of Ocean Ave., except for lots with an average natural grade lying below the centerline. For such lots, vertical measurements should be referenced to the average natural grade of the lot.
- e) No wall facing a public street greater than 24 ft. above finished grade. No other wall greater than 28 ft. above finished grade.
- g) Buildings should incorporate at least the basics of good-quality design; for instance, reasonable attention should be paid to pedestrian access, landscaping, and the articulation of walls and roofs. The architectural style of buildings should be either western, Victorian, or seaside/nautical, as is currently proposed in the draft Estero Area Plan.

We understand that the "compatibility" standard would remain, since it is part of the Coastal Zone Land Use Policy. The new standards are intended to make that standard less of an issue in the planning process by specifying compatible scale in more detail. On behalf of the Council, let me thank you again for your efforts on the area plan update. If you have any questions regarding these recommendations, please don't hesitate to give me a call.

Sincerely yours,



Bruce S. Gibson
Chairman, Land Use Committee

CC: Supervisor Bud Laurent
Ms. Shirley Bianchi, Planning Commission

Exhibit 4



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:

County's conditions
Exhibit 5
(1 of 5)

- 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.**

Exhibit 5
(2 of 5)

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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Exhibit 5
(5 of 5)

