

CALIFORNIA COASTAL COMMISSION

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

RECORD PACKET COPY**Th 4c****ADMINISTRATIVE PERMIT NUMBER 3-00-043**

Applicant..... Douglas & Elaine Bitter
Agent Thomas G. Brajkovich, Architect
Project Location 272 North Ocean Avenue, Cayucos, San Luis Obispo County, APN 064-094-020.
Project Description Construction of a triplex (two units with attached garage near the street and one unit above garage in rear), improvements to shared driveway, and construction of a 10' wide wooden boardwalk along North Ocean Avenue.
Local Approvals County of San Luis Obispo: MUP/CDP D990100P.

Note: Public Resources Code Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs. This permit will be reported to the Commission at the following time and place:

June 15, 2000
9:00 A. M.

Radisson Hotel
1111 East Cabrillo Blvd.
Santa Barbara, CA 93103
(805) 963-0744

IMPORTANT: Before you may proceed with development, the following must occur: You must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return to our office (Title 14, California Code of Regulations, Sections 13150(b) and 13158). Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, if applicable, we will send you a Notice of Administrative Permit Effectiveness. **Before you can proceed with development, you must have received both your administrative permit and the notice of permit effectiveness from this office.**

PETER DOUGLAS
Executive Director

Executive Director's Determination: The findings for this determination, and for any special conditions, appear on subsequent pages.

By: Lee Otter
District Chief Planner



California Coastal Commission
June 15, 2000 Meeting in Santa Barbara
Staff: R. Brooke, Approved by: *R.B. 5/25/00*

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.

EXECUTIVE DIRECTOR'S DETERMINATION

The Executive Director hereby determines that the proposed development is a category of development that qualifies for approval by the Executive Director through the issuance of an administrative permit (Public Resources Code Section 30624). Subject to Standard and Special conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of San Luis Obispo County to implement a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.



FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

The applicant proposes to construct a triplex; two residential units (first floor unit is approximately 986 square feet and second floor unit is approximately 1,046 square feet) with an attached garage are located near North Ocean Avenue and the third unit (approximately 567 square feet) is located at the rear of the lot, above a detached garage. Project plans are attached to this report as Exhibit 3.

The project is located on a 50-foot by 150-foot lot on the east (inland) side of Ocean Avenue, approximately 350 feet north of Cayucos Drive, in the town of Cayucos, San Luis Obispo County. Please see Exhibit 1 for a regional map and Exhibit 2 for a site location map. Water for the project will be provided from the municipal supply managed by the Morro Rock Mutual Water Company, and wastewater treatment will be provided by the Cayucos Sanitary District. A will serve letter, indicating that there is adequate capacity to provide water services, has been obtained by the applicant, and the applicant is required to obtain such a letter for wastewater services prior to the issuance of a construction permit from the County.

The San Luis Obispo Local Coastal Program (LCP) Estero Area Plan designates the area in which the project is located for residential multi-family development. To the north of the site is an existing residence. "B" Street separates this residence from Cayucos Creek, which is approximately 200 feet north of the project site. To the south of the site is a vacant lot (proposed for two single family residences), a historic barn, followed by the Cass house, an old Victorian home that is currently being restored.

The site is within the Coastal Commission's permit jurisdiction by virtue of being located on historic tidelands associated with the confluence of Cayucos Creek and the Pacific Ocean, and thus the standard of review is the Coastal Act. These tidelands were previously filled in order to elevate the site and surrounding area above the high tide mark. The County of San Luis Obispo approved a local permit for the project (D990100P) on April 21, 2000 (see Exhibit 4 for the County's Conditions of Approval).

Coastal resource issues raised by the project include flood hazards associated with Cayucos Creek, and protecting the historic character of the area that adds to its attractiveness as a visitor destination.

HAZARDS

In terms of flooding, the project is located within the flood hazard area delineated by the Estero Area Plan, which generally corresponds to the area that is subject to flooding under a 100-year storm. The Coastal Act is the standard of review in this case, and Section 30253(1) requires that new development minimize risks to life and property in areas of high geologic, flood, and fire hazard. In addition, the County's certified LCP, although only advisory in the analysis of this project, contains standards which reflect the intent of the Coastal Act and thus, is a measure by which to analyze the project's consistency with Coastal Act Standards.

LCP Policy 3 for Hazards prohibits new residential, commercial and industrial development within flood hazard areas, except for those areas within an urban reserve line, as is the case with



this project. In accordance with Section 23.07.066 of the San Luis Obispo County Coastal Zone Land Use Ordinance (CZLUO), the County permit for the project requires the finished grade of the structures to be elevated at least one foot above the 100-year storm flood profile level. With this condition, and recognizing that the project constitutes infill within an existing developed area (as opposed to new development in an undeveloped flood plain), the project is consistent with Coastal Act Section 30253(1).

COMMUNITY CHARACTER

With respect to community character, the project is located in close proximity to historical structures such as the nearby Cass house and a historical barn. These structures reflect the western and Victorian history of the area, and help define the character and uniqueness of the local community that add to its interest and desirability as a destination for coastal recreation. The project is designed with Victorian-style architectural elements, which is consistent with the surrounding neighborhood and will protect the unique character of Cayucos. The incorporation of a 10 foot wide wooden boardwalk into the project design is consistent with what is found on nearby properties and will serve as a continuous public walkway once completed. With these design elements (seen in Exhibit 3), the project is consistent with Section 30253(5) of the Coastal Act, which requires that new development protect special communities and neighborhoods, which, because of their unique characteristics, are popular visitor destination points for recreational uses.

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)(i) 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 effect 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 of Resources as being the functional equivalent of environmental review under CEQA. This report has examined the relevant issues in connection with the environmental impacts of this proposal. The Commission finds that, for the reasons stated above, the proposed project will not have any significant adverse effects on the environment within the meaning of CEQA.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS

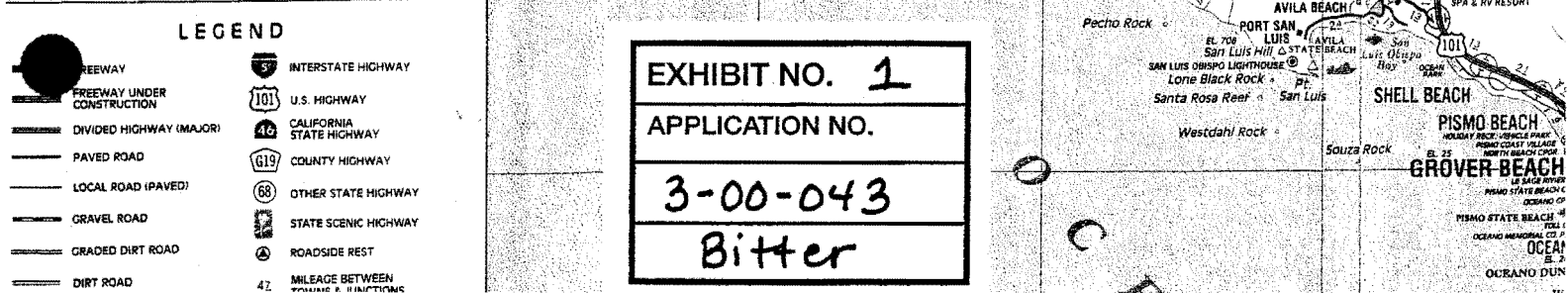
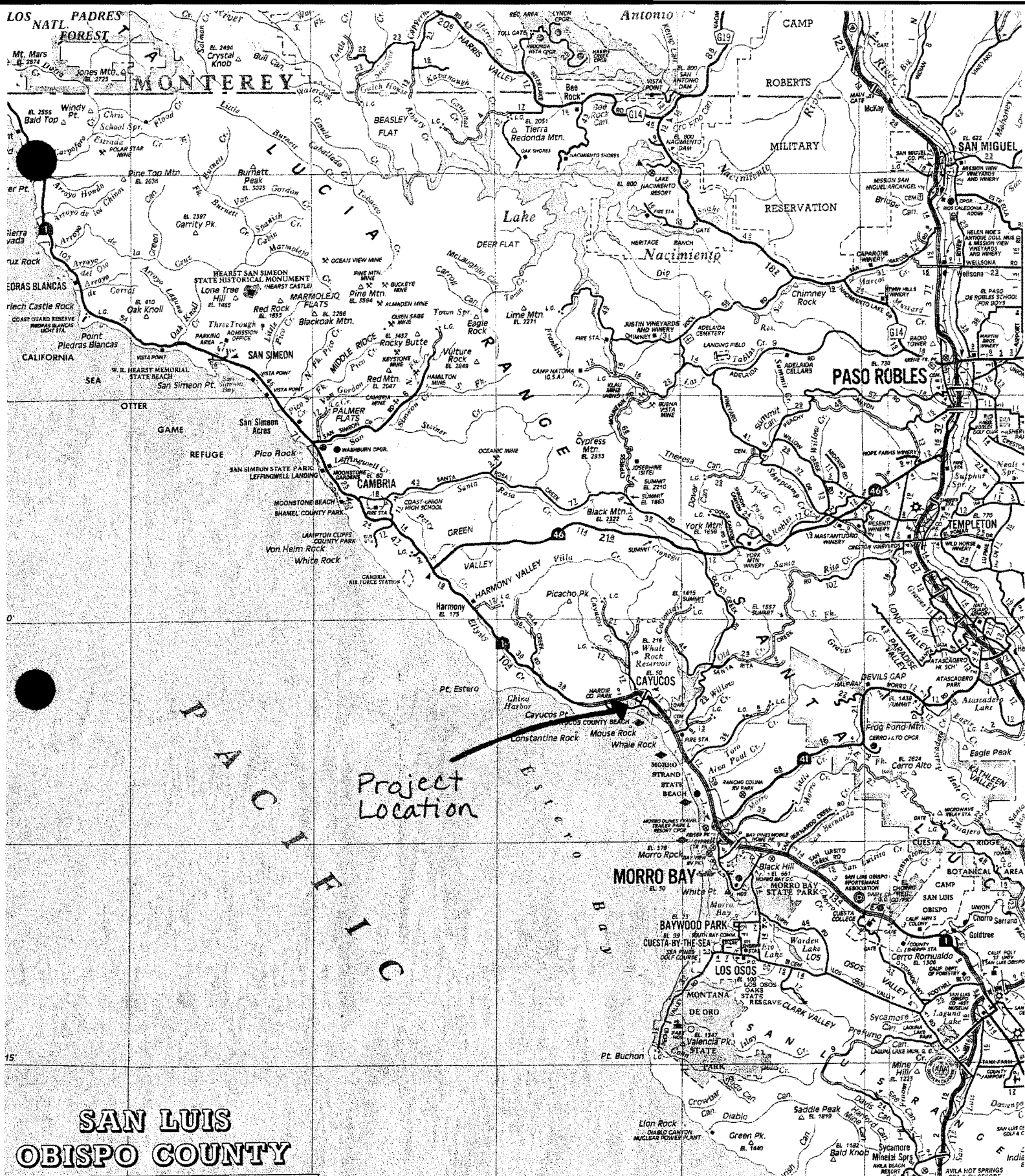
I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's signature

Date of signing



California Coastal Commission



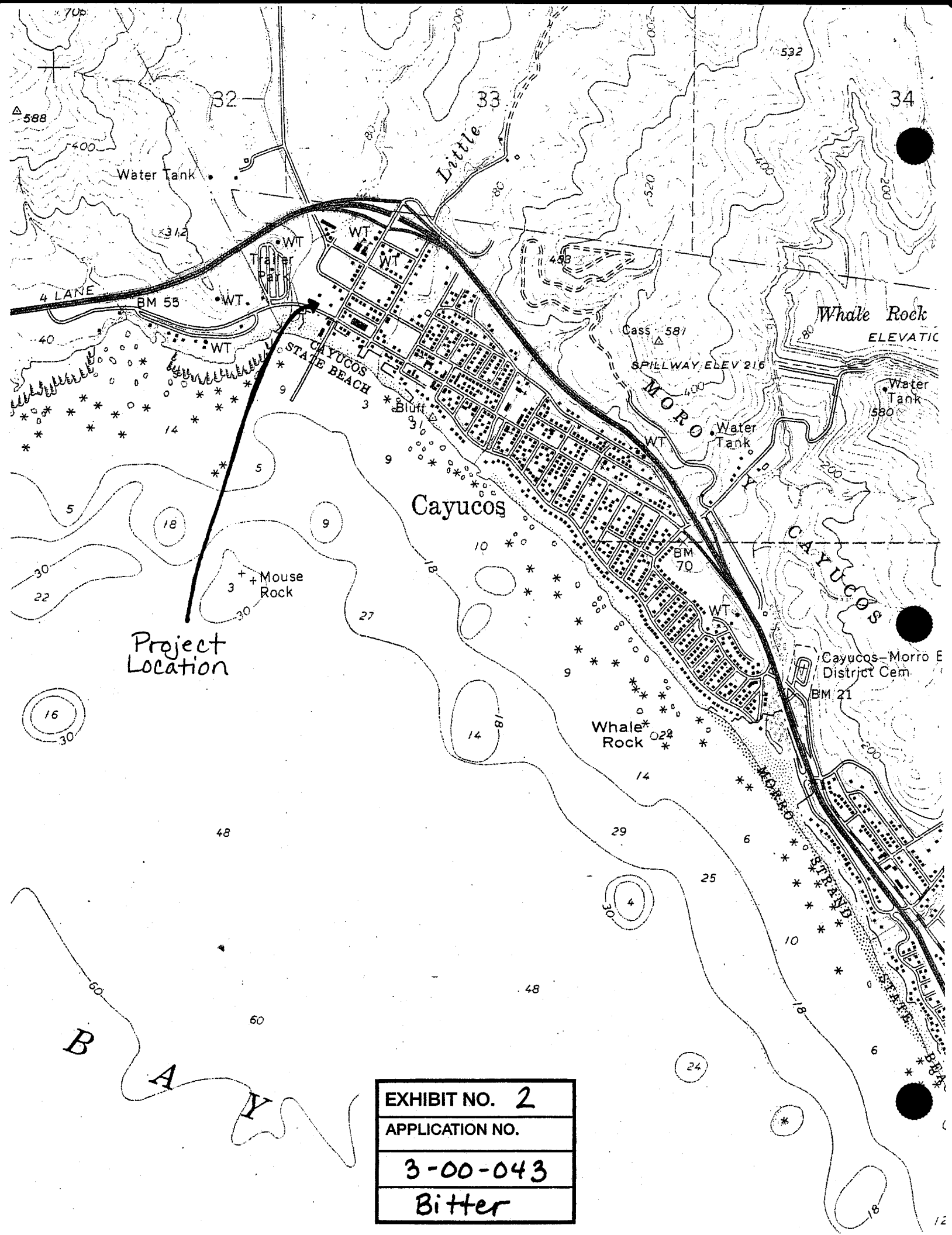


EXHIBIT NO. 2

APPLICATION NO.

3-00-043

Bitter

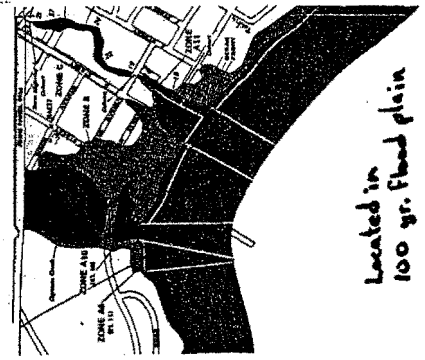
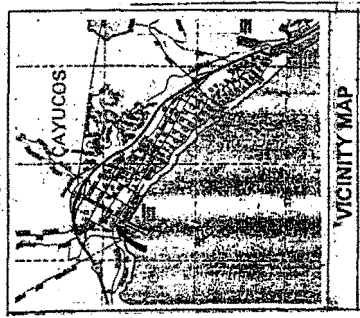
DATE	1/15/78
BY	W. J. J.
FOR	W. J. J.
PROJECT	W. J. J.
NO.	W. J. J.
REV.	W. J. J.
DATE	1/15/78
BY	W. J. J.
FOR	W. J. J.
PROJECT	W. J. J.
NO.	W. J. J.
REV.	W. J. J.

PARAGON DESIGN AND BUILDING
 ARCHITECT
 THOMAS G. BRAKOVICH
 1000 MORRIS ST. SUITE 202
 SAN LUIS OBISPO, CA 95044
 UC C-016012 (005) 541 9464/1000 BAY 0705



BITTER TRIPLEXY
 NORTH OCEAN BLVD
 CAYUCOS, CALIFORNIA

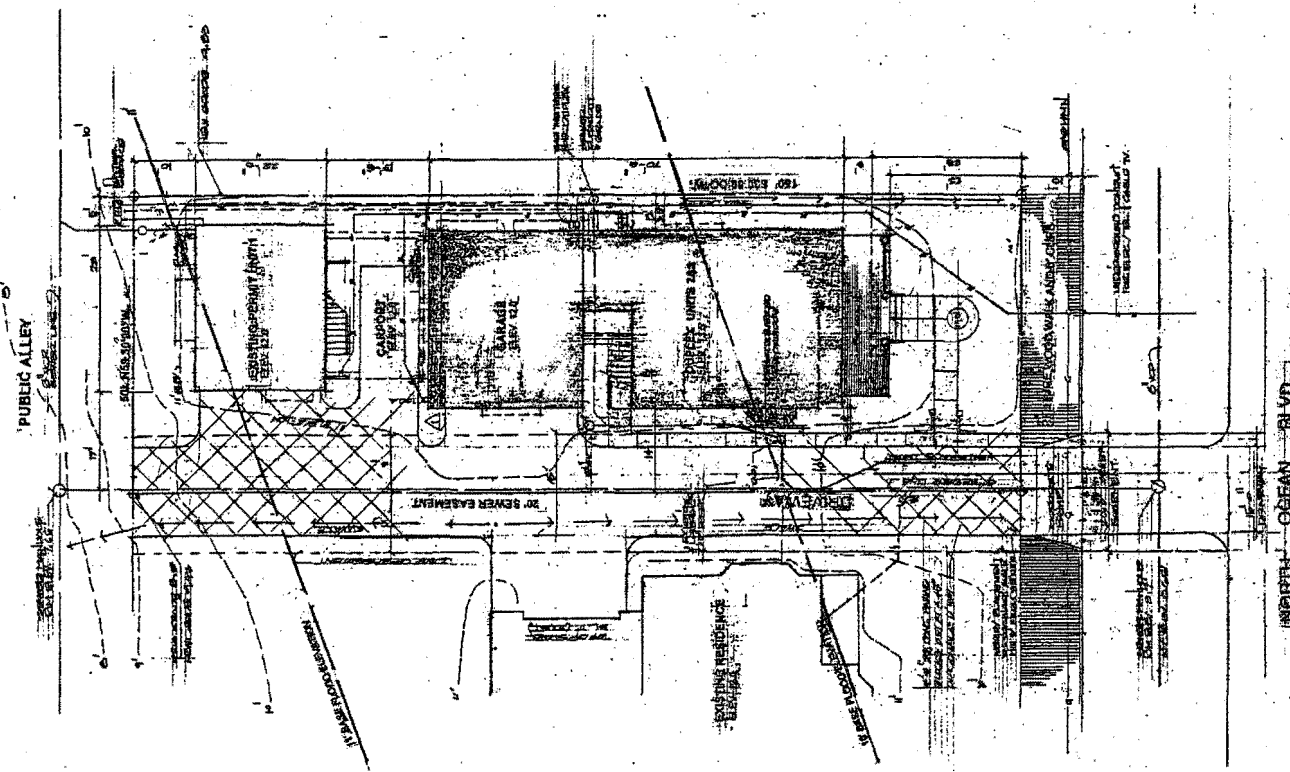
DATE	1/15/78
BY	W. J. J.
FOR	W. J. J.
PROJECT	W. J. J.
NO.	W. J. J.
REV.	W. J. J.



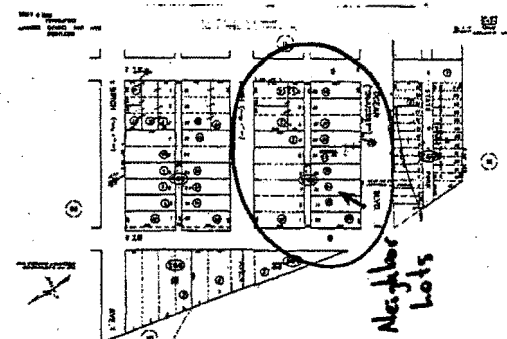
Located in
100 yr. flood plain

OWNER	JOHN AND JANE W. WISSENER 1000 MORRIS ST. SUITE 202 SAN LUIS OBISPO, CA 95044
ARCHITECT	THOMAS G. BRAKOVICH 1000 MORRIS ST. SUITE 202 SAN LUIS OBISPO, CA 95044
LEGAL	FRANK ROSEN 9805 CAYUCOS, CA 95009
SPN	001-000-0000
AREAS	100' FRONT 100' DEPTH 100' BACK UNIT TOTAL 2000 SQ. FT.
MAX. ALLOWABLE XING	100' FRONT
MAX. HEIGHT	20 FEET

GENERAL DATA



SITE PLAN
 1/15/78

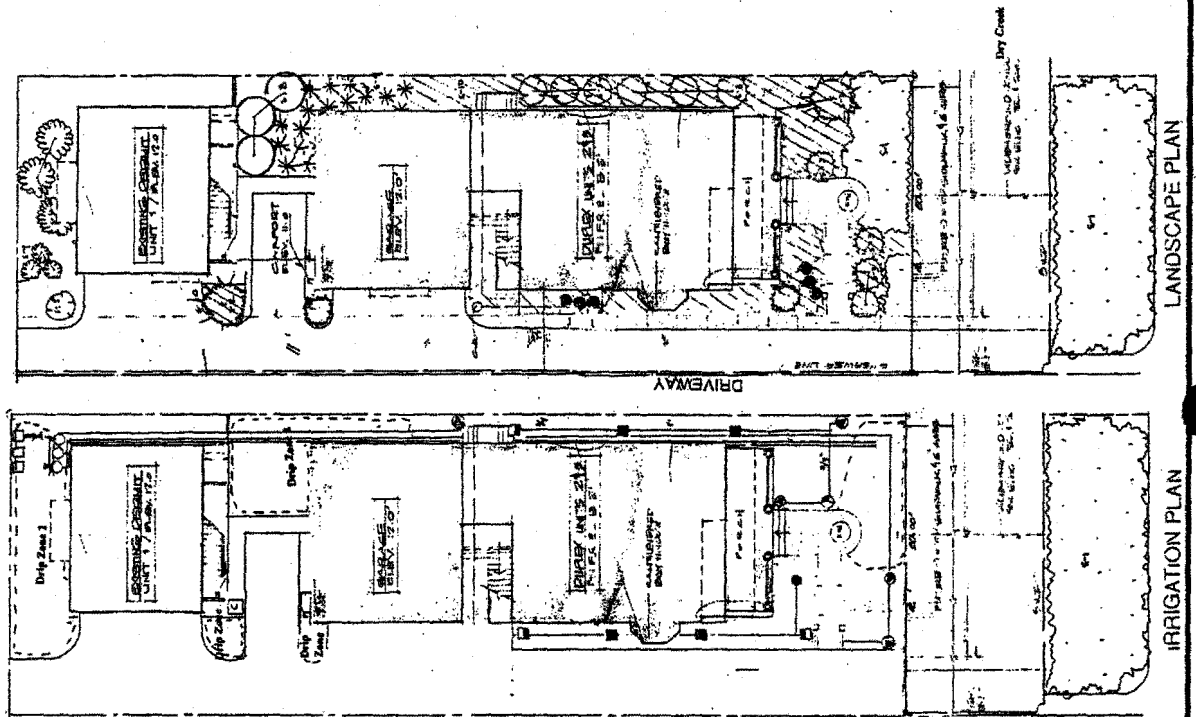


Neighbor
Lots

STATEMENT OF CONDITIONS
 I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original as the same appears in the files of the County of San Luis Obispo, California, and that the same is a true and correct copy of the original as the same appears in the files of the County of San Luis Obispo, California.

Location	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing
1. 100' FRONT	100'	100'	100'	100'	100'	100'	100'	100'
2. 100' DEPTH	100'	100'	100'	100'	100'	100'	100'	100'
3. 100' BACK UNIT	100'	100'	100'	100'	100'	100'	100'	100'
4. TOTAL	2000	2000	2000	2000	2000	2000	2000	2000

Exhibit 3 - Project Plans
 (1 of 7)



Code	Quantity	Size	Botanical Name
S-1	50	1 gallon	<i>Myrsine "south coast"</i>
S-2	6	5 gallon	<i>Parsons Texas</i>
S-3	8	3 gallon	<i>Berberis Thunbergii</i> <i>Alanguapara</i>
S-4	6	1 gallon	<i>Lonicera Persei</i>
S-5	7	1 gallon	<i>Nandina Domestica</i>
S-6	3	1 gallon	<i>Westringia Fendleri</i>
S-7	15	1 gallon	<i>Agapanthus "Queen Ann"</i>
S-8	7	1 gallon	<i>Aspidistra Hyemalis</i>
S-9	20	1 gallon	<i>Penstemon Scutellari</i>
S-10	15	1 gallon	<i>Penstemon Glaucus</i>
T-1	1	15 gallon	<i>Melastoma Neesii</i>

Class 204 FVC

Schedule 40 PVC

Water Meter

WINDHAM 575 DPI™

Regulating Pressure
With 17.5 PSI
PSA ST-2000 produced by W.A. Wadsworth Valve & Equipment Co. is superior to

Related 1" DVF Automatic Value:

Hardy Radial Controller

Model 1812 Series pop-up spray sprinklers

12' H₂O13th Quarter

15051

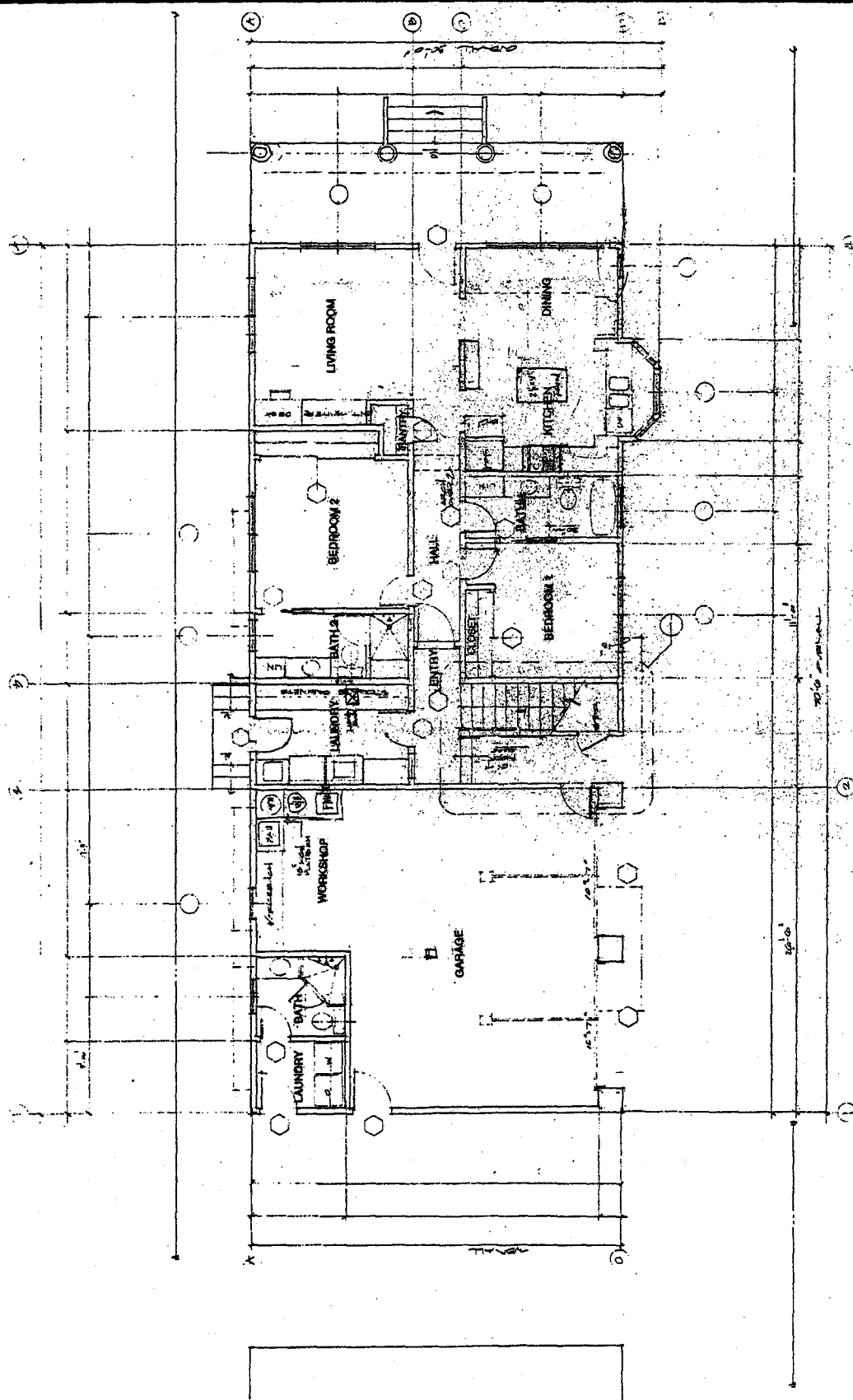
15 EST

Dodge Equipment-Rulebird XB-25 Leak Pressure compensating

1 per 1 gallon

1 per 5 gallon

Journal of



1ST FLOOR PLAN

Exhibit 3
(4 of 7)



Exhibit 3
(5 of 7)



PO BOX 746, SAN LUIS OBISPO, CA 93406
John M. Pryor ARCHITECT

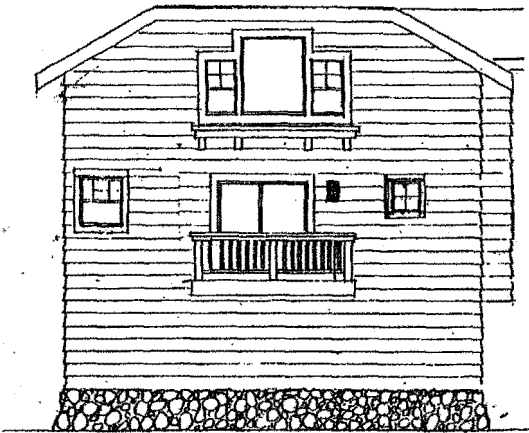
RESIDENCE OVER GARAGE
 DOUG & ELAINE PRYOR PROPERTY
 2722 NORTH OCEAN J.E. CAYUCOS, CA

Doug & Elaine Pryor
 67 San Rafael
 Ocean Point, CA 94029
 (415) 946-0446

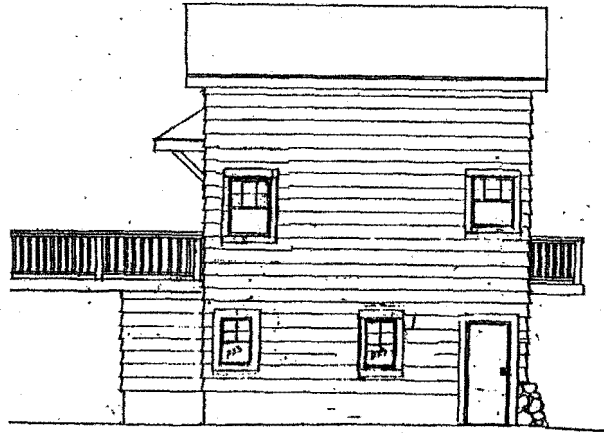
December 25, 1999

SHEET NO.
6

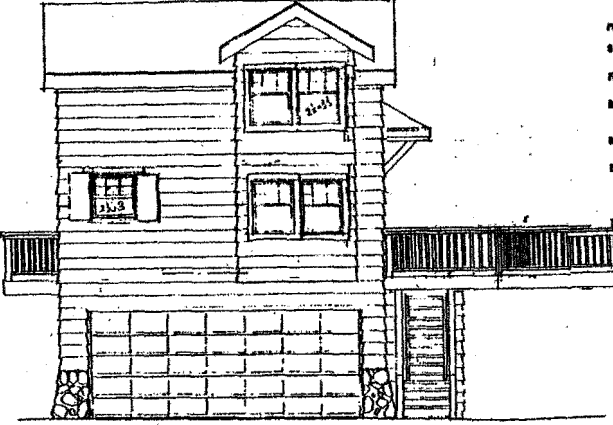
Exhibit 3
 (6 of 7)



NORTH (DECK SIDE - ELEVATION VIEW



EAST (RIGHT SIDE) ELEVATION VIEW



WEST (LEFT SIDE - GARAGES) ELEVATION VIEW



SOUTH ELEVATION VIEW

[illegible]

EXHIBIT B
CONDITIONS OF APPROVAL -D990100P

Approved Development

1. This approval authorizes the construction three dwelling units, not to exceed 2,625 square feet in size, on a 7,500 square foot site, which includes:
 - a. an approximately 2,050 square foot duplex with an attached garage and carport.
 - b. an approximately 570 square foot unit above a two car garage: previously permitted (D970106P)
2. **Prior to the issuance of a construction permit**, the applicant shall submit revised plans eliminating any storage area above the proposed garage.

Site Development

3. Site development shall be consistent with the revised site plan, floor plans and elevations. **The maximum height of the project is 28 feet from average natural grade.**

Water Supply

4. **Prior to the issuance of a construction permit**, the applicant shall submit a letter from Morro Rock Water Company stating that they are willing to serve their requirements.

Cayucos Sanitary District

5. **Prior to the issuance of a construction permit**, the applicant shall submit a letter from Cayucos Sanitary District stating that the project will meet their requirements.

Fire Safety

6. **Prior to the issuance of a construction permit**, the applicant shall obtain a fire clearance letter from the Cayucos Fire Department.

Archaeology

7. During construction of the proposed project, the applicant shall retain a qualified archaeologist, approved by the Department of Planning and Building, to monitor all earth disturbing activities on the subject property. If any archeological resources are found during monitoring, work shall stop within 150 feet of the resource 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.
8. **Prior to the issuance of a construction permit**, and upon completion of all monitoring/mitigation activities, the consulting archaeologist shall submit a letter to the

Exhibit 4 (1 of 3)

Department of Planning and Building summarizing all monitoring/mitigation activities and confirming that all recommended measures have been met.

Coastal Permit

9. **Prior to the issuance of a construction permit**, the applicant shall provide the Planning Department a copy of a permit for lands within the original jurisdiction of the Coastal Commission approved by the Coastal Commission (CCC) or a letter from the CCC indicating that the project does not require such a permit.

Undergrounding Utilities

10. **Prior to final inspection**, all utilities will be located underground.

Flood Hazard

11. **Prior to the issuance of a construction permit**, the applicant shall submit a drainage plan to be reviewed by the Engineering Department
12. **Prior to the issuance of a construction permit**, the applicant shall submit elevations showing that the finished floor is no less than 12 inches above the 100 year storm flood level to the County Engineering Department for review and approval.

Landscaping and Fencing

13. **Prior to the issuance of a construction permit**, the applicant shall submit landscape, irrigation and landscape maintenance plans in accordance with Section 23.04.180 through 23.04.186 of the Coastal Zone Land Use Ordinance to the Development Review Section of the Planning and Building Department for review and approval. Plans shall include location, species and container size of all proposed plant materials and method of irrigation. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. The landscape plan shall include the following:
- a. utilization of native-type plants
 - b. provision of street trees within 10 feet of the sidewalk
 - c. landscaping of all unused areas (areas of the site not identified as intended for a specific use or purpose .)
 - d. indication of the location and height of all proposed fencing materials
14. Because this project is designed to resemble a single family residence, the project does not require the installation of fencing or screening on the interior property lines.

Road and Sidewalk Improvements

15. **Prior to final inspection**, the applicant shall provide the following improvements:

Exhibit 4 (2 of 3)

Road Improvements

- a. Old North Ocean Avenue constructed to an A-2 urban section fronting the property a minimum paved width of at least 24 feet.
- b. an intersection (designed by a licensed civil engineer) at Old North Ocean Avenue and North Ocean Avenue allowing two way access onto North Ocean Avenue.

Sidewalk Improvements

- a. Design of wooden sidewalks ten feet in width along Ocean Avenue, design shall be approved by the County Engineering Department.
16. **Prior to issuance of a construction permit**, improvement plans shall be prepared in accordance with San Luis County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the County Engineer for approval. The plan is to include:
- a. Street plan and profile;
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require);
 - c. Grading and erosion control plan for related improvements locations;
 - d. Public utility.
17. The applicant shall enter into an agreement with the county for inspection of said improvements.
18. The engineer, upon completion of the improvements, must certify to the County Engineer that the improvements are made in accordance with this permit requirements and the approved plans.

Miscellaneous

19. **Prior to the issuance of a construction permit**, the applicant shall obtain an encroachment permit from the Engineering Department for all improvements within the right-of-way.

Exhibit 4 (3 of 3)