

CALIFORNIA COASTAL COMMISSION

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COASTAL DEVELOPMENT PERMIT APPLICATION

Application number A-3-SLO-00-119, Todd SFD

Applicant Joe Todd

Project location 16485 Cabrillo Highway (approx. 1.5 miles north of Piedras Blanca Lighthouse, North Coast Area Plan), San Simeon, San Luis Obispo County (APN 011-231-001)

Project description Construction of an approximately 2,980 sq. ft. single family dwelling with attached 720 sq. ft. garage, 1,200 square foot barn, driveway, water well, septic system, water storage tank, and related grading.

File documents San Luis Obispo County Certified Local Coastal Program; Coastal Development Permit D990190P; COAL 90-137; *Cultural Resources Survey and Impact Assessment* (C.A Singer & Associates, Inc., October 12, 1999); *Percolation Data Report* (Mid Coast Geotechnical Inc., November, 30, 2000).

Staff recommendation... **Approval, with Conditions**

Summary: The Applicant proposes to construct an approximately 2,980 square foot, one-story, single family residence with an attached 720 square foot garage, driveway, water well, septic system, and a water storage tank on a 4.37 acre site. Since the appeal was filed, the applicant has modified his project to eliminate the proposed barn. In addition, the applicant has proposed to lower the residence and attached garage one foot below average natural grade within the building footprint, and lower the pitch of the roof, which reduces the maximum finished height of the structure to approximately 11' 9" above average natural grade. Finally, a low (ranging from two to three feet in height) earthen berm is proposed directly adjacent to the structure, which will be planted with native vegetation. The surrounding land is currently owned by the Hearst Corporation and is used for cattle grazing, with the exception of three vacant parcels, ranging from 3.4 to 6.4 acres, located directly south of the property.

This stretch of the California coast is regarded as a unique, scenic coastal resource of great public importance. As approved by the County, the project does not meet the Local Coastal Program's applicable visual and scenic resource policies because additional measures can be taken to make the development subordinate to, and blend with, the rural character of the area. The project, as modified by



California Coastal Commission
June 2001 Meeting in Los Angeles

Staff: R. Brooke Approved by: *RG/5/24/01*

the applicant, in tandem with the conditions of approval, recommended by staff, bring the proposed project into compliance with these LCP Policies and recognize the need to protect the vast and rural landscape of San Luis Obispo’s North Coast.

Second, because this area is designated for agricultural use, development of a single-family dwelling creates potential conflicts between residential and surrounding agricultural uses. To minimize potential conflicts between surrounding agricultural operations and the proposed residential development, recommended conditions require the applicant to record a “Right to Farm” statement, consistent with the LCP.

Third, because there are known prehistoric cultural resources in the area of the project, care should be taken to ensure that no ground disturbing activities will harm any potential archaeological resources on the site. The project is conditioned to require the applicant to retain a qualified archaeologist to monitor all ground disturbing activities and implement mitigation measures, if any resources are found below the surface of the site.

Finally, the proposed development is located outside the San Simeon Urban Services Line and thus, must be serviced by adequate private on-site water and wastewater disposal systems. This evidence was not available for the County’s approval, and therefore, was a basis of the appeal. However, the applicant has since provided the necessary information verifying that the site can be served by adequate on-site water and wastewater systems, consistent with the LCP.

With the recommended conditions of approval, the proposed project can be brought into compliance with applicable Local Coastal Program policies and ordinances. Thus, staff recommends that the Commission approve the coastal development permit with conditions.

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I. Staff Recommendation on CDP Application

The staff recommends that the Commission, after public hearing, **approve** a coastal development permit for the proposed development subject to the standard and special conditions below.

Motion. I move that the Commission approve Coastal Development Permit Number A-3-SLO-00-119 pursuant to the staff recommendation.

Staff Recommendation of Approval. Staff recommends a **YES** vote. Passage of this motion will result in approval of the coastal development 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 a Coastal Development Permit. The Commission hereby approves the coastal development permit on the ground that the development as conditioned, will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of San Luis Obispo County to carry out the certified Local Coastal Program conforming to the provisions of Chapter 3. Approval of the coastal development 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



amended development on the environment; or (2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse effects of the amended 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. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **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.
5. **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

1. **Scope of the Permit.** This permit authorizes the construction of a single family residence with attached garage, water well, septic system, water tank, driveway, underground utility connections and the necessary grading, berm construction, and landscaping necessary to screen the residence. Construction of a barn or other accessory structures shall require an amendment to this permit.
2. **Conditions Imposed by Local Government.** This action has no effect on conditions imposed by a local government pursuant to an authority other than the Coastal Act.
3. **Revised Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit for the Executive Director's review and approval, two sets of revised project plans, in substantial conformance with the specifications shown in Exhibit 2, and consistent with the following:



- (a) The residence shall not exceed 10'9" above average natural grade (except for a chimney or smokestack).
- (b) Non-reflective, earth tone materials shall be used on all surfaces (siding, roofing, windows, chimney, gutters, etc.) to prevent the detection of glare or light reflection from public viewing areas. Where there is no feasible alternative for concealing a particular man-made element, the use of vegetative screening shall be limited to that which is necessary to provide the necessary visual barrier.
- (c) The water tank shall be located underground (unless not allowed, or found to be infeasible pursuant to standards of the California Department of Forestry), or otherwise screened from public view.
- (d) All parking areas shall be screened from major public viewsheds.
- (e) The driveway shall not exceed the minimum width necessary to achieve safe access, consistent with Fire Department requirements, to the residence (generally 10 feet except for curves, pullouts, turn-about, and parking areas). Driveway material shall be redrock (or other material that is visually compatible with the surrounding range land), except the portion directly adjoining Highway 1, which is subject to California Department of Transportation specifications.

The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

4. **Landscape Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit for the Executive Director's review and approval, two sets of landscape plans. The plan shall be prepared in consultation with the San Luis Obispo County planning staff, using California native species, including those found on the County's approved "Plant List-Western Portion". The plan shall provide for the minimum vegetation necessary to adequately screen the residence and driveway from Highway 1. The plan shall include an analysis by a qualified expert that considers the specific condition of the site including soil, exposure, temperature, moisture, and wind, as well as screening goals. The plan shall demonstrate that:

- (a) All vegetation planted on the site will consist of native, drought-tolerant plants,
- (b) All required plantings will be maintained in good growing conditions throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan,
- (c) Vegetation can be expected to attain full screening height and fullness within five years, and
- (d) Vegetation will be trimmed the minimum amount necessary for the health of the species, as recommended by the qualified expert.

The plans shall include, at a minimum, the following components:



- (a) A map showing the type, size, and location of all plant materials that will be on the developed site, the irrigation system, topography of the developed site, and all other landscape features, and
- (b) A schedule for installation of plants, indicating that screening vegetation will be installed prior to building occupancy.

The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

5. **Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall finalize, execute, and record, in a form and content acceptable to the Executive Director, a deed restriction that limits future development of the parcel according to the specific provisions listed below. The deed restriction shall include a legal description of the parcel being restricted, and 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 invalidated or changed without a Commission amendment to this coastal development permit.

The Deed Restriction shall provide for the following:

- (a) Non-reflective, earth tone materials shall be used on all surfaces (siding, roofing, windows, chimney, gutters, etc.) to prevent the detection of glare or light reflection from public viewing areas. Where there is no feasible alternative for concealing a particular man-made element of any development on-site, the use of vegetative screening shall be limited to that which is necessary to provide the necessary visual barrier.
- (b) Establishment of a parking area behind (northeast of) the residence, so that the area itself and all vehicles or mechanized equipment will not be visible from public viewing areas. Any vehicles, mechanized equipment, and other items that may detract from the scenic qualities of the area shall be contained, when not in use, within this parking area.
- (c) All utilities shall be placed underground.
- (d) Exterior lighting shall be low level and limited to that necessary for safe passage within the designated building envelope. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface are visible from public viewing areas. Floodlighting or spotlighting of ground or water surfaces visible from public viewing areas shall be prohibited.
- (e) Gate and fence structures in public view shall be visually consistent with the range fencing and Wind River-type gates existing on adjacent grazing lands.
- (f) Recordation of a statement that provides "This parcel is adjacent to property that is used, or planned to be used, for agricultural purposes. Residents may be subject to inconvenience or discomfort arising from the use of agricultural chemicals, including herbicides, pesticides, and fertilizers, and from the pursuit of agricultural operations, including animal grazing, plowing, spraying, pruning and harvesting, which occasionally generate dust, smoke, noise, and odor. San



Luis Obispo County and the State of California has established agriculture as a priority use on productive agricultural lands, and residents of adjacent property should be prepared to accept such inconvenience or discomfort from normal, necessary farm operations.”

- (g) Landscaping installed pursuant to the approved landscape plan shall be continually maintained for the life of the approved single family residential development. On-site vegetation will be trimmed the minimum amount necessary for the health of the species, pursuant to the approved landscape plan.
- (h) The exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the residential structure. Accordingly, any future improvements to the single family house authorized by this coastal development permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources section 30610(d) and Title 14 California Code of Regulations sections 13252(a)-(b), shall require an amendment to Permit No. A-3-SLO-00-119 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

6. **Scenic and Conservation Easement.** That portion of the property containing the approved residence, garage, patio, driveway and parking area shall be defined as the building envelope. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, a scenic and conservation easement shall be executed and granted to the County of San Luis Obispo for all areas of the property outside the approved building envelope. No development, as defined in Section 30106 of the Coastal Act shall occur in the described easement area except for a water storage tank, water well, septic system, underground utilities, drainage, landscaping, and fire protection measures, all subject to obtaining necessary permits.

The easement shall be submitted to and approved by the Director of Planning and Building after the text has been reviewed by the Executive Director of the Coastal Commission. The recorded document shall include a map and legal description depicting both the applicant's entire parcel and the easement area. The recorded document shall also reflect that development in the easement area is restricted as set forth in this permit condition. The easement shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the interest being conveyed. The easement shall run with the land in favor of the People of the State of California.

7. **Archaeology.** During ground disturbing activities, the applicant shall retain a qualified archaeologist, approved by the Executive Director, to monitor all earth disturbing activities, per the cultural resources survey and impact assessment report prepared by C.A. Singer & Associates, Inc. (October 12, 1999).

- (a) If an area of cultural deposits is discovered during the course of the project:
 - (1) All construction shall cease and shall not recommence except as provided in subsection (b) hereof; and



- (2) Within 90 days after the date of discovery of such deposits, the applicant shall provide evidence to the Executive Director of execution and recordation of a deed restriction, in a form and content acceptable to the Executive Director, stating that, in order to protect archaeological resources, development can only be undertaken consistent with the provisions of an archaeological plan prepared by a qualified individual and approved by the Executive Director.

This 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 an amendment to this coastal development permit approved by the Coastal Commission.

- (b) An applicant seeking to recommence construction following discovery of the cultural deposits shall submit an archaeological plan for the review and approval of the Executive Director.
 - (1) If the Executive Director approves the archaeological plan and determines that the plan's recommended changes to the propose development or mitigation measures are de minimis in nature and scope, construction may recommence after the Executive Director receives evidence of recordation of the deed restriction required above.
 - (2) If the Executive Director approves the archaeological plan but determines that the changes therein are not de minimis, construction may not recommence until after an amendment to this permit is approved by the Commission and the Executive Director receives evidence of recordation of the deed restriction required above.

8. **Public Access and Open Space Dedication.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit an irrevocable offer to dedicate that portion of the property (APN 011-231-001) lying southwesterly of California State Highway 1, depicted in Exhibit 8, to public ownership in fee for public access, open space, and other public uses.

The irrevocable offer shall be of a form and content approved by the Executive Director, free of prior encumbrances, except for tax liens, that the Executive Director determines may affect the interest being conveyed, and shall provide the public the right to use the dedicated area for passive recreational use. The dedicated area shall not be open for usage until a public agency or private association approved by the Executive Director agrees to accept responsibility for maintenance and liability associated with the property. The document shall provide that the offer of dedication shall not be used or construed to allow anyone, prior to acceptance of the offer, to interfere with any rights of public access acquired through use which may exist on the property. The offer shall run with the land in favor of the State of California binding successors and assigns of the applicant or landowner. The offer of dedication shall be irrevocable for a period of 21 years, such period running from the date of recording.



III. Recommended Findings and Declarations

The Commission finds and declares as follows:

A. Project Description

1. Project Location

The applicant's property is located both east and west of Highway 1, approximately 1.5 miles north of Piedras Blanca Lighthouse, north of the community of San Simeon (please see Exhibit 1), within the Agriculture land use category. The proposed development is located on a narrow, rectangular site on the portion of the property east of Highway 1. The portion of the property not proposed for development lies between Highway 1 and the Pacific Ocean. The topography is nearly level at the western and eastern ends of the property and the base of a small knoll is located in the middle of the site. The surrounding land is currently owned by the Hearst Corporation and is used for cattle grazing, with the exception of three vacant parcels, ranging from 3.4 to 6.4 acres, located directly south of the subject property.

2. Project Description

The applicant proposes to construct an approximately 2,980 square foot, one-story (approximately 12'9" in height), single family residence with an attached 720 square foot garage on a 4.37 acre site. Since the appeal was filed, the applicant has modified his project to eliminate the proposed barn. In addition, the applicant has proposed to lower the residence and attached garage one foot below average natural grade within the building footprint, and lower the pitch of the roof, which reduces the maximum finished height of the structure to approximately 11' 9" above average natural grade. A low (ranging from two to three feet in height) earthen berm is proposed directly adjacent to the structure, which will be planted with native vegetation. Additional site improvements include a driveway (primarily redrock), water well, septic system, and a water storage tank. Finally, the applicant proposes to dedicate the ± 0.9-acre portion of the parcel west of Highway 1 to a public agency for public access and open space.

B. Coastal Development Permit Determination

1. Visual Resources

The property is located approximately 1.5 miles north of Piedras Blancas Lighthouse, away from urban development and is within a more rural setting (within the Agriculture Land Use Category) on the North Coast of San Luis Obispo County. The parcel is approximately 4.37 acres (1,155 feet long and 165 feet wide) and slopes up gradually from Highway 1.

a. Visual Resource Policies

Policy 1 for Visual and Scenic Resources states in relevant part:



Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved, protected, and in visually degraded areas restored where feasible.

Policy 2 for Visual and Scenic Resources addresses site selection for new development:

Permitted development shall be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors. In particular, new development should utilize slope created "pockets" to shield development and minimize visual intrusion.

Policy 4 for Visual and Scenic Resources applies to new development in rural areas:

New development shall be sited to minimize its visibility from public view corridors. Structures shall be designed (height, bulk, style) to be subordinate to, and blend with, the rural character of the area. New development which cannot be sited outside of public view corridors is to be screened utilizing native vegetation; however, such vegetation, when mature, must also be selected and sited in such a manner as to not obstruct major public views.

Finally, Policy 5 for Visual and Scenic resources addresses grading and landform alteration:

Grading, earthmoving, major vegetation removal and other landform alterations within public view corridors are to be minimized. Where feasible, contours of the finished surface are to blend with adjacent natural terrain to achieve a consistent grade and natural appearance.

North Coast Area Plan Standard for Site Design and Building Construction addresses site selection criteria for lands outside of urban and village reserve lines.

6. Site Selection. *Primary site selection for new development shall be locations not visible from Highway 1 as follows:*

- a. Sites shall be selected where hills and slopes would shield development unless no alternative location exists or the new development provides visitor-serving facilities.*
- b. New development shall be located so that no portion of a structure extends above the highest horizon line of ridgelines as seen from Highway 1.*
- c. Where single ownership is on both sides of Highway 1, building sites shall be located on the east side of Highway 1 except for identified visitor-serving development.*



- d. *Development proposals for sites with varied terrain are to include design provisions for concentrating developments on moderate slopes, retaining steeper slopes visible from public roads undeveloped.*

b. Visual Resource Analysis

The applicant has proposed a residence with attached garage located on the least visible portion of the parcel, at the eastern end of the property, approximately 800 feet from the highway. A large knoll is located to the north of the property, which helps shield the proposed residence from view of southbound travelers; however, the entire property is visible from northbound Highway 1. The proposed single-story residence is approximately 12'9" in height, and the applicant has proposed to lower the structure one-foot below average natural grade and install a landscaped berm (ranging from two to three feet in height) to help screen the project from northbound travelers.

The project site, as well as the three vacant parcels immediately to the south of the site, are surrounded by the vast open spaces of the approximately 77,000 acre Hearst Ranch. The scenic character of this area is defined by rolling hills and wide coastal terraces vegetated with grasses and low growing, shrubby plants that turn green and gold with the seasons. Major vegetation like the pine and oak forests found elsewhere in the San Luis Obispo Coastal Zone are not a part of the natural landscape along this portion of the north coast although some trees have been planted over the years to provide shade and act as wind breaks. Exhibit 3 depicts the open character of this area. This entire sweep of open, rolling hillsides and unspoiled landscape against the majestic backdrop of the Santa Lucia Mountains can be viewed by the public in a continuously unfolding panorama along Highway 1. Indeed, there is perhaps no reach of coast in California that is more visually sensitive than the North Coast of San Luis Obispo County. This southern gateway to Big Sur is a unique and powerful landscape of incomparable and stunning beauty that is extremely vulnerable to degradation by new development because of its open character, long vistas and lack of natural screening vegetation. The Commission recognized this most recently during its review of the San Luis Obispo County North Coast Area Plan Update (approved May 13, 1998), finding that the North Coast is "regarded as a scenic coastal resource of great public importance." The findings go on to observe the following in regard to the character of Hearst Ranch and the surrounding area:

These views are often said to illustrate what "Old California" looked like before it was developed and urbanized. Even a relatively small amount of visible modern development would under these circumstances be intrusive, and would significantly degrade the sense of an essentially innocent landscape.

There is no question that the current development proposal would significantly impact the scenic quality of the rural and rugged North Coast. As shown in Exhibits 3 and 5 the proposed development would be located in the middle of an undeveloped, open expanse of agricultural lands west of Highway 1 typical of this stretch of coast. The potential for three similar proposals immediately south of the project site raises concerns about the cumulative impact of development and its associated landscaping and landform alteration on this coastal terrace. Although some development can be seen from Highway 1 in this general area (i.e. Piedras Blancas Motel, Hearst Ranch residence), these buildings were constructed prior



to adoption of the Coastal Act. They also provide evidence of the visual impacts that can result from inappropriately designed development in this sensitive area. Moreover, given the scenic nature of this stretch of coast, it is that much more important to limit any additional development that would break up expansive views of the rolling hillsides and incrementally degrade the rural character of the North Coast. Thus, the greatest possible effort must be put forth to safeguard this area from the intrusions of new development.

Policy 2 for Visual and Scenic Resources and the North Coast Area Plan Standard regarding site selection serve to protect the unique qualities of scenic areas and prohibit the siting of development, where possible, in areas visible from public view corridors. As stated previously, the residence is located in the least visible portion of the site, consistent with this LCP policy and Planning Area Standard. Thus, in terms of visual resource impacts, the Commission does not raise issue with the general *area* currently proposed for development.

However, as required by Policy 4 for Visual and Scenic Resources, "new development shall be sited to minimize its visibility from public view corridors" and the structures in that area "shall be designed to be subordinate to, and blend with, the rural character of the area." In addition, Policy 1 for Visual and Scenic Resources requires that the scenic rural landscape of the North Coast be preserved and protected. Policy 4 also allows for the use of native vegetative screening to shield development *so long* as it does not obstruct major public views, but only after all efforts have been exhausted to site the development outside of public view corridors.

There is no question that Visual Policy 4 of the San Luis Obispo LCP sets a high standard for protection of the extreme visual sensitivity of the North Coast. Alternative home designs are available that would at once minimize the intrusion of unnatural structures and vegetation into this environment and that also allow for reasonable single family living. In particular, it is feasible to design and construct "earth-sheltered housing" that is essentially "bermed" houses (or banked with earth). A bermed structure may be above grade or partially below grade, with outside earth surrounding one or more walls. Both types usually have earth-covered roofs, and some of the roofs may have a vegetation cover to reduce erosion.¹ The LCP requires that landform alteration be minimized; however, it does allow such alteration if done in a way to blend with adjacent natural terrain (Visual Policy 5). In addition, siting and design options that rely on natural-looking berms, rather than vegetative screening alone best meet the intent the LCP Visual Resource policies for this particular portion of the San Luis Obispo coastline. Thus, the applicant has proposed to install a low berm (ranging from two to three feet in height) directly adjacent to the residence. As proposed, approximately ten feet of the residence will be visible above the proposed earthen berm. Vegetative screening is proposed to help shield this portion of the residence from view of northbound travelers on Highway 1.

¹ U.S. Department of Energy (Consumer Energy Information: EREC Fact Sheets) "Earth-Sheltered Houses."



Although the applicant has not proposed "earth sheltered housing" as described above, the Commission recognizes the applicant's effort to minimize the development's impact on the open landscape by 1) lowering the finished floor of the residence approximately one foot below average natural grade; 2) installing a low earthen berm, and; 3) proposing building materials that are in keeping with the rural character of the surrounding area (please see Exhibit 2). The Commission also notes that the proposed redrock material used in the majority of the driveway will blend into the landscape more so than asphalt or concrete. Nonetheless, these measures are not adequate to ensure that the extremely sensitive rural viewshed of the North Coast will forever be preserved to the maximum extent feasible.

Every reasonable effort must be made to assure that new development in this area is truly subordinate to, and blends with the rural landscape. In light of the extreme visual sensitivity of the North Coast, the Commission finds that lowering the finished floor of the residence and attached garage an additional foot below average natural grade is a necessary yet reasonable measure to meet the high standards of the County's LCP. Only through such design can the visual resources be "preserved and protected." In addition, the driveway width (and necessary turnouts) shall be no more than the minimum necessary to meet the California Department of Forestry standards, in order to reduce site disturbance and visual impacts related to the development. Such a design would meet the applicant's objective of locating a home on the site, and maximizes the extent to which new development will blend in with the environment and be subordinate to the rural character of the North Coast.

The controlling objective of Policy 4 is to design new structures so as to be subordinate to and blend with the landscape. The lowering of the home by the additional foot required will help subordinate and blend the new home with the existing landscape. In addition, Policy 1 requires the protection of unique landscapes. Given the existing landscape, substantial unnatural vegetative screening around a residential structure could constitute a significant intrusion into the North Coast rural character. An additional problem with the use of particular tree species as screening material is that with age, the tree canopy that provides the most effective screening will often grow above the structures it was designed to obscure. Thus, if vegetative screening is used, care must be taken to choose species that will provide adequate coverage for its intended purpose over the life of the project. In light of this, Special Condition 4 requires the applicant to submit a landscape plan (in consultation with the County and a qualified expert) that considers the specific condition of the site including soil, exposure, temperature, moisture, and wind, as well as screening goals. In addition, trimming of on-site vegetation will be limited to the minimum amount necessary for the health of the species, as recommended by the qualified expert.

Special Condition 5 requires the applicant to record a deed restriction that limits future development of the parcel in accordance with specific provisions, and requires that any future improvements to the single family house requires an amendment to this coastal development from the Commission. Special Condition 6 further requires that a scenic and conservation easement be executed and granted to the County of San Luis Obispo for all areas of the property outside the approved building envelope.



In response to hazardous conditions created by the proximity of Highway 1 to the eroding shoreline, the California Department of Transportation is in the early stages of planning the re-alignment of the highway in this portion of San Luis Obispo County. Although the exact location of the realigned highway is not known at this time, it is the Commission's understanding that the highway will be relocated eastward of its current location an adequate distance to withstand at least 100 years of shoreline erosion. This realignment project, which is estimated to be complete in the next ten to fifteen years, will almost certainly bring the highway closer to, and may in fact result in the highway being located eastward of, the proposed residential development. Thus, the public's future view of the subject property and the proposed development from Highway 1 may be significantly different than the visual perspective used to evaluate the current project proposal.

The project site is distantly visible from Hearst Castle and its approach road (nearly 7 miles to the southeast). However, due to the intervening distance and the measures to avoid visibility from nearby public vantage points, no significant impact on public views to and along the coast are expected from the project as conditioned.

c. Visual Resource Conclusion

As proposed, the project does not meet the requirements of Policies 1 and 4 for Visual and Scenic Resources because additional measures can be taken to make the development subordinate to, and blend with, the rural character of the area. The conditions of approval, as recommended by staff, bring the proposed project into compliance with these LCP Policies and recognize the need to protect the vast and rural landscape of San Luis Obispo's North Coast. **Therefore, as conditioned, the project may be approved.**

2. Agriculture

A. Agriculture Policies

CZLUO Section 23.04.050a regarding the siting of structures in the Agriculture land use category states:

A single family dwelling and any agricultural accessory buildings supporting the agricultural use shall, where feasible, be located on other than prime soils and shall incorporate mitigation measures necessary to reduce negative impacts on adjacent agricultural uses.

B. Agriculture Analysis

The property is one of four small (3.5 to six acres) clustered parcels surrounded by large agricultural parcels (Hearst Ranch), all within the Agricultural land use category. This area has historically been used for grazing; however, fences now delineate these four smaller lots and prevent the movement of cattle onto these parcels. Single family residences are a special, principally permitted land use on non-prime soils in the Agriculture land use category. Therefore, such a development is subject to special criteria regarding the siting of structures. In addition, because this development is proposed in an area



that has been, and is currently, used for cattle grazing, adequate measures to protect surrounding agricultural activities shall be put into place.

C. Agriculture Conclusion

Due to the limited width of the parcel, the residence will be in close proximity to adjacent agricultural uses. To minimize potential conflicts between surrounding agricultural operations and the proposed residential development, the applicant should record a "Right to Farm" statement consistent with Policy 3(d) for Agriculture as a component of future non-agricultural development proposed for the site. "Right to Farm" statements put current and future landowners on notice that the property and home are adjacent to land used, or planned to be used, for agricultural purposes and discloses the consequences of residing near existing and potential agricultural operations (e.g. dust, noise, odors, agricultural chemicals). Thus, as conditioned, the project is in conformance with Policy 3 for Agriculture, and can be approved.

In the event that the applicant would like to pursue an agricultural accessory structure, such as a barn, in the future as part of a bonafide agricultural operation, an amendment to this coastal development permit would be necessary and the potential visual impacts of such a proposal would be evaluated at that time.

3. Public Works

A. Public Works Policies

Applicable LCP Policy and Ordinance:

Public Works Policy 1: *New development shall demonstrate that adequate public or private service capacities are available to serve the proposed development.... Permitted development outside the USL shall be allowed only if it can be serviced by adequate private on-site water and waste disposal systems.*

CZLUO Section 23.04.430: *Development outside the urban service line shall be approved only if it can be served by adequate on-site water and sewage disposal systems...*

B. Public Works Analysis

San Luis Obispo County LCP Public Works Policy 1 and CZLUO Section 23.04.430 require new development to demonstrate that adequate public or private service capacities are available to serve the proposed development. The proposed development is located outside the San Simeon Urban Services Line and thus must comply with the policies cited above. The Applicant has provided information regarding the adequacy of on-site water resources (Miller Drilling Co. pump test report, March 30, 2001). This report states that the water well produced at least 10 gallons per minute, which meets the standard established by the Department of Water Resources (Bulletin 74-81) for a well serving a single family home (which should produce at least one to three gallons per minute). In addition to this data, the



Applicant has submitted the results of test borings and soils analysis for the installation of the septic system that will be used for on-site waste disposal. The author of this report states that "*Based upon current County of San Luis Obispo Standards, the performance test results are adequate for effluent disposal by the leach line method in the area tested.*" (Mid Coast Geotechnical Inc., Report prepared by Dane Jensen, RCE and dated 11/30/00).

C. Public Works Conclusion

Evidence of adequate on-site water and wastewater disposal systems was not available for the County's approval, and therefore, was a basis of the appeal. However, the applicant has since provided the necessary information verifying that the site can be served by adequate on-site water and wastewater systems. This aspect of the proposed development is consistent with the cited LCP policies and ordinance, and thus, the project can be approved.

4. Archaeology

A. Archaeology Policies

Applicable LCP Policy regarding Archaeological Resources:

Policy 1 for Archaeology: Protection of Archaeological Resources. The county shall provide for the protection of both known and potential archaeological resources. All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored at the time of a development proposal to avoid development on important archaeological sites. Where these measures are not feasible and development will adversely affect identified archaeological or paleontological resources, adequate mitigation shall be required.

B. Archaeology Analysis

An archaeological surface survey was conducted for the parcel (Singer, October 12, 1999). The survey notes that most of the sites in this general area are "prehistoric deposits attributable to native Chumash and Salinan Indian inhabitants, but Euro-American historic sites" are also present. Although no evidence of prehistoric cultural resources were observed on the property, there are two known sites in the immediate area and a few flakes were observed on top of the knoll north of the property. Because the existence of subterranean resources on the property is not precluded, the survey recommends that earth moving activities be monitored by an archaeologist.

C. Archaeology Conclusion

Special Condition 7 requires the applicant to retain a qualified archaeologist to monitor all ground disturbing activities and implement mitigation measures, if any resources are found below the surface of the site. In addition, this condition establishes procedures in the event that cultural resources are discovered during construction activities. **Therefore, as conditioned the project is consistent with the requirements of Policy 1 for Archaeology and may be approved.**



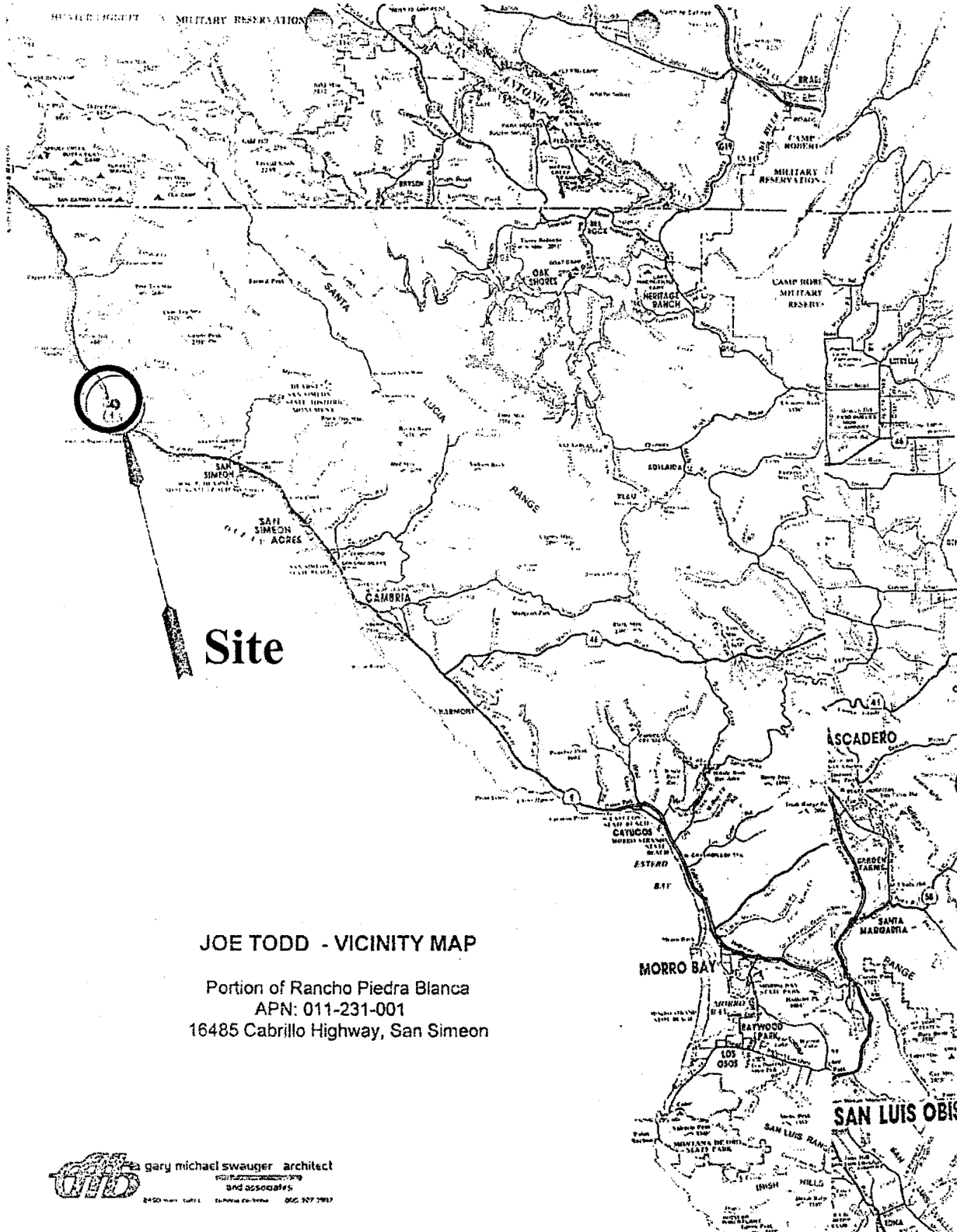
5. California Environmental Quality Act (CEQA)

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 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 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 staff report has discussed the relevant coastal resource issues with the proposal, is incorporated into this finding, and has recommended appropriate mitigations to address adverse impacts to said resources. Accordingly, the project is being approved subject to conditions which implement the mitigating actions required of the Applicant by the Commission (see Special Conditions). As such, the Commission finds that only as modified and conditioned by this permit will the proposed project not have any significant adverse effects on the environment within the meaning of CEQA.



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



JOE TODD - VICINITY MAP

Portion of Rancho Piedra Blanca
 APN: 011-231-001
 16485 Cabrillo Highway, San Simeon



gary michael swauger architect
 and associates
 2450 main street, san luis obispo, ca 94901 805.327.7987

PROJECT

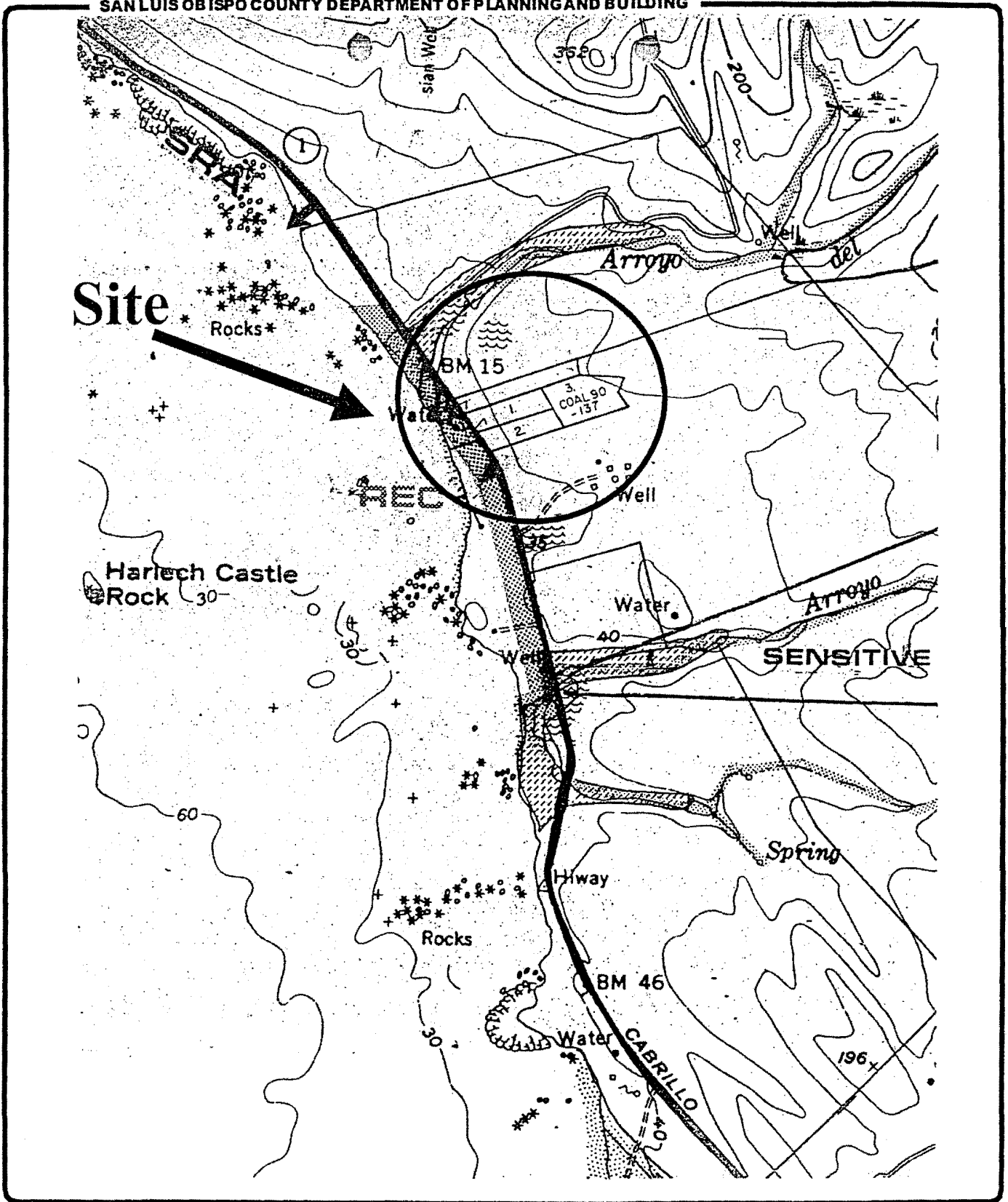
Minor Use Permit
 Todd - D990190P



EXHIBIT

Vicinity Map

Vicinity Map
 Exhibit 1 (1 of 2)



PROJECT

Minor Use Permit
Todd - D990190P



EXHIBIT

Land Use Category Map

Location Map
Exhibit 1 (2 of 2)

LOT DESCRIPTION
 LOT: PORTION
 BLOCK: PIEDRA BLANCA
 TRACT: 031-231-001
 LOTS: 4.37 AC

SCOPE OF WORK
 CONSTRUCT NEW 1 STORY SINGLE FAMILY RESIDENCE WITH ATTACHED 3 CAR GARAGE, WELL, WATER TANK AND SEPTIC SYSTEM

BUILDING DATA
 TYPE OF CONSTRUCTION: V-H NON-SPECIFIED
 USE: DWELLING
 GROUP: R-3
 AREA: 2900 S.F.
 HEIGHT: 30'
 GARAGE: H-3
 AREA: 720 S.F.
 OCC. LOAD: 40

BUILDING AREA

LAND	EXISTING	PROPOSED	TOTAL
FLOOR	0 S.F.	2900 S.F.	2900 S.F.
TOTAL	0 S.F.	2900 S.F.	2900 S.F.
PATIO/PORCH	0 S.F.	1520 S.F.	1520 S.F.
TOTAL	0 S.F.	3052 S.F.	3052 S.F.

BUILDING HEIGHT
 HIGHEST NATURAL GRADE ADJACENT TO STRUCTURE: 99'-0"
 LOWEST NATURAL GRADE ADJACENT TO STRUCTURE: 91'-6"
 AVERAGE NATURAL GRADE: 97'-3"
 MAXIMUM TOP OF STRUCTURE: 100'-0"
 ACTUAL TOP OF STRUCTURE: 100'-0"

MINIMUM SETBACKS

GARAGE	FRONT	REAR	RESIDENCE	FRONT	REAR
	25'			25'	30'

LOT COVERAGE STANDARDS

LOT SLOPE	%	EXISTING	PROPOSED	TOTAL
ACTUAL FOOTPRINT	0 S.F.	3700 S.F.	3700 S.F.	3700 S.F.
ALLOW. FOOTPRINT	0 S.F.	3700 S.F.	3700 S.F.	3700 S.F.
ACTUAL HEIGHT	10'-0" A.M.C.			
ALLOW. HEIGHT	30'-0" A.M.C.			

GRADING INFORMATION

CUT WITHIN FOOTPRINT

HEIGHT	QUANTITY	FEET	CU.YD.
0-3	350		

OUTSIDE FOOTPRINT

HEIGHT	QUANTITY	FEET	CU.YD.
0-4	650		

FILL WITHIN FOOTPRINT

HEIGHT	QUANTITY	FEET	CU.YD.
0	0		

OUTSIDE FOOTPRINT

HEIGHT	QUANTITY	FEET	CU.YD.
0-4	2000		

SITE DISTURBANCE: 84,500 SQ.FT.

LEGEND

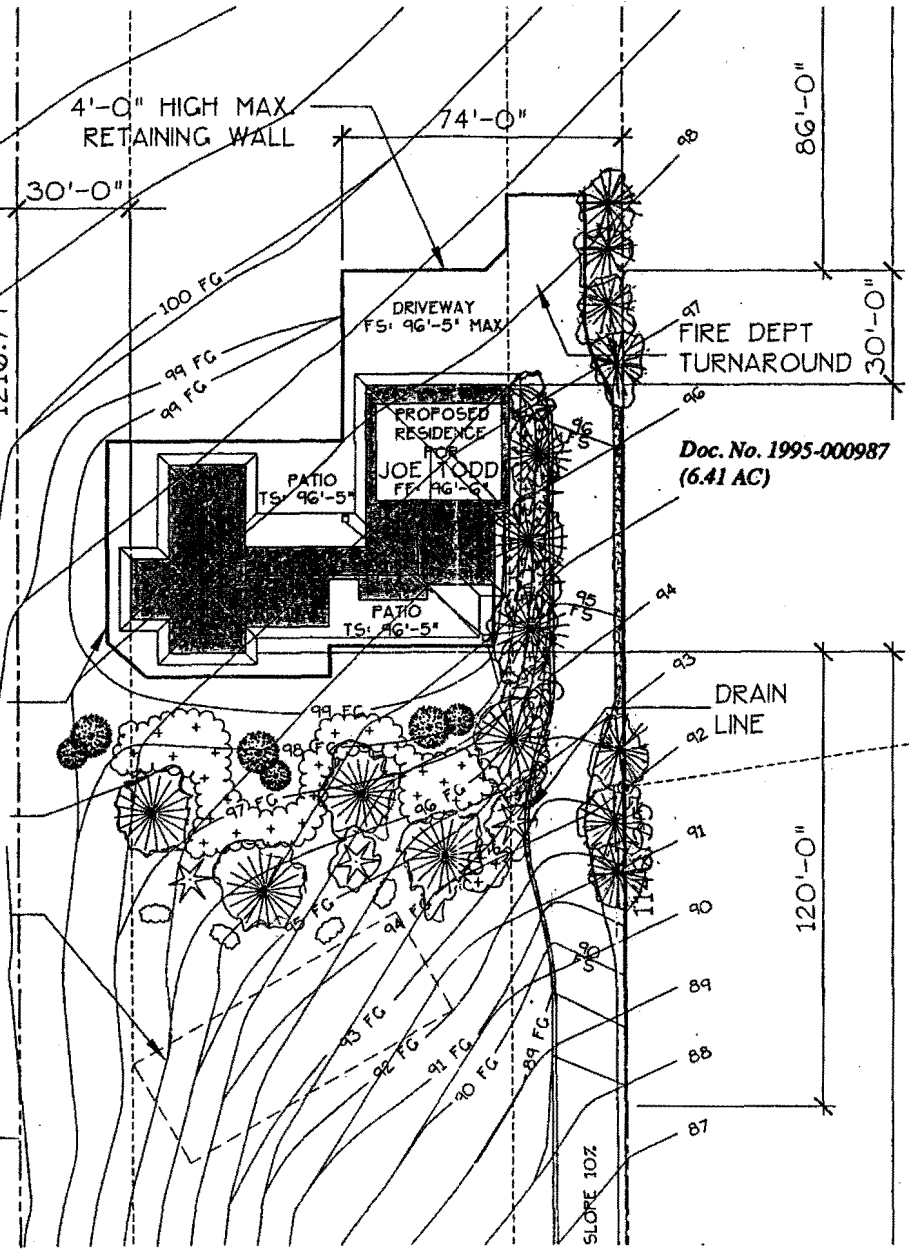
EXISTING	NEW
WATER	WATER
SEWER	SEWER
GAS	GAS
ELEC	ELECTRICAL
CATV	CABLE TV
FP	FINISH
FP	EDGE OF PAVEMENT
FP	PROPERTY LINE
FP	ONE STORY BUILDING
FP	TWO STORY BUILDING
FP	THREE STORY BUILDING
FP	FINISH GRADE
FP	TOP OF SLAB
FP	TOP OF FOOTING
FP	NATURAL GRADE
FP	TOP OF 4" CURB
FP	FINISHED SURFACE ELEV
FP	TOP OF WALL
FP	TOP OF GRATE ELEVATION

PLANTING SCHEDULE

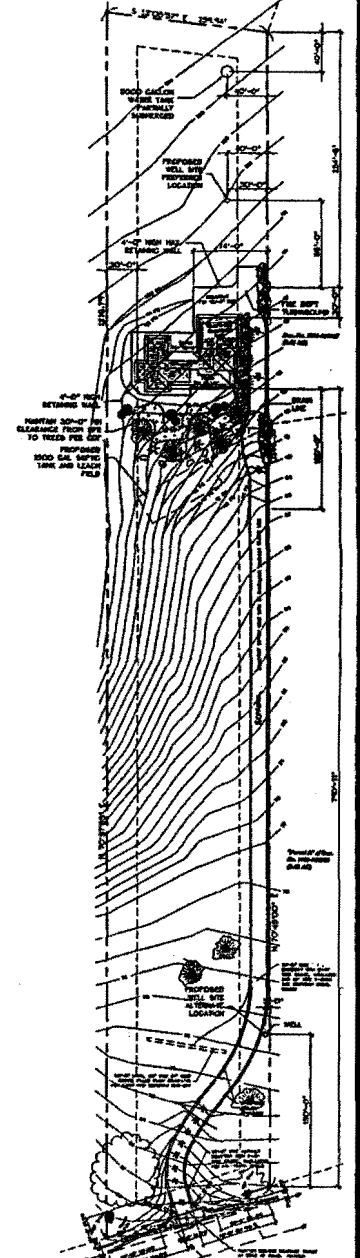
PLANT SYMBOL AND NAME	SIZE	QTY
MONTEZUMA CITRUS Citrus macrocarpa	24" BOX	18
BISHOP PINE Pinus burretii	8 GAL	7
RED LEAF Ceanothus 'Red Flame'	5 GAL	8
GARDEN CREEPER Clematis 'Garden of Eatin'	1 GAL. 2 8"-0" D.C.	20
JAPANESE GARDEN LAMP Lampyrus chinensis	5 GAL	4

APPROVED
 THIS IS NOT A PERMIT
 COYAN LINE OSORNO COUNTY
 FIRE DEPARTMENT
 3/17/01

The approval of these plans shall not be construed as a recommendation of any specific materials or methods of construction by the County of San Luis Obispo. It is the responsibility of the applicant to provide all necessary information and to comply with all applicable laws and regulations.



DETAIL SITE LANDSCAPING PLAN



PLOT PLAN

© COPYRIGHT 2001 GARY MICHAEL SWAUGER, ARCHITECT

REVISIONS BY

PROPOSED RESIDENCE FOR:
JOE TODD
 AFI: 011-231-001 71 R5 9B
 16485 CABRILLO HWY, PIEDRAS BLANCAS

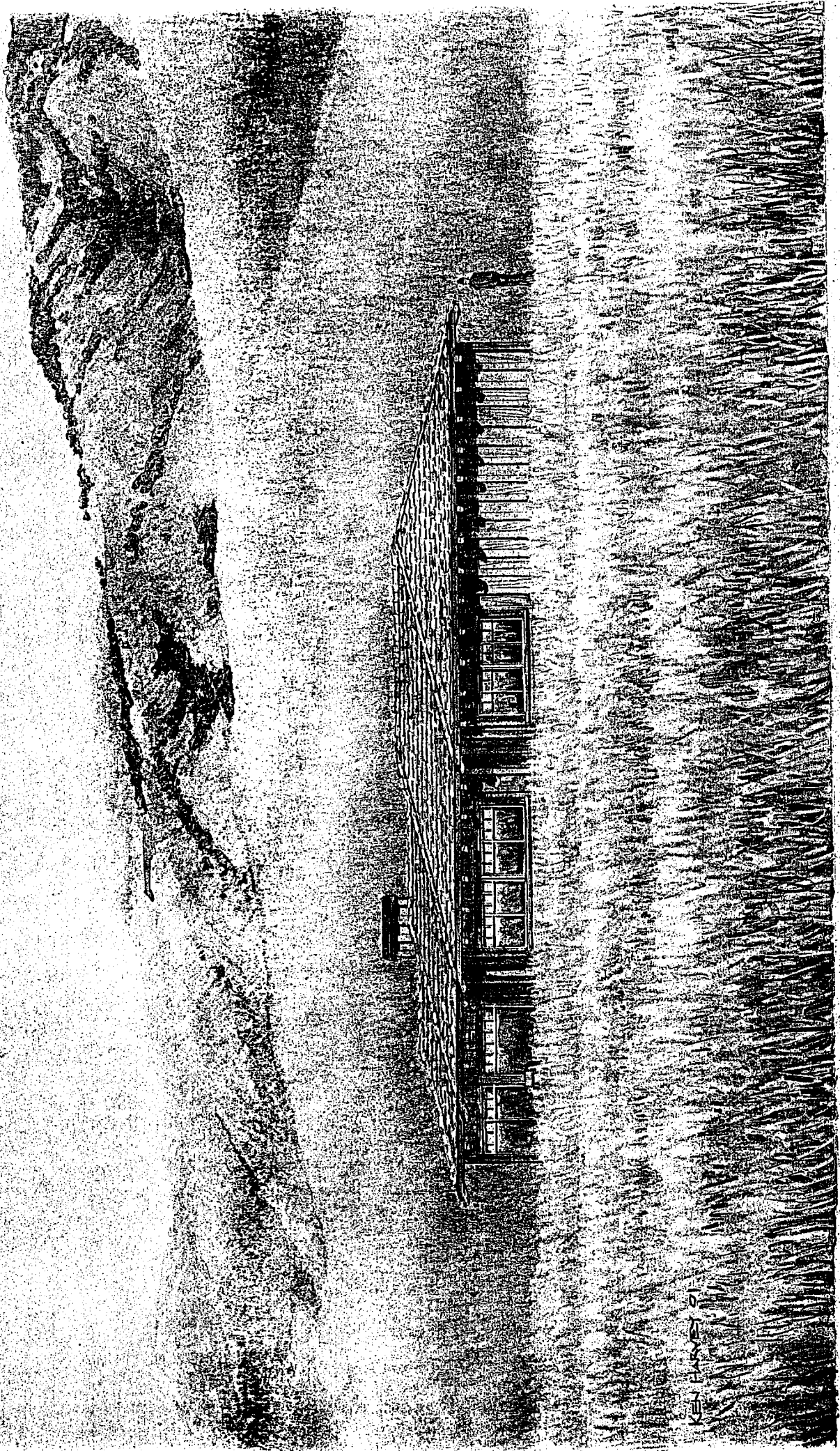
gary michael swauger architect
 and associates
 16485 main suite 2
 pedras blancas ca 93457

afib

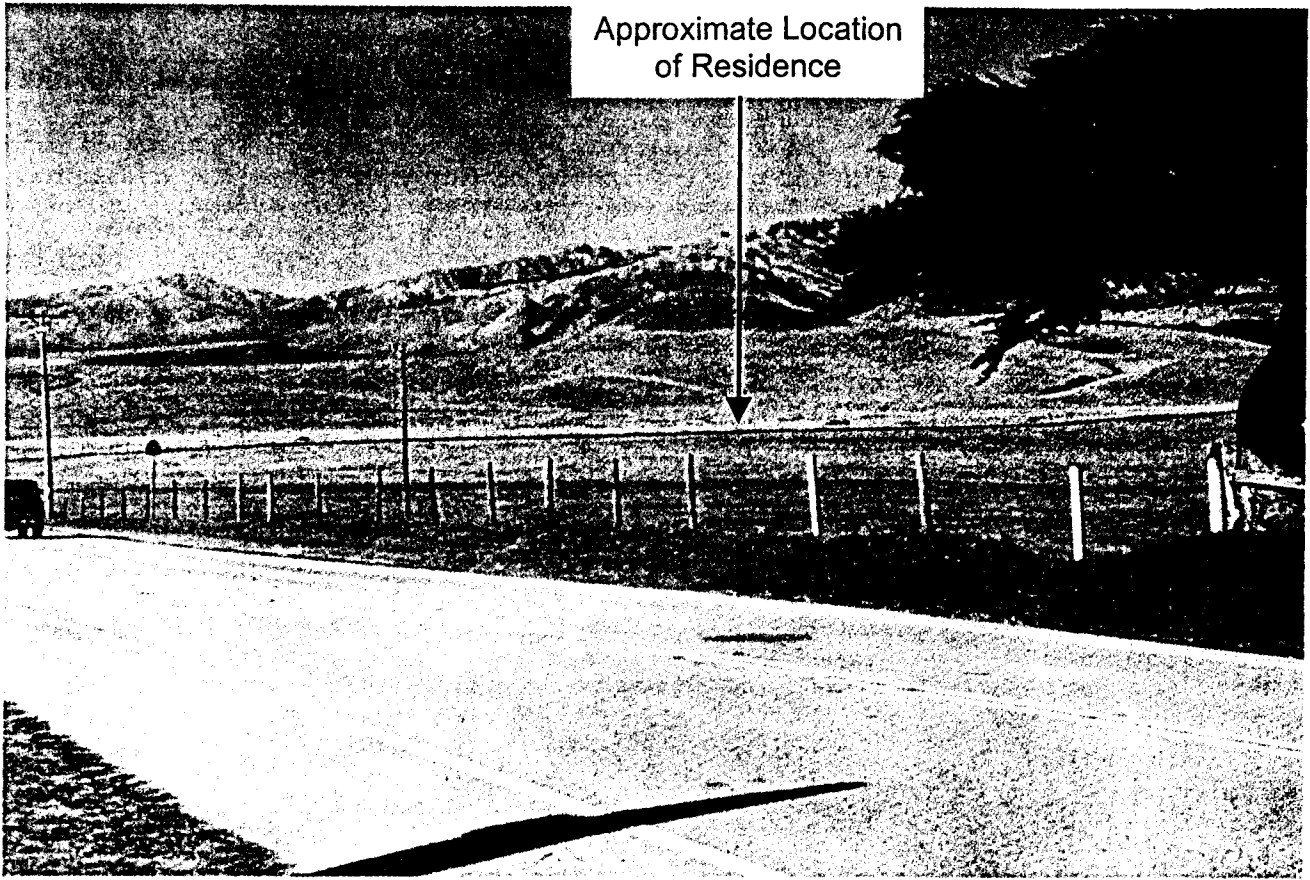
SITE PLAN

DESIGN:
 G.M.S.
 CHECK:
 G.M.S./S.D.H.
 DATE:
 MARCH 2001
 SCALE:
 AS SHOWN
 SHEET:
 99011-13
 1

Project Plans
 Exhibit 2 (of 2)



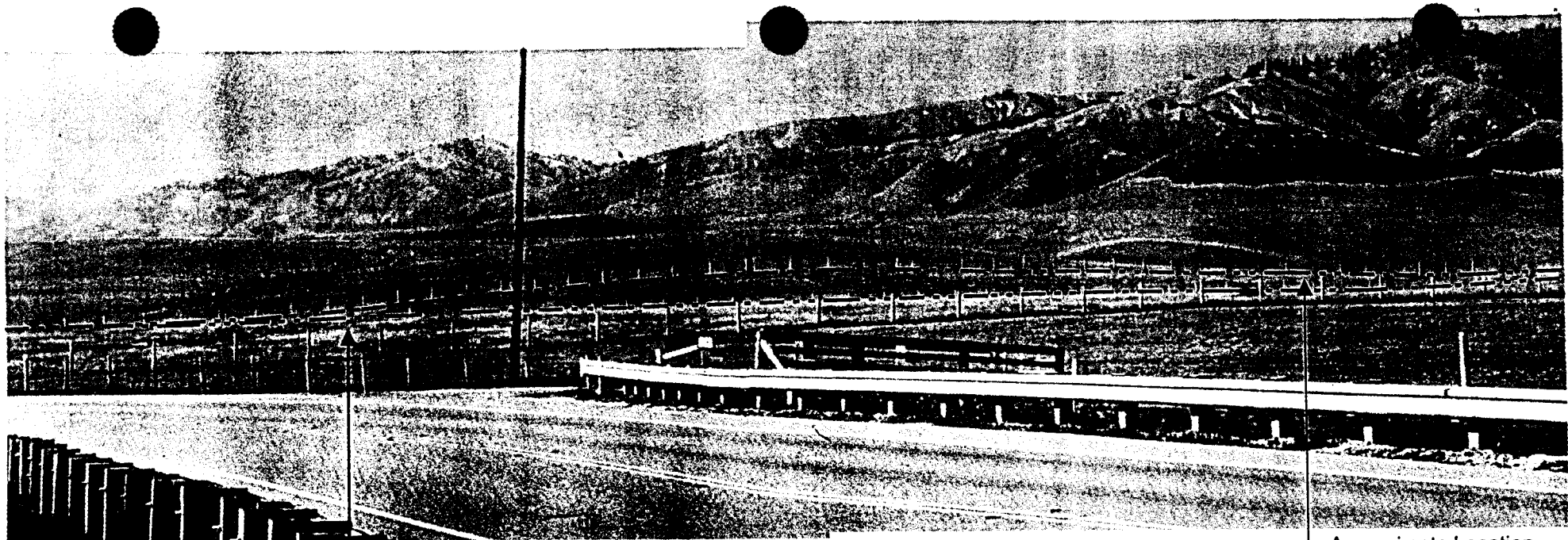
Project Rendering
Exhibit 2 (2 of 2)



Project Site as Viewed from Piedras Blancas Motel (looking northeast)



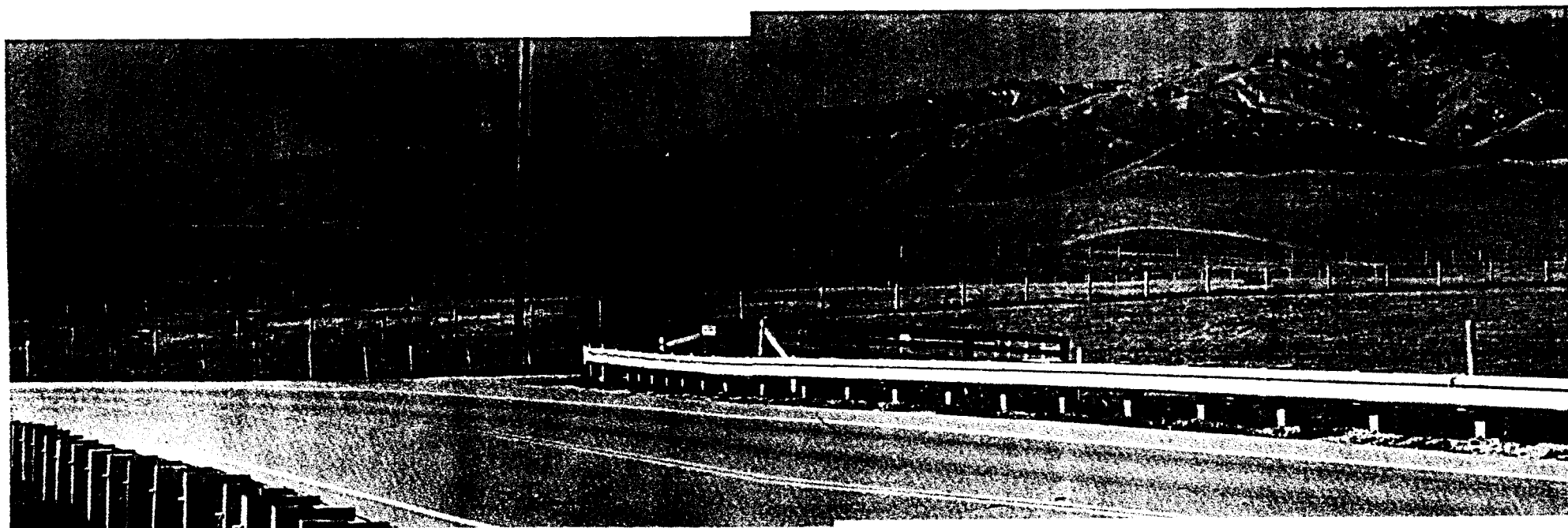
View of Piedras Blancas Lighthouse (Hwy 1) from Site (looking southwest)



Approximate Location
of Property Lines

View of Site from Highway 1 (looking northeast)

Approximate Location
of Residence



A-3-SLO-00-119 (Todd)
Exhibit 7 (2 of 2)

DALL & ASSOCIATES

6700 Freeport Boulevard/Suite 206/Sacramento, California 95822 USA/TEL: 916.392.0283

RECEIVED

FAX: 916.392.0462

sdall49@aol.com

FEB 13 2001

Th 7c

February 7, 2001

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Chairman Sara Wan and Members
California Coastal Commission
45 Fremont Street, 20th Floor
San Francisco, California 94105

RE: Appeal No. A-3-SLO-00-119 (Todd): REQUEST FOR APPROVAL

Dear Chairman Wan and Commissioners:

This firm represents Joseph and Kimberly Todd with respect to the above-referenced appeal that is scheduled for your *de novo* review on Thursday, February 15, 2001, in San Luis Obispo. The Todds are also represented by Messrs. Russell Read and Steven Kaufmann.

The Todds have proposed to build a low scale one-story earth tone single family residence and barn 800 feet east of Highway 1 on an existing five-acre parcel. The project site is across Highway 1 from the Piedras Blancas Motel/Texaco Station/RV campground complex in northern San Luis Obispo County, about ten miles south of Ragged Point. (Exhibit 1.) The residence and barn are principal permitted uses in the County's certified LCP non-prime Agricultural Zone¹, are located outside of any mapped sensitive resource area, and conform to all applicable certified LCP policies.

A visual analysis of the proposed development and landscaped screening² demonstrates that development will be concealed from public view by the natural terrain to the north, by minor berming, and by landscaping that is compatible with existing on-site and near-site trees and shrubs (Exhibit 2), consistent with the visual protection policies of the certified LCP. In addition to County approval, the project design was unanimously approved by the North Coast Advisory Council.

Commission staff concurs that the structures have been located on the least visible portion of the property, that the proposed screening will conceal the development from public view, and that the selected color pallet is appropriate for the site.

However, staff is recommending denial, asserting that the proposed landscaped screening is "unnatural" and "intrusive," and that LCP policies can be satisfied only by an "earth-sheltered" structure, placed in a landform-altering, excavated hole four to five feet below existing grade, and surrounded by landform-altering six-foot-high earthen berms and a sod roof, without ocean-facing windows. (Exhibit 3.)

¹ Accessory structures that would be subject to S-16 "Special Use" provisions (Zoning Ordinance 23.08.032) are not proposed in this project.

² Cannon Associates, January 23, 2001, attached to 02/01 Commission Staff Report.

Staff's design is not supported by the certified LCP. Several LCP policies cited by staff specifically require the use of vegetative screening to conceal development from public views as the Applicants proposes. However, the LCP contains no requirements for, or even references to, bermed, sod-roofed subterranean "Hobbit houses" requiring the alteration of natural landforms that staff is recommending; to the contrary, policies protecting natural landforms would appear to discourage such an approach.

Lacking any LCP policy basis, Staff instead cites two Commission actions from 1977 and one from 1983 as supporting its recommendation. However, unlike the Todd case, the three cited projects (1) are all located on small residential lots *seaward* of Highway 1; (2) as constructed are still visible from, and partially block ocean views from, Highway 1; and (3) do not involve the thousands of cubic yards of berming and excavation that would be required to conceal the Todd development some 800 feet east of the highway.

Moreover, Staff's recommended design is unbuildable because of direct conflicts with the California Department of Forestry fire hazard regulations (Exhibit 4) and the Uniform Building Code (Exhibit 5).

However, in an effort to address staff concerns, Applicants are prepared to further blend the development with its environment and subordinate it to the rural character of the North Coast through the following revisions (depicted in Revised Plot Plan/Exhibit 6, and Revised Photo Simulation/Exhibits 7 and 8):

- delete the barn from the project description, as previously recommended by staff, thereby deferring construction of the 1120 square foot structure to a future coastal development permit application;
- delete the easterly \pm 50 feet of landscape screening no longer needed to conceal the barn;
- reduce the maximum finished height of the residence to 11'7" above average natural grade, achieved by lowering the building pad one foot below lowest natural grade within the building footprint, and by lowering the roof pitch by three feet;
- employ low berm screens in conjunction with native and acclimated trees and shrubs that are compatible with existing vegetation, to conceal the development from public view; and,
- dedicate the \pm .9 acre parcel west of Highway 1 to a public agency for public access and open space. (Exhibit 9.)

The insignificant unavoidable visibility of the vegetative screening is more than adequately compensated by the habitat value for roosting and nesting that the trees will provide for raptors foraging in the area, and the public dedication of the parcel west of Highway 1, which as former Rancho land, is likely not subject to the public trust.

We therefore respectfully request the Commission to approve the Todd residence as revised, with the attached draft special conditions of approval that are also incorporated in the applicant's project description (Exhibit 10). The special conditions are those proposed by staff in its November recommendation to resolve perceived issues regarding visual protection, agricultural restrictions, water, and archaeology, slightly modified to permit vegetative screening, in combination with berming where feasible, in lieu of staff's proposed "earth-sheltered" housing alternative.

A rebuttal to the staff report will be provided under separate cover, along with a recitation of procedural issues arising from this appeal. Applicants' representatives and visual analyst will be present at the Commission hearing to answer any questions.

Sincerely,


Stephanie D. Dall


Norbert H. Dall

cc: Coastal Commissioners and Alternates
Tami Grove/CCC-SC
Victor Holanda/San Luis Obispo County
Joseph and Kimberly Todd
Steven Kaufmann, Esq.
Russell Read, Esq.

ATTACHMENTS:

- Exhibit 1: Todd Residence Context Photos
 - (a) Piedras Blancas Motel (Cannon Associates Figure 2r)
 - (b) Hearst Ranch Residence Compound (Cannon Associates Figure 3r)
- Exhibit 2: San Luis Obispo County Proposed Landscape Screening Plan
- Exhibit 3: CCC Staff's "Illustrative House Designs" (November 2000)
- Exhibit 4: CDF/San Luis Obispo County Fire Department Letter (02/06/01)
- Exhibit 5: G. M. Swauger, AIA, GMS & Associates Letter (02/06/01)
- Exhibit 6: Revised Joe Todd Plot Plan
- Exhibit 7: Cannon Associates Visual Analysis Key Visual Area Map
- Exhibit 8: Cannon Associates Revised Visual Analysis Photo Simulations
 - (a) KVA 3 Figure 4 (revised)
 - (b) KVA 4 Figure 5 (revised)
 - (c) KVA 5 Figure 6 (revised)
 - (d) Figure 7 Color Board
 - (e) Figure 8 (revised)
- Exhibit 9: Assessor's Map Depicting Proposed Public Dedication Area
- Exhibit 10: Draft Special Conditions

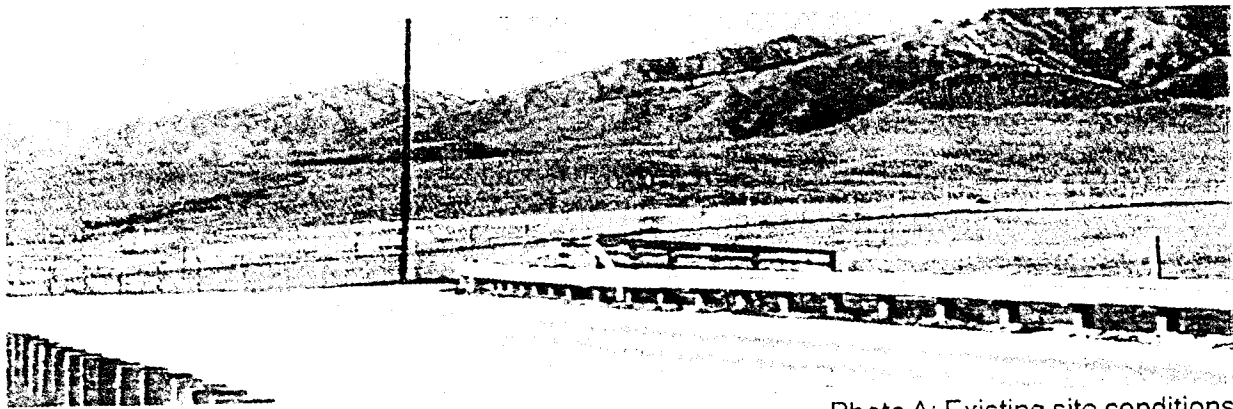


Photo A: Existing site conditions

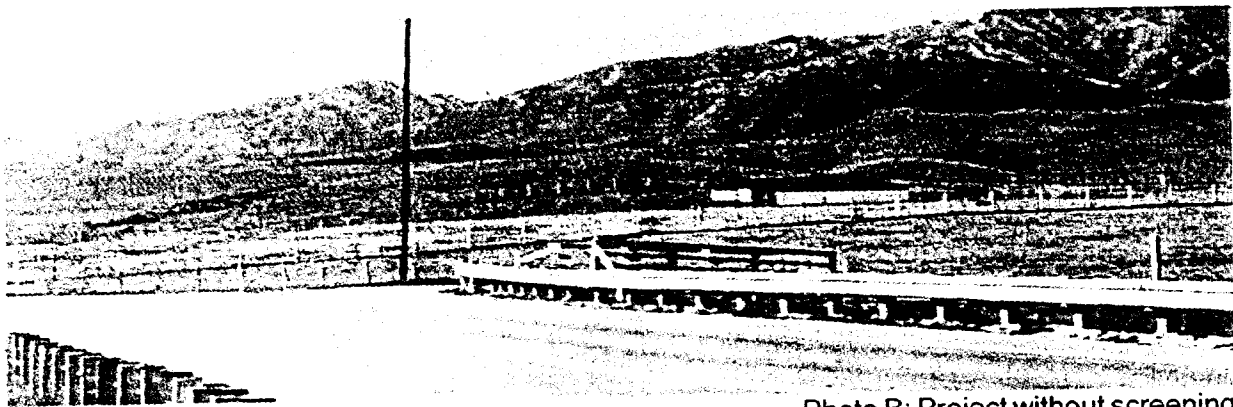


Photo B: Project without screening

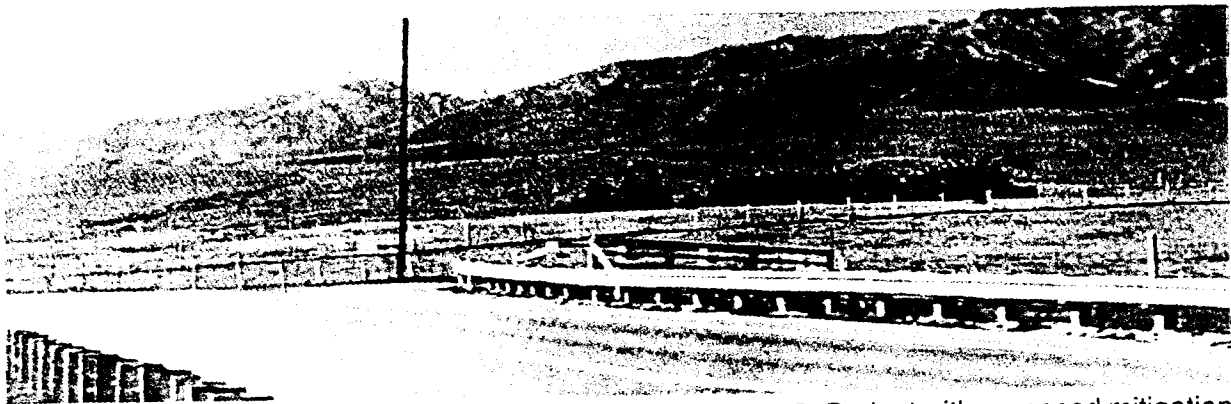


Photo C: Project with proposed mitigation



TODD - VISUAL ANALYSIS
PHOTO SIMULATION
(Photo supplied by Coastal Commission Staff)

FIGURE 8r

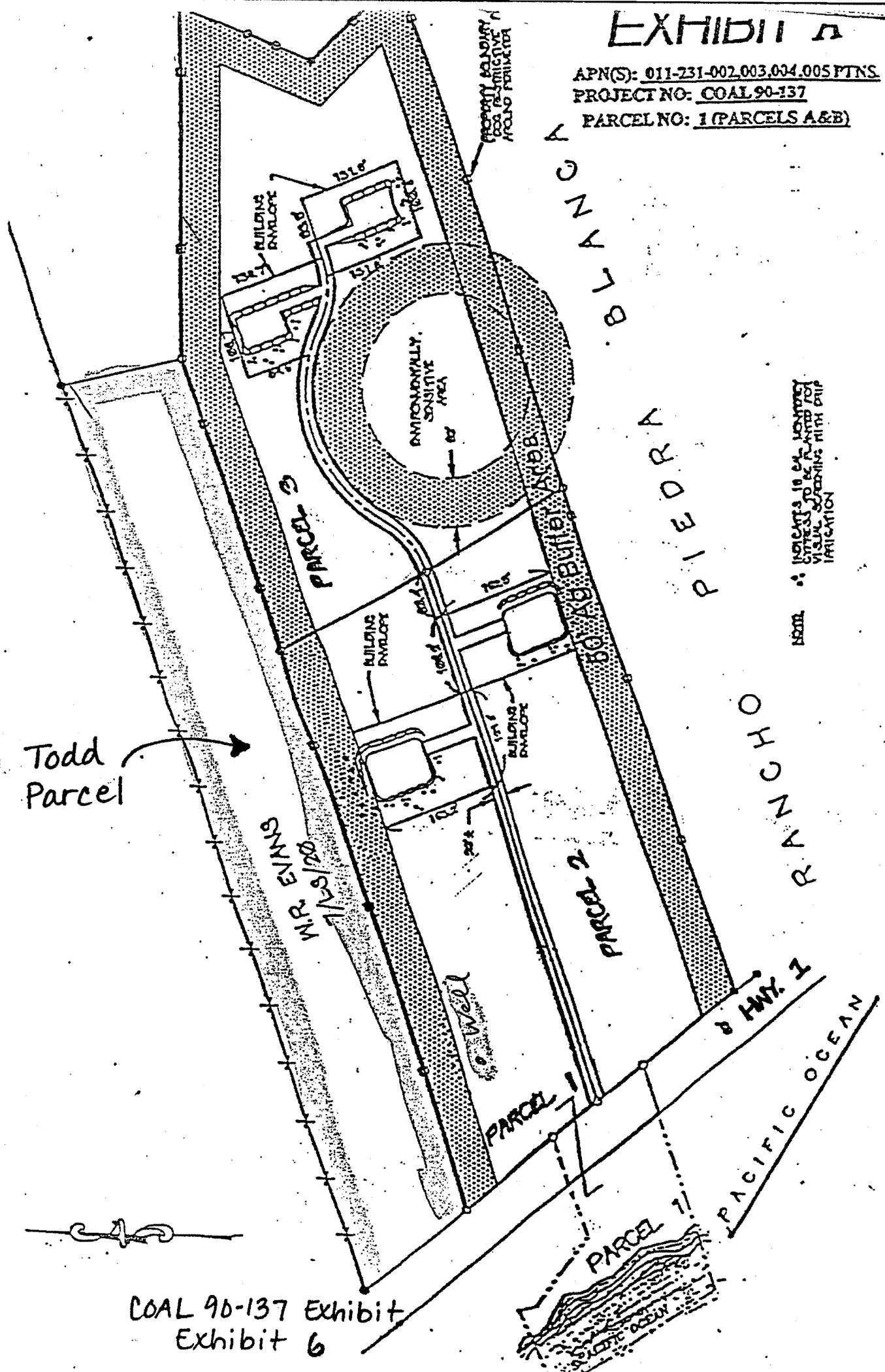
Visual Analysis
Exhibit 5

EXHIBIT A

APN(S): 011-231-002,003,004,005 PTNS

PROJECT NO: COAL 90-137

PARCEL NO: 1 (PARCELS A&B)



Todd Parcel

COAL 90-137 Exhibit
Exhibit 6

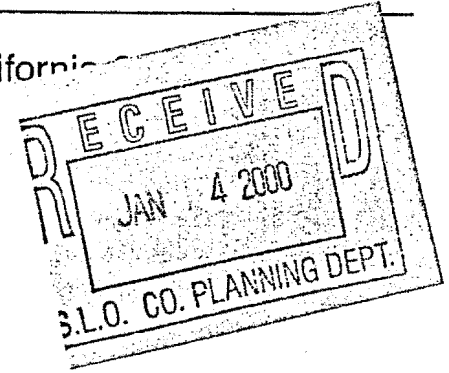
NOTES: 1. IS CAL. VERTICAL CURVES TO BE PLACED FOR VISUAL SCREENING WITH CURV. IRRIGATION

Dan Turner, Chief

General Information 805/543-4244

FAX 805/543-4248

635 N. Santa Rosa • San Luis Obispo • California



January 14, 2000

County of San Luis Obispo
Department of Planning\Building
County Government Center
San Luis Obispo, Ca. 93408

Dear Coastal Team,

MINOR USE PLAN

Project Number: D990190P Name: Pauling

The Department has reviewed the fire safety plans submitted for the proposed single family residence project located at 16485 Cabrillo Highway, San Simeon. The property is located within the "moderate" fire hazard severity area, and will require an approximately 15 minute response time from the nearest County Fire Station.

THE OWNER OF THE PROJECT SHALL MEET THE MINIMUM FIRE AND LIFE SAFETY REQUIREMENTS OF THE UNIFORM FIRE CODE (1997 EDITION) WITH AMENDMENTS. THIS FIRE SAFETY PLAN SHALL REMAIN ON THE PROJECT SITE UNTIL FINAL INSPECTION.

THE FOLLOWING STANDARDS ARE REQUIRED.

BUILDING SETBACKS

- All parcels one acre and larger shall provide a minimum 30-foot setback from all property lines.

ROOF COVERINGS

- All new structures within "moderate" fire severity zones shall have a minimum of at least a Class "C" roof covering.

RESIDENTIAL FIRE SPRINKLER SYSTEM

- It is *recommended* that a residential fire sprinkler system be installed.
- The fire sprinkler system shall comply with National Fire Protection Association Pamphlet 13D.
- Three sets of plans shall be submitted to the County Building Departments.
- The installation of a fire sprinkler system could reduce the amount of emergency water storage to 2500 gallons.
- Additional information is available by phoning 543-4244.
- See attachment for additional information.



PROVIDING COOPERATIVE FIRE PROTECTION AND RESCUE SERVICES
TO THE CITIZENS OF SAN LUIS OBISPO COUNTY



Exhibit 7 (1 of 3)

WATER STORAGE TANK

- A minimum of 2,500 gallons of water in storage shall be required.
- Emergency water tanks shall have a:
 1. automatic fill,
 2. sight gage,
 3. venting system,
 4. minimum 4-inch plumbing schedule 40 PVC or iron pipe.
- The system shall gravity drain to residential fire connection.

WATER SUPPLY CONNECTION

- Two residential fire connections shall be required.
- The connection shall be:
 1. on the driveway approach to each residence,
 2. not less than 50 feet, or exceed 150 feet from the residence,
 3. within 8 feet of driveway,
 4. two feet above grade,
 5. brass with 2½ inch National Standard male hose thread and cap,
 6. identified by a blue reflector,
 7. 8 feet from flammable vegetation.
- The Chief shall approve other uses not identified.

ROADS STANDARDS

Access roads provide vehicular access to more than one lot of record or to one lot of record with more than four dwelling units.

- Access road widths shall be a minimum of 18 feet.
- Access roads shall have an unobstructed vertical clearance of not less than 13' 6".
- Access roads shall be named and signed.
- Road naming and signing shall occur prior to building final.
- Road name and sign information is available by phoning 781-5199.

DRIVEWAY STANDARDS

- The driveway width shall be 10 feet,
- A driveway exceeding 800 feet shall provide a turnout at the midpoint or every 400 feet.
 1. Turnouts shall be a minimum of 10 feet wide and 30 feet long with a 25-foot taper at each end.
- A driveway exceeding 300 feet shall provide turnaround within 50 feet of the residence.

Pauling (D990190P)

Page 3

1. Turnarounds shall be a minimum 40-foot radius or a hammerhead/T 60 feet long.

ACCESS ROAD AND DRIVEWAY SURFACES

- Access roads and driveways surfaces shall be:
 1. All weather surfaced to a maximum grade of less than 12%.
 2. Asphalt or concrete with a non-skid finish for any grade exceeding 12% to a maximum grade of 16%.
 3. Meet a load capacity of 20 tons

ADDRESSING

- Legible address numbers shall be placed on all residences.
- Each residence shall have a separate address.
- Legible address numbers shall be located at the driveway entrance.

VEGETATION CLEARANCE

To provide safety and defensible space the following shall be required:

- To each side of roads and driveways a 10-foot fuelbreak shall be provided.
- Maintain around all structures a 30-foot firebreak.
 1. This does not apply to landscaped areas and plants.
- Remove any part of a tree that is within 10 feet of a chimney outlet.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other dead vegetative growth.

FINAL INSPECTION

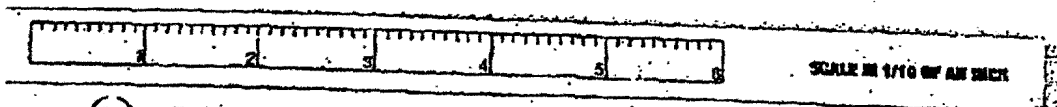
- The project shall require final inspection. Allow five (5) working days for final inspection. When the safety requirements have been completed, call the Fire Prevention Secretary at 543-4244, ext.2220, and arrange for a final inspection.

If I can provide additional information or assistance, please call 543-4244, ext. 2123. Office hours 8:00 a.m. to 5:00 p.m., Tuesday thru Friday.

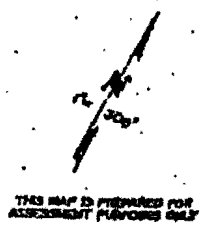
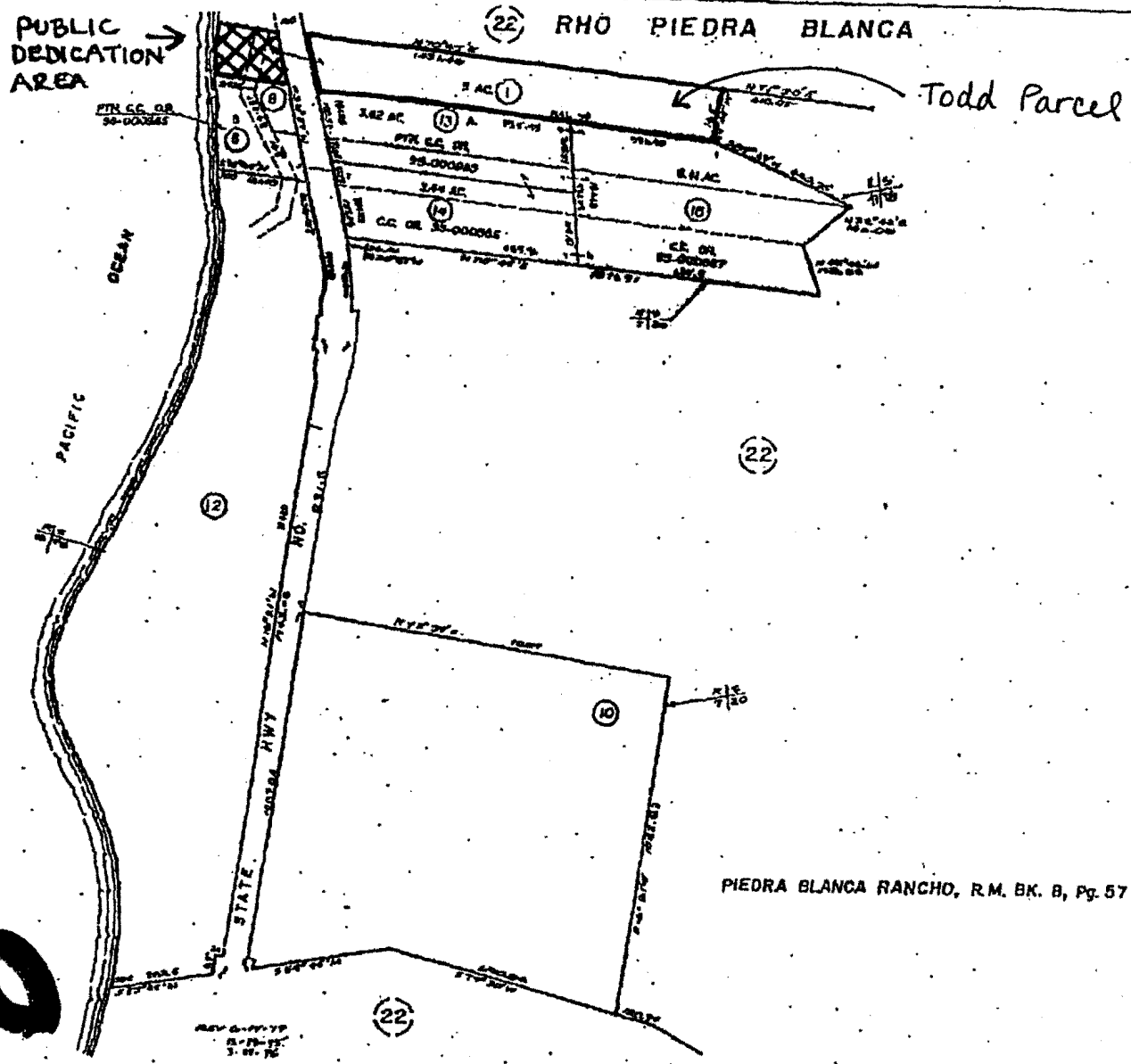
Sincerely,

Exhibit 7 (3 of 3)

THIS PLAT IS FOR YOUR AID IN LOCATING YOUR LAND WITH REFERENCE TO STREET AND OTHER PARCELS. WHILE THIS PLAT IS BELIEVED TO BE CORRECT, THE COMPANY ASSUMES NO LIABILITY OR ANY LOSS OCCURRING BY REASON OF RELIANCE THEREON. CHICAGO TITLE CO.



11-23



Public Dedication Area
Exhibit 8

2435732
9

PIEDRA BLANCA RANCHO, R.M. BK. 8, Pg. 57

Assessor's Map Bk. 11 - Pg. 23
County of San Luis Obispo, Calif.

NOV 05 1968

Map 1 of 1
Description: 14 02
Order: 011111