

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE

FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200



T4a

RECORD PACKET COPY

Page 1 of 4

Permit Application No. 3-01-053

Staff: MW-SC

Date: July 18, 2001

ADMINISTRATIVE PERMIT

APPLICANT: **Tim Shea**

PROJECT DESCRIPTION: Construct two single family residences each on a 7,500 square foot lot, related site preparation, access driveway and drainage improvements.

PROJECT LOCATION: 255 & 265 Ash Avenue, Cayucos, San Luis Obispo County (APN 064-094-015 or Lots 2 and 3 in Block 14.) See Exhibit 1 & 2.

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C 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:

Commission meeting of **August 7, 2001** beginning at 9:00 a.m., at the **City of Redondo Beach Historic Library at Veterans Park, 309 Esplanade, Redondo Beach, CA 90277.****IMPORTANT** – Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: *Rick Hyman*
Rick Hyman, District Chief Planner

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 this permit is reported to the Commission. 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.

EXECUTIVE DIRECTOR'S DETERMINATION

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit. Subject to standard and special conditions as attached, the 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 impacts on the environment within the meaning of the California Environmental Quality Act.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

The proposed project involves the construction of two single family residences; one two story residence of approximately 1,912 square feet with an attached garage, and one two story residence of approximately 1,826 square feet with an attached garage. Project plans are attached to this report as Exhibit 3.

The project is located on two 50-foot by 150-foot lots east (inland) of Ocean Avenue, on Ash Avenue at the corner of B Street, in the town of Cayucos, San Luis Obispo County. Please see Exhibit 1 for a regional location 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. Will serve letters, indicating that there are adequate capacities to provide these services, have been obtained by the applicant.

The San Luis Obispo County Local Coastal Program Estero Area Plan designates the area in which the project is located for residential multi-family development. The project site was

formerly a lumberyard, a use that was abandoned approximately 10 years ago. To the south and west of the site are existing single family residences. "B" Street separates these residences and the proposed development site from Cayucos creek, which is approximately 250 feet north of the project site. Nearby, to the south of the site is 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. 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 (Permit D980271P) on June 16, 2000.

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.

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. 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), which requires that new development minimize risks to life and property in areas of high geologic, flood, and fire hazard.

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 (south of the project site). 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. To ensure that the project will not adversely affect these resources and will protect the unique character of Cayucos, the County's approval requires that the residences be constructed with materials consistent with Victorian or early 20th Century architectural style complementary to the Cass house. The use of stucco as an exterior material is specifically prohibited. With these conditions, 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.

SPECIAL CONDITIONS

1. Compliance with Local Conditions of Approval. All development must occur in strict compliance with the terms of San Luis Obispo County Permit No. D980271P (attached as Exhibit 4). Any changes to the project, or modifications to the terms of D980271P, shall require an amendment to this permit unless the Executive Director determines that no amendment is required. Any questions regarding the interpretation of these terms, or the project's compliance with these terms, shall be referred to the Executive Director for resolution.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS

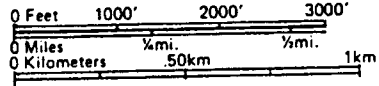
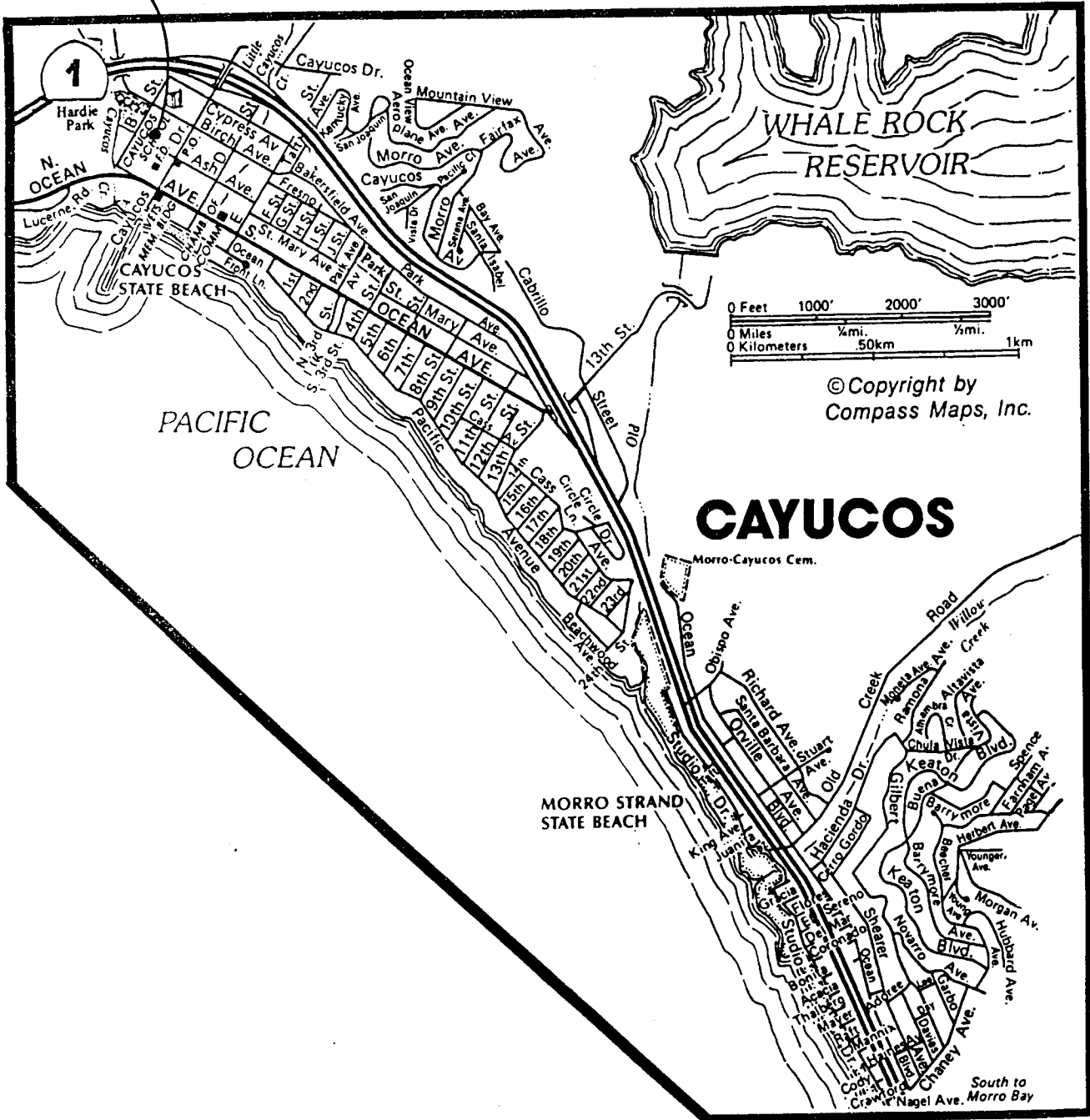
I acknowledge that I have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing

SITE

CAYUCOS



© Copyright by
Compass Maps, Inc.

CAYUCOS

EXHIBIT NO. /
 APPLICATION NO.
 3-01-053

"Reproduced with permission of © copyright own"

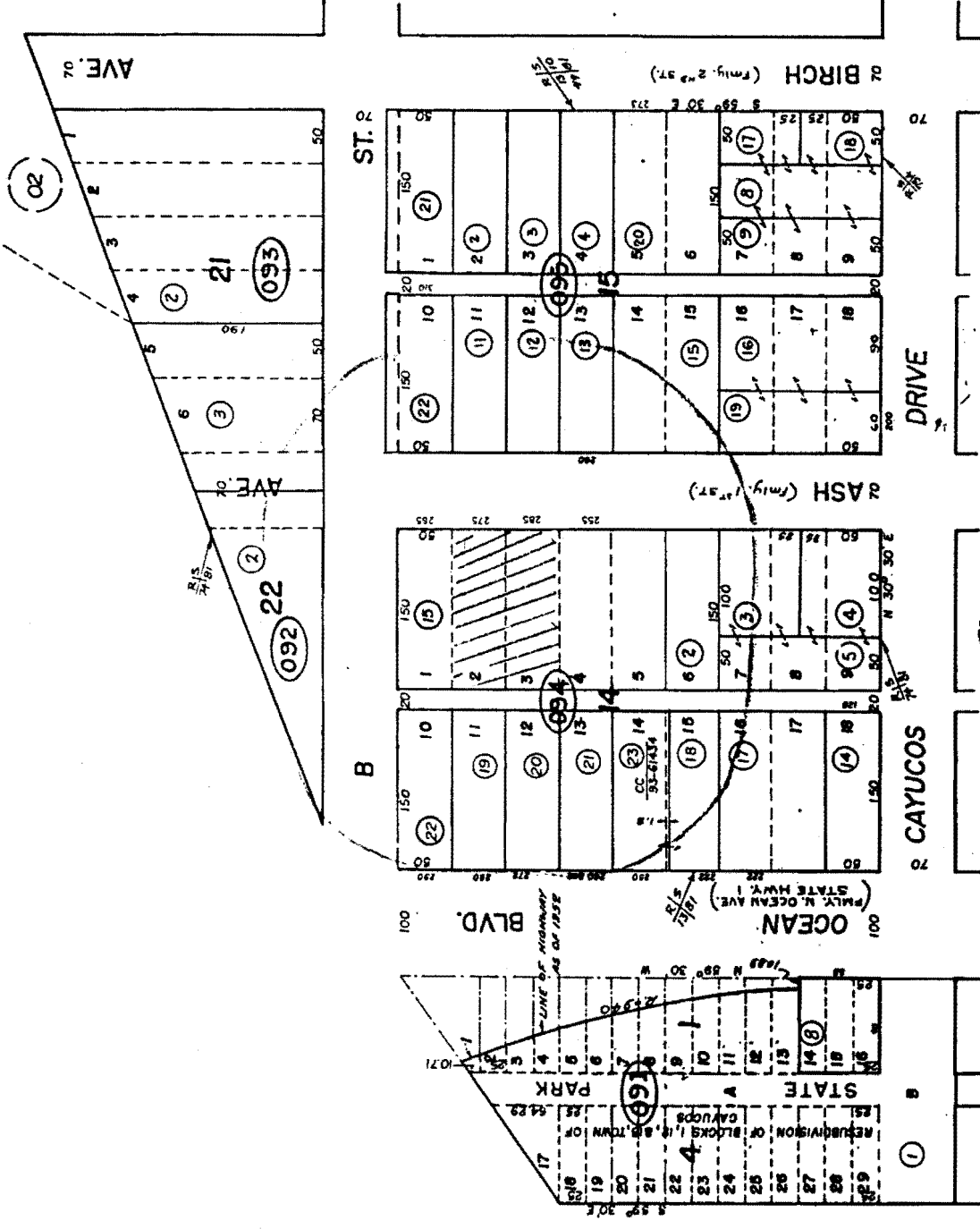
064-09

TAX AREA CODE NO.



02

CAYUCOS
SAN LUIS OBISPO COUNTY
CALIFORNIA

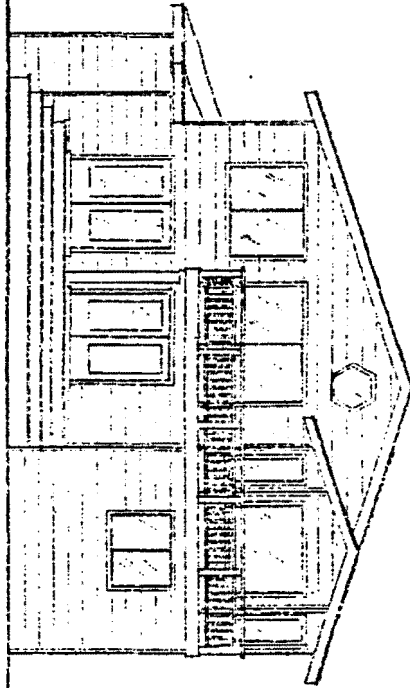


10

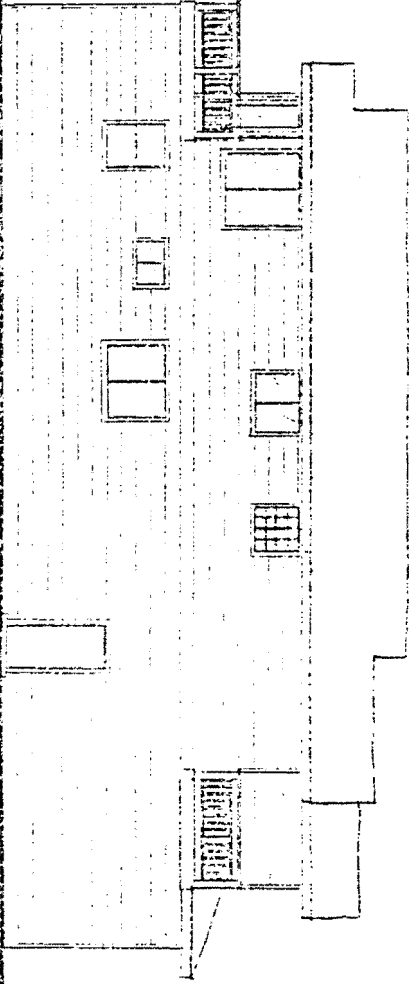
REVISIONS	DATE
1	11-16-99
2	08-11-00

65 THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY. 11-16-99

EXHIBIT NO. 2
 APPLICATION NO.
 3-01-053
 California Coastal Commission



SOUTH LOT 2



EAST LOT 2

PROPOSED RESIDENCES FOR
TIM SHEA AND STEVE MOLNAR
ASH STREET CAYUCOS

EXTERIOR
ELEVATIONS LOT 2

EXHIBIT NO. 3
APPLICATION NO.

3-01-053

Coastal Commission



DEPARTMENT OF PLANNING AND BUILDING
RECEIVED

MAY 23 2001

VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

BARNEY MCCAY

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Tentative Notice of Action

APPROVAL DATE: June 16, 2000
LOCAL EFFECTIVE DATE: June 30, 2000
TO: HEARING OFFICER
FROM: TERRY WAHLER, SENIOR PLANNER

ADMI

EXHIBIT NO. 4
APPLICATION NO.
3-01-053
<i>[Signature]</i> California Coastal Commission

SUBJECT: MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT (D980271P)-A request by Tim Shea for four single family residences on four separate lots with a guesthouse proposed on one lot, subject to multi-family floor and open area standards.

LOCATION: On the north side of Ash Street 75 feet south from the Ash & "B" Street intersection, across from the Hardie Park tennis courts, in the community of Cayucos. APN: 064-094-015. Estero Planning Area. Supervisorial District No. 2

RECOMMENDATION: Approve the negative declaration and minor use permit/coastal development permit based on the findings in Exhibit A and conditions in Exhibit B.


ENVIRONMENTAL DETERMINATION: Negative Declaration (ED 99-354).

RELATIONSHIP TO APPLICABLE LAND USE AND DEVELOPMENT POLICIES AND ORDINANCES:

Land Use Category/Combining Designations: Residential Multi Family/Local Coastal Program/Flood Hazard/Coastal Original Jurisdiction/Coastal Appealable Zone

PLANNING AREA STANDARDS: COMMUNITYWIDE 1. District Authorization. Cayucos Sanitary District approval required. RESIDENTIAL MULTI FAMILY 1. Density. Maximum density for site one acre or less shall not exceed 15 units per acre. 2. Height Limitation. Maximum allowable building height shall be 28 feet.

Does the project conform to the Planning Area Standards: Yes, as conditioned.

EXHIBIT NO. 4
APPLICATION NO.
3-01-053
 2007 California Coastal Commission

Minor Use Permit
Shea - D980271P

June 16, 2000
Page 2

Land Use Ordinance Standards:

Section 23.04.10 - Setbacks: Front = 25 feet, Rear = 10 feet, Side = 5 feet / project complies with these setback requirements

Section 23.04.166c(5) - Parking Requirements: 2 spaces per residence / project complies

Section 23.04.084b - Multi-Family Dwellings: Determine Allowable Density (Refer to Table Below)

Although the project consists of single family residences on individual lots exclusively, one residence has a guesthouse proposed (lot 5). Department policy requires single family residences with guesthouses to comply with multi-family floor area and open area standards, as shown in the table below. Lot 5 complies with these standards.

Intensity Factor	Maximum Units per Acre	Maximum Floor Area (1)	Minimum Open Area (2)
Low	15	35%	55%
CALCULATION FOR SITE	2.58 (15 x .1722 acre)	Residence: 2335 sf plus guesthouse: 288 sf = 2623 Ordinance= 2,625 sf (.35x7500sf lot)	Proposed open area = 5,448 sf (first floor area: 1,188 sf plus garage: 576 sf plus guesthouse: 288sf = 2,052sf 7,500sf -2,052sf = 5,448sf) Ordinance=3,375sf (.55x7500 sf lot)

- NOTE: 1. The maximum floor area includes all residential structures, including upper stories, but not garages and carports.
2. Minimum open area includes required setbacks, and all areas of the site except buildings and parking spaces.

Section 23.04.180 - Landscape, Screening and Fencing / conditions require

Section 23.07.060 - Flood Hazard Area (FH): Drainage Plan approval is required where any portion of the proposed site is located within the FH combining Designation / County Engineer to verify with Building Permit

Does the project conform to the Land Use Ordinance Standards: Yes, as conditioned.

Minor Use Permit
Shea - D980271P

June 16, 2000
Page 3

FINAL ACTION

This decision will become final action on the project, effective on the 10th working day from the receipt of the notice of final action by the California Coastal Commission. The notice of final action will be transmitted to the Commission following the administrative hearing and the required 14 day local appeal period.

EXHIBIT NO. 4
APPLICATION NO.
3-01-053
pg 3 of 7 California Coastal Commission

**EXHIBIT A:
FINDINGS**

- A. As conditioned the proposed project is consistent with the Local Coastal Program and the Land Use Element of the general plan because single family dwellings are principally permitted uses in the Residential Multi-Family land use category. The use is consistent with all other elements of the general plan.
- B. As conditioned, the project or use satisfies all applicable provisions of Title 23 of the San Luis Obispo County Code.
- C. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in this particular case, be detrimental to the health, safety or welfare of the general working public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project is subject to Ordinance and Building Code requirements designed to address health, safety, and welfare concerns.
- D. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is a single family project allowed in the multi-family land use category and designed to be compatible with the Western/Victorian houses and buildings in the area.
- E. The project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because Ash Street, is a designated "local" street constructed to county standards and capable of accommodating the minor additional traffic associated with the project.
- F. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because it is on the inland side of Ocean Avenue and thus will not inhibit access to coastal waters and recreation areas.
- G. On the basis of the Initial Study and all comments received there is no substantial evidence that the project will have a significant effect on the environment.

EXHIBIT NO. 4
APPLICATION NO.
3-01-053
M 4 of 7 California Coastal Commission

Minor Use Permit
Shea - D980271P

EXHIBIT NO. 4
APPLICATION NO.
3-01-053
pg 5 of 7 California Coastal Commission

June 16, 2000
Page 5

EXHIBIT B:
CONDITIONS OF APPROVAL - D980271P

Approved Development

1. This approval authorizes four two-story single family residences on individual lots with related site preparation to elevate the buildings above the 100 year flood plain and provide street/access and drainage improvements. Residences with guesthouses are subject to the floor area and open area standards of the CZLUO for multi-family projects, in this case .35 X 7500 for floor area and .55 X 7500 for open area.
 - a) Site development and building permit construction drawings shall be consistent with the site plans, floor plans, and architectural elevations approved herein.
 - b) The window style shall be primarily double or single hung windows or other window style consistent with period architecture.
 - c) The elevations shall include Victorian or turn-of-the-century architectural details such as wood appearing shingles, knee braces, or similar ornamentation typical of this period.
 - d) Prior to foundation inspection a height measurement control point shall be established by the contractor and inspected by the building inspector. Height limit is 28 feet.
 - e) Method of height measurement shall be average natural grade unless fill is used to elevate the residences above the 100 year flood plan in which case the finish grade may be used (per CZLUO) except that the minimum elevation necessary to elevate above the 100 year flood plain shall be used if finish grade elevation is in excess of the minimum.
 - f) The effective approval period is two years. Prior to expiration, time extensions must be submitted to the Department of Planning and Building Development Review Section (in writing with fees) to request individual one year time extensions which may be granted (up to three one year extensions) depending on the circumstances at the time of the request.

Minor Use Permit
Shea - D980271P

Water Supply

EXHIBIT NO. 4
APPLICATION NO.
3-01-053
pg 6 of 7 California Coastal Commission

June 16, 2000
Page 6

3. Prior to the issuance of a construction permit, the applicant shall submit a letter from Morro Rock Water Company stating that they are willing and able to serve the property.

Cayucos Sanitary District

4. 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

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

Archaeology

6. In the event that unexpected archaeological deposits of significance are encountered during grading, analysis shall occur in accord with the guidance and limitations provided in Section 15064.5 of CEQA and or Coastal Zone Land Use Ordinance Section or 23.05.140.

Coastal Permit

7. Prior to 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 California Coastal Commission (CCC) or a letter from the CCC indicating that the project does not require such a permit.

Undergrounding Utilities

8. Prior to final inspection, all utilities shall be located underground.

Flood Hazard

9. Prior to issuance of a construction permit, the applicant submit a drainage plan to be reviewed and approved by the Engineering Department.
10. Prior to 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.