

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
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**F12b**



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Staff: JB-SC  
Staff report: 6/21/02  
Hearing date: 7/12/02

**APPEAL STAFF REPORT  
DE NOVO HEARING**

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**Appeal number**.....A-3-SLO-01-086, El Colibri Inn  
**Applicants**.....Cambria-Moonstone L.P. (Patel/Mueller).  
**Appellants**.....California Coastal Commission, Commissioners Sara Wan & Dave Potter  
**Local government**.....San Luis Obispo County  
**Local decision**.....Approved with conditions (August 17, 2001).  
**Project location**.....Moonstone Beach Drive, Cambria, San Luis Obispo County (APN 022-061-007, -009, -011).  
**Project description**.....Demolish an existing antique store; construct a 34-unit motel with 11,390 sq. ft. of floor space, and a reduction in riparian setback from 50 ft. to 15 ft.  
**File documents**.....San Luis Obispo County Certified Local Coastal Program (LCP); and San Luis Obispo County Coastal Development Permit File 95-0685.  
**Staff recommendation** ...Approval with Conditions

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**Summary:** On November 14, 2001, the Commission found that a substantial issue exists with respect to this project's conformance with the certified San Luis Obispo County Local Coastal Program (LCP) and took jurisdiction over the coastal development permit. At the November 14, 2001 Commission meeting, the Coastal Commission continued the de novo hearing and directed staff to consult with the Applicant on the details of a modified project that would be consistent with the certified LCP.

The Applicant's proposed project raises concerns regarding protection of environmentally sensitive habitat areas (ESHA), visual resources, coastal water quality, public services, coastal hazards, and access and recreation along Moonstone Drive in the North Coast Area of San Luis Obispo County. The subject property is surrounded on three sides by riparian vegetation, located in the Santa Rosa Creek Preserve deemed ESHA by the LCP. Staff is recommending approval of a modified project, smaller in size and scale, that minimizes adverse ESHA impacts, that keeps development out of the public viewshed,



**California Coastal Commission**  
**July 2002 Meeting in Huntington Beach**

Staff: J.Bishop Approved by: C.T.I. 6/20/02

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minimizes geological and water quality impacts, and that protects and promotes public access to the coast.

### **Project Background**

As originally approved by San Luis Obispo County, the proposed development would demolish an existing building and construct a 34-unit motel with 11,390 sq. ft. of floor space on Moonstone Drive in Cambria. Cambria is an unincorporated community in the North Coast planning area of San Luis Obispo County, straddling Highway One. Highway One runs just north of and roughly parallel to Moonstone Drive in the vicinity of the site. Apart from Moonstone Drive fronting the site, the land on the remaining three sides of the site is San Simeon State Park. The existing building (an antique store) that would be demolished is the only significant structure seaward of Moonstone Drive.

The County-approved project would require a reduction in the riparian habitat setback standard from 50 feet to 15 feet. It would also dramatically increase the profile of the existing building from a small one-story antique store to a two-story motel, and thus the overall mass and scale of the building. As approved by the County, the project would also include a 39-car parking lot adjacent to the proposed motel to support the intensified use. This area has been used informally for parking for many years by people who stop to visit Cambria, or to access the beach and nature preserve. The unique project site supports visitor-serving recreation, as walking trails and benches are provided within a short walking distance of this location.

On November 14, 2001 the Commission found that a substantial issue was raised by the appeal. Although the Commission's findings recognized some positive aspects of the project, including its visitor-serving nature, substantial issues were raised by the project's impacts on the environmentally sensitive habitat area (ESHA) surrounding nearly all sides of the project site. The adjustment of the LCP required 50 ft. setback to only 15 ft. raised particular concerns. The Commission subsequently continued the de novo hearing on the project and directed staff to work with the Applicant on the details of a modified project. Staff has been working with the Applicant since this time on the details of such a project. Based upon the revised project plans submitted by the Applicant, staff now recommends that the Commission approve a coastal development permit for a modified project as summarized below.

As submitted by the Applicant, the revised project proposes a motel development of thirty-four overnight units, a main office & meeting room, and associated parking. Most importantly, the project has been revised to include a minimum 50-foot riparian setback, as required by the LCP. The Applicant has also proposed significant public access improvements, including construction of a decomposed granite pedestrian pathway that would act as a linkage to the nearby Moonstone Beach blufftop trail. The Applicant has also proposed to locate most of the parking lot underground and has incorporated design details such as vegetated screening and landscaping to protect scenic vistas. The entire project, including the considerably smaller upper parking lot area would be designed to control polluted runoff.



**Recommendation**

The issues relevant to the proposed project involve competing LCP policy objectives. The LCP is clearly supportive of visitor-serving (and other) uses on Moonstone Drive in Cambria. However, the LCP is also protective of sensitive habitat areas, geologic hazards, coastal access, visual resources, especially along the shoreline, and of the special community character of Cambria itself. In this case, it is possible to support a substantial level of visitor-serving uses at this site in scale with Cambria’s community character, and in such a way as to not compromise the site’s geologic stability, shoreline access, visual resources, and environmentally sensitive habitat areas.

Most importantly, staff has worked with the Applicant on a modified project that allows for a reasonable expansion of the current use, but with strict adherence to the required 50-foot riparian setback requirement. Such a setback would modify the allowable building envelope to provide better sensitive habitat protection, and would decrease building intensity to better harmonize with its locale.

Overall, as conditioned herein, the modified project would protect sensitive riparian habitat areas while retaining the special character of Cambria. New visitor-serving accommodations would be provided and public access would be encouraged, thereby enhancing the public’s ability to use this special coastal location. Finally, the project is also conditioned to provide protection of other coastal resources, including: geologic stability, and prevention of polluted runoff into Santa Rosa Creek.

**Staff recommends approval with conditions.**

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Exhibits

- A. Regional Location and Vicinity Map
- B. Vicinity Aerial Photo
- C. Riparian Habitat Evaluation Map
- D. County Approved Site Plan (8/17/01)
- E. Project Site Plans from Applicant’s Revised Proposal (4/4/02)
- F. San Luis Obispo County Adopted Findings and Conditions
- G. Geotechnical and Engineering Evaluations of Subterranean Parking Structure
- H. Conceptual Landscape Plan
- I. Project Water Conservation Elements



## 1. Staff Recommendation on Coastal Development Permit

The staff recommends that the Commission, after public hearing, **approve** the proposed project subject to the standard and special conditions below. Staff recommends a **YES** vote on the motion below. A yes vote results in approval of the project as modified by the conditions below. The motion passes only by affirmative vote of a majority of the Commissioners present.

*Motion. I move that the Commission approve Coastal Development Permit Number A-3-SLO-01-086 subject to the conditions below and that the Commission adopt the following resolution:*

*Approval with Conditions. The Commission hereby grants a permit for the proposed development, as modified by the conditions below, on the grounds that the modified development will be in conformance with the provisions of the San Luis Obispo County certified Local Coastal Program, is located between the sea and the first public road nearest the shoreline and is in conformance with the public access and recreation policies of the California Coastal Act of 1976 (Coastal Act), and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act (CEQA).*

## 2. 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. **Final Project Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two sets of final revised project plans to the Executive Director of the Coastal Commission for review and approval. The revised project plans shall provide a minimum setback of 50 feet from the upland edge of riparian vegetation and shall be substantially in conformance with: sheets A1, A2, and A3 of the revised project plans submitted to the Commission titled *El Colibri Inn* by Summit Splash Development dated April 4, 2002.

The final project plans shall be consistent with the following requirements:

- (a) **Building Height.** Building height shall not exceed 25 feet 5 inches per site section submitted May 29, 2002 (measured in accordance with Section 23.04.122 of the CZLUO).
- (b) **Parking Lots.** Plans shall indicate the dimensions and location of 28 subterranean parking spaces and shall provide for a bus drop-off and truck parking area in the portion of the site directly fronting Moonstone Beach Drive.
- (c) **Signage.**
1. Pole or free-standing signs, as defined in the CZLUO are prohibited, and the project shall not include more than one monument sign. All signs must be set back a minimum of 5 feet from the edge of the Moonstone Drive right-of-way, or at a distance that shall not obstruct sight distance of motorists or pedestrians.
  2. Plans shall include a sign detail showing project signs. Plans showing the sign detail shall indicate all dimensions, locations, materials and colors of all signs. Plastic shall not be used as a sign material. All signs shall be designed consistent with the architectural character of the main building.
- (d) **Exterior Design Elements.**
1. Exterior elevations shall identify all finish materials. All exterior finishes shall consist of earthen tone colors that blend with the surrounding. The Permittee shall submit color samples to the Executive Director for review and approval.
  2. Plans shall indicate that associated mechanical and electrical equipment (i.e. electrical power supply panels, telephone and cable service connections, pad mounted transformers, utility meters, rooftop mechanical equipment, satellite dishes, etc.) shall not be located in the riparian setback area. Mechanical and electrical equipment shall not be visible from public



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views unless they are completely screened by walls and/or landscaping or installed in underground vaults.

3. All detached structures and other site improvements, including but not limited to, the points of ingress and egress, parking areas, loading areas, turnarounds, trash and recycling enclosures, utility connections, easements, public access paths, retaining walls, ponds, fountains and benches must be shown on the final plans, including elevations.

(e) **Lighting.** Plans shall identify the type and location of all exterior lights. Exterior lighting shall be limited to that which is necessary to illuminate driveways, pathways, and entrances to structures. Such lighting shall be provided by low-level light sources that cannot be seen from public areas and that prevent light and glare from extending beyond the immediate area to be illuminated.

(f) **Engineering Elements.** All recommendations included in the Soils and Engineering Report (Earth Systems Consultants, Soils Engineering Report: July, 7, 1999) shall be noted on Final Project Plans and shall be implemented during construction, including development of underground parking areas. All retaining walls, exterior walls, and foundations shall be designed and shored internally and in a manner as not encroach or require maintenance activities within the required 50-foot riparian buffer area.

Submittal of the Final Plans shall be accompanied by written evidence that the consulting engineer has reviewed the final plans and found them consistent with the recommendations contained in the July 7, 1999 Soils and Engineering Report.

(g) **Off-site Improvements.** Plans shall identify the location and type of all off-site pedestrian access improvements (i.e. County approved 4'-0" DG pedestrian path on Moonstone Beach Drive frontage and associated landscaping elements).

PRIOR TO MOTEL OCCUPANCY, the Permittee shall submit, for Executive Director review and approval, a written and photographic report prepared by a licensed professional, documenting that all off-site improvements have been effectively designed and constructed consistent with the approved final plans.

The Permittee shall undertake development in accordance with the approved revised Final Project Plans. Any proposed changes to the approved revised Final Project Plans shall be reported to the Executive Director. No changes to the approved revised Final Project Plans shall occur without a Commission amendment to coastal development permit A-3-SLO-01-086 unless the Executive Director determines that no amendment is necessary.

2. **Landscape Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two sets of Landscape Plans, substantially in conformance with the County approved *Conceptual Landscape Plan* (Sheet L-1, dated 3/9/01) by licensed Landscape Architect



Debbie Black (see Exhibit H), to the Executive Director of the Coastal Commission for review and approval. Plans must include landscaping elements that encompass the entire 50-foot riparian buffer area. The Landscape Plans must be accompanied by evidence that the plans have been reviewed by a biologist and determined to be consistent with the protection and enhancement of the surrounding Santa Rosa Creek riparian habitat. New plantings shall be limited to plants that are native to the area, including mature trees. The plans shall be in sufficient detail to identify the location, species, size, planting schedule, and irrigation requirements of the proposed landscaping materials, which shall be selected and located in a manner that considers the specific conditions of the site including, soil, exposure, temperature, moisture, and wind.

The Landscape Plans shall identify monitoring and maintenance measures, including the identification of specific performance criteria, and the implementation of bi-annual inspections and maintenance activities to ensure that performance criteria and screening requirements are being met. Maintenance measures shall restrict vegetation trimming to the minimum amount necessary for the health of the species; include the removal of any exotic invasive species that become established in the planting areas; provide for the immediate replacement of any dead or diseased vegetation that provides visual screening for the life of the project.

**Landscape Installation and Monitoring Reports.** PRIOR TO OCCUPANCY OF THE MOTEL the Permittee shall submit, for Executive Director review and approval, written confirmation by the landscape professional, accompanied by photographic evidence, that all new plantings have been installed in accordance with the approved Landscape Plan.

THREE YEARS FROM THE COMMENCEMENT OF PROJECT CONSTRUCTION, the Permittee shall submit, for Executive Director review and approval, a written and photographic report prepared by a landscape professional, documenting that the landscape plan has been effectively implemented. In the event that the landscape professional and/or Executive Director determines that the performance criteria have not been satisfied, the Permittee, or successors in interest, shall submit a supplemental landscape plan for the review and approval of the Executive Director within one month of the determination. The supplemental landscape plan shall be prepared by a qualified landscape specialist, and shall specify additional landscaping, monitoring and management measures that will be implemented.

### 3. Water Quality Protection.

**Grading, Drainage, and Erosion Control Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two sets of Grading, Drainage, and Erosion Control Plans to the Executive Director of the Coastal Commission for review and approval, that satisfy the requirements of CZLUO Sections 23.05.024 – 23.05.050, and prohibit ground disturbing activities between October 15 and April 1. The plans shall also identify that ground disturbing





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activities are also prohibited when the National Weather Service reports a 30% or greater chance of rain. In addition, the plans shall conform to the following requirements:

**Implementation of Best Management Practices During Construction.** The Drainage and Erosion Control Plans shall identify the type and location of the measures that will be implemented during construction to prevent erosion, sedimentation, and the discharge of pollutants during construction. These measures shall be selected and designed in accordance with the California Storm Water Best Management Practices Handbook and the criteria established by the San Luis Obispo County Resource Conservation District. Among these measures, the plans shall limit the extent of land disturbance to the minimum amount necessary to construct the project; designate areas for the staging of construction equipment and materials, including receptacles and temporary stockpiles of graded materials, which shall be covered on a daily basis; provide for the installation of silt fences, temporary detention basins, and/or other controls to intercept, filter, and remove sediments contained in the runoff from construction, staging, and storage/stockpile areas. The plans shall also incorporate good construction housekeeping measures, including the use of dry cleanup measures whenever possible; collecting and filtering cleanup water when dry cleanup methods are not feasible; cleaning and refueling construction equipment at designated off site maintenance areas; any the immediate clean-up of any leaks or spills.

The plans shall indicate that PRIOR TO THE COMMENCEMENT OF GRADING, the applicant shall delineate that the approved construction areas with fencing and markers to prevent land-disturbing activities from taking place outside of these areas.

**Post Construction Drainage.** The drainage plan shall identify the specific type, design, and location of all drainage infrastructure necessary to ensure that post construction drainage from the project does not result in geologic instability, erosion, sedimentation, or the degradation of coastal water quality. To the degree feasible, this should include the detention of runoff from impervious areas. All runoff from paved parking areas should be filtered and treated to prevent the discharge of bacteria and pollutants into Santa Rosa Creek and other coastal waters. The capacity of filtration and treatment features shall be adequate to effectively remove sediments and pollutants during an 85<sup>th</sup> percentile 24-hour runoff event.

**Runoff Discharge.** Direct discharge of runoff into Santa Rosa Creek is prohibited. All site runoff shall be directed towards Moonstone Beach Drive.

**Excavated materials.** Grading plans shall indicate approximate quantity of material to be excavated and identification of the receiver site(s) for all such excavated materials. If the fill site is in the coastal zone, then its use for receiving fill must be authorized by a coastal development permit or by a valid County permit that predates the California Coastal Act.



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**Inspections.** The applicant shall be responsible for implementing and maintaining drainage and erosion control measures and facilities for the life of the project. This shall include performing annual inspections, and conducting all necessary clean-outs, immediately prior to the rainy season (beginning October 15), and as otherwise necessary to maintain the proper functioning of the approved drainage system.

4. **Pre-Construction Fencing.** PRIOR TO THE START OF ANY SITE DISTURBANCE ACTIVITIES, construction type fencing shall be installed at least five feet outside of the dripline of any vegetation located along the project site's frontage on Santa Rosa Creek in order to protect the riparian corridor and vegetation from disturbance. The fencing shall be maintained in place until site disturbance activities have ended.
5. **Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall finalize, execute and record a document, 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 on 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) No development shall occur within the required 50-foot riparian setback area, except for restoration landscaping installed pursuant to the approved Landscape Plan.
  - (b) Monitoring and maintenance of landscaping shall be continued to the extent necessary for the health of the species, and carried out for the life of the approved motel development.
  - (c) The drainage facilities installed pursuant to the approved Grading and Drainage Plans shall be maintained for the life of the approved motel development.
6. **Compliance with Local Conditions of Approval.** This Coastal Commission action has no effect on conditions imposed by the County of San Luis Obispo pursuant to an authority other than the Coastal Act (County Conditions of Approval #'s 4, 12, 13, 14, 15, & 16) Where there is a conflict between the conditions of the local approval and the terms of this permit, the terms of this permit shall control.



### **3. Procedural History**

On August 17, 2001 the San Luis Obispo County Zoning Administrator approved a coastal development permit (permit number D990387) with 17 Conditions of Approval; an adjustment to reduce the minimum 50 foot riparian setback to 15 feet; and a mitigated negative declaration for compliance with the California Environmental Quality Act (CEQA). The County's complete final action was received in the Commission's Central Coast District Office on Sept 6, 2001. See Exhibit F for the County's findings and conditions on the project.

The Commission's ten-working day appeal period for this action began on September 6, 2001 and concluded at 5:00 PM on September 20, 2001. Appeals from California Coastal Commissioners Sara Wan and Dave Potter were received during the appeal period and the appeal was filed on September 19, 2001.

On November 14, 2001, the Commission found that the appeal raised a substantial issue in terms of the project's conformance with the certified San Luis Obispo County LCP and took jurisdiction over the coastal development permit for the project. At that time, the Coastal Commission continued the de novo hearing and directed staff to work with the Applicant on the details of a modified project, which would be consistent with the certified LCP and Coastal Act access and recreation policies. This staff report is the culmination of that process.

### **4. Recommended Findings and Declarations**

The Commission finds and declares as follows:

#### **A. Project Setting**

The proposed development is located in the unincorporated community of Cambria. Cambria is a small coastal town in San Luis Obispo County's North Coast planning area. The community of Cayucos, which is Cambria's closest southern neighbor, is 7.5 miles to the south, while San Simeon, home to Hearst Castle, is 5 miles to the north. This stretch of California's coastline is characterized by picturesque landscapes of rolling foothills of the Coastal Range, and provides many unobstructed views of the Pacific Ocean. Because of its location and size, Cambria serves as the southern gateway to the beautiful Highway One/ Big Sur Coast. Cambria provides a convenient stopping place and a visitor destination for travelers along this mostly undeveloped coastline.

Cambria consists of approximately one square mile of developed land. It is comprised of five separate commercial districts and nine residential neighborhoods. A variety of restaurants, shops, galleries, overnight transient-visitor accommodations, and recreational opportunities exist to serve visitors traveling the scenic coastline. Cambria is described as a "rural village" surrounded by a green frame of



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Monterey pine trees. There is a variety of building styles, historical structures, as well as significant natural features that define the character of Cambria.

The subject hotel project is to be located on the south side of, and fronting, Moonstone Beach Drive, approximately 100 feet west of Windsor Boulevard, in Cambria. Moonstone Beach Drive alone is an attraction for residents and tourists alike, as it provides coastal recreation opportunities combined with magnificent views of the rugged North Coast Area. Cambria is an unincorporated community in the North Coast planning area of San Luis Obispo County, straddling Highway One. Highway One runs just north of and roughly parallel to Moonstone Drive in the vicinity of the site. On the remaining three sides of the site is San Simeon State Park, through which Santa Rosa Creek runs.

The subject site consists of three parcels totaling approximately about 33,000 square feet in size, comprising the only privately owned parcels along the beach side of Moonstone Drive in the vicinity. The northwest corner of the subject site currently houses an antique store located in a wood frame building, which was previously a restaurant and before that, reportedly, a service station. The remainder of the site is largely a gravel parking lot. The site is designated for Commercial Retail in the San Luis Obispo local coastal program. Combining designations include Coastal Special Community, Archaeologically Sensitive Area, and Visitor-Serving Area.

**B. San Luis Obispo County-Approved Project**

The County staff report describes the proposed project as follows:

*The proposed project is a 34 room, two-story motel with parking lot and fitness and spa area. A breakfast and kitchen are located on the first floor near the lobby for the use of hotel guests. ...The 34 rooms are evenly divided between the first and second floors. A porte cochere is located at the main driveway entrance at the lobby. The roof of the porte cochere is as tall as the first floor of the hotel.*

The project would be approximately 25'-6" tall. The design is a modified Mission style with clay tile roof, stucco siding, and some curved windows. Roughly one-third of the site would be devoted to structures; one-third to landscaping; and one-third to parking. Thirty-nine parking spaces are proposed, which meet County Ordinance requirements. The applicant originally proposed a smaller, combination motel and retail establishment on only one of the three parcels, but the project was modified during the County process to that described above. In order to accommodate this intensified use, the County granted a reduction in riparian setback from 50 ft. to 15 ft. Although not specified in the County's project description, the proposal also obviously includes demolition of the existing structure on the site.

See Exhibit D for the County-approved site plan.

See Exhibit F for the County's adopted findings and conditions.



## C. Applicant's Revised Project

The Applicant has recently proposed a revised project. The revised project proposes to support a motel development of thirty-four overnight units, and a main office & meeting room. Most importantly, the revised project includes a 50-foot setback from the upland edge of the riparian vegetation, as required by Section 23.07.174(d) of the CZLUO. The Applicant has also proposed significant public access improvements, including dedication of easements to the County for a public pathway fronting Moonstone Beach Drive as an extension of the existing blufftop trail. The Applicant has also proposed to locate the majority of the parking spaces underground and has incorporated design details such as vegetated berms and landscaping to protect scenic vistas. The entire project, including the smaller upper parking lot area would be designed to control polluted runoff.

See Exhibits E for revised project site plans, elevations, floor plans and parking lot plans.

## D. Coastal Development Permit Determination

### 1. Environmentally Sensitive Habitat Areas

#### 1.1. Applicable LCP ESHA Provisions

The San Luis Obispo County LCP policies define and protect ESHA, allowing only a very limited amount of development at or near these areas. The following are the relevant governing provisions from the San Luis Obispo Local Coastal Program *Coastal Plan Policies* and *Coastal Zone Land Use Ordinance*, respectively:

##### 1.1.1 Riparian Habitat Setback Requirements

*Environmentally Sensitive Habitats Policy 26: ...In urban areas this minimum standard shall be 50 feet except where a lesser buffer is specifically permitted. The buffer zone shall be maintained in natural condition along the periphery of all streams. Permitted uses within the buffer strip shall be limited to passive recreational, education or existing nonstructural agricultural developments in accordance with adopted best management practices....Lesser setbacks on existing parcels may be permitted if application of the minimum setback standard would render the parcel physically unusable for the principal permitted use. In allowing a reduction in the minimum setbacks, they shall be reduced only to the point at which a principal permitted use (as modified as much as is practical from a design standpoint) can be accommodated.*

In addition, the proposed project must be in conformance with Section 23.07.174d of the Coastal Zone Land Use Ordinance (CZLUO), based on the proximity of the proposed development to Santa Rosa Creek.



**Section 23.07.174.d: Riparian setbacks:** *New development shall be setback from the upland edge of riparian vegetation a minimum of 50 feet within urban areas (inside the USL) and 100 feet in rural areas (outside the USL), except as provided in subsection b of this section and as follows:...*

*(2). Riparian habitat setback adjustment: The minimum riparian setback may be adjusted through Minor Use Permit approval, but in no case shall structures be allowed closer than 10 feet from a stream bank, and provided the following findings can first be made:*

*(i) Alternative locations and routes are infeasible or more environmentally damaging; and*

*(ii) Adverse environmental effects are mitigated to the maximum extent feasible; and*

*(iii) The adjustment is necessary to allow a principal permitted use of the property and redesign of the proposed development would not allow the use with the standard setbacks; and*

*(iv) The adjustment is the minimum that would allow for the establishment of a principal permitted use.*

### **1.1.2 ESHA Buffer**

The following policies from San Luis Obispo County's *Coastal Plan Policies* govern:

**Coastal Watersheds Policy 7:** *...In all cases, siting of development and grading shall not occur within 100 feet of any environmentally sensitive habitat. In urban areas as defined by the Urban Services Line, grading may encroach within the 100-foot setback when locating or siting a principally permitted development, if application of the 100-foot setback renders the parcel physically unusable for the principally permitted use. Secondly, the 100 foot setback shall only be reduced to a point at which the principally permitted use, as modified as much as practical from a design standpoint, can be accomplished to no point less than the setback allowed by the planning area standard or 50 feet whichever is the greater distance.*

**Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats.** *New development within or adjacent to locations of environmentally sensitive habitats (within 100 feet unless sites further removed would significantly disrupt the habitat) shall not significantly disrupt the resource. Within an existing resource, only those uses dependent on such resources shall be allowed in the area*

**Environmentally Sensitive Habitats Policy 18:** *Coastal streams and adjoining riparian vegetation are environmentally sensitive habitat areas and the natural hydrological system and ecological function of coastal streams shall be protected and preserved.*



*Environmentally Sensitive Habitats Policy 19: Development adjacent to or within the watershed (that portion within the coastal zone) shall be sited and designed to prevent impacts which would significantly degrade the coastal habitat and shall be compatible with the continuance of such habitat areas. This shall include evaluation of erosion and runoff concerns.*

## **1.2 De Novo ESHA Resource Analysis**

The riparian habitat surrounding the 33,000 square foot parcel is an important coastal resource, interconnected with the larger Santa Rosa Creek ecological system and unique to the San Luis Obispo County North Coast. The subject site is surrounded on three sides by riparian vegetation, mostly mature willow and cottonwood forest located in the Santa Rosa Creek Preserve of San Simeon State Beach. Santa Rosa Creek is located immediately south of the property and bisects the Preserve (see Aerial Photos contained in Exhibit B). Santa Rosa Creek Preserve is home to a variety of sensitive species including the endangered Tidewater goby, steelhead, red-legged frog, and at times the snowy plover at the mouth of the creek. Riparian habitats play a role in supporting the special-status plants and animals endemic to the area. The presence of Santa Rosa Creek Nature Preserve directly to the south of the property has helped to protect these important and sensitive habitat areas. Thorough application of LCP ESHA protection standards in this area is essential to preserve the ecological integrity and protect the healthy biological continuance of the riparian habitat – this is critical given the pace and quantity of development taking place in portions of the riparian habitat within the Cambria urban area.

In an attempt to lessen visual impacts of the project, the County recommended siting the motel in the northwest corner of the property. However, the result would be locating the motel structure into the necessary riparian habitat setback area. According to the County's review, the project does not necessitate the direct removal of any riparian vegetation, yet intrusion into buffering areas would be unavoidable should the County's recommendation be followed. These setback areas provide the ecological buffering conditions needed to support the continuance of the coastal riparian habitat. By developing in buffer areas adjacent to the riparian habitat, the project will introduce noise, light, human activity, domestic animals, invasive species and other impacts to the area, and thereby diminish the biological productivity and value of the sensitive habitats surrounding the development. Similarly, the construction of structures and walls will create barriers to existing patterns of wildlife movement and foraging.

ESHA Policy 1 applies to all new development within and adjacent to environmentally sensitive habitats that may disrupt the resource. Inconsistent with ESHA Policy 1, the local approval does not effectively address concerns associated with development adjacent to riparian habitats. ESHA Policy 18 calls for the preservation of coastal streams and adjacent riparian vegetation by protecting the entire hydrological system. The impact of the development areas adjacent to, and ecologically connected with the riparian vegetation, can adversely affect the hydrological system and cumulatively threaten the long-term continuance of the habitat.



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Inconsistent with ESHA Policies 1, 18, and CZLUO Section 23.07.174(d) the project has the potential to degrade riparian habitats through the proposed construction of a motel and parking lot, altering natural drainage patterns, and contributing sediments and pollutants to coastal waters (e.g., Santa Rosa Creek). The project is further inconsistent with ESHA Policies 19 because there have not been adequate water quality controls built into the project's design and construction to ensure the protection of riparian resources. Construction activities can adversely impact coastal water quality by discharging debris and pollutants into watercourses, and by causing erosion and sedimentation through the removal of vegetation and the movement of dirt. The increase in impervious surfaces that will result from the project will also impact coastal water quality by altering natural drainage patterns and providing areas where for the accumulation of pollutants that will eventually be carried into coastal waters by storm water.

The project approved by San Luis Obispo County does not conform to the LCP ESHA protection provisions cited by this report because it has the potential to adversely impact sensitive riparian habitats. The special conditions attached to this permit are necessary to ensure that the development is carried out in a manner that will be compatible with the continuance of these habitats, as required by the LCP. To resolve these potentially harmful impacts and address the above mentioned policy inconsistencies, the following Special Conditions have been attached to the project.

Most importantly, Special Condition 1 limits development within a modified building envelope sited to be in conformance with LCP riparian habitat protection policies. The Revised Project Plans remove development (including paved parking areas) from areas within the required 50-foot minimum riparian setback. Additionally, mitigation for the potentially adverse noise and air pollution impacts associated with busses and large trucks are addressed in Special condition 1(b). Special Condition 1(b) limits large-vehicle visitor and product unloading to areas directly fronting Moonstone Drive, effectively moving this activity as far away from Santa Rosa Creek as possible. As a result, sensitive riparian habitat areas surrounding the project site are buffered and protected.

Special Condition 2 requires evidence that landscaping will be consistent with the protection and enhancement of the riparian habitat surrounding Santa Rosa Creek. Thus, a biologist must approve the Landscape Plan. This condition avoids the potential introduction of exotic vegetation by requiring the landscape plan to use species native to the area, and by requiring the removal of any exotic invasive vegetation that may become established within the planting area.

To protect riparian habitats from impacts associated with light and glare, Special Condition 1(e) requires the applicant to submit a lighting plan for Executive Director review and approval. Pursuant to these conditions, exterior lights must be limited to that which is necessary to illuminate driveways, pathways, and entrances to structures, and provided by low-level light sources that prevent light and glare from extending beyond the immediate area to be illuminated. Furthermore, this condition will help preserve the rural character of Moonstone Drive.





Finally, the applicant has included an area onsite for drainage and infiltration purposes consistent with Commission supported parking area Best Management Practices. This area will filter all surface runoff from the site and will direct runoff to the fronting Moonstone Beach Drive. To further strengthen the County's requirement and heighten habitat protection Special Condition 3 protects riparian habitats by requiring the development and implementation of erosion control and drainage plans that will prevent the project from discharging sediments and pollutants to coastal waters during and after construction.

Thus, as conditioned the revised project is consistent with ESHA policies contained in the San Luis Obispo County Certified LCP.

## **2. Special Coastal Community and Visual Issues**

### **2.1. Applicable LCP Special Community and Visual Resource Provisions**

The San Luis Obispo County LCP is protective of visual resources, especially along the shoreline, and of the special community character of Cambria itself. The LCP states:

#### **2.1.1 Visual Resources**

*Policy 1: Protection of Visual and Sensitive Resources.* 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: 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 5: Landform Alterations.* 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.

#### **2.1.2 Moonstone Special Community**

*Policy 6: Special Communities and Small-Scale Neighborhoods.* Within the urbanized areas defined as small-scale neighborhoods or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community.



*CZLUO Section 23.11.030 - Special Communities. Areas and communities with unique, visually pleasing characteristics which serve as visitor destination points and include:*

*c. Cambria – Commercial and Recreation categories along Moonstone Beach Drive.*

## **2.2 De Novo Special Community and Visual Resource Analysis**

The Commission has recognized the statewide significance of San Luis Obispo County's scenic resources, particularly in the County's rural north coast, on many occasions, including in its January 1998 review of a proposed update to the North Coast Area Plan, and in its July 2001 adoption of the Periodic Review. The rural north coast is the southern gateway to the Big Sur coast, and provides unique opportunities for residents and visitors to experience the natural beauty and majestic scenery of this largely undeveloped section of coastline. The Commission has consistently found that preservation of this resource is of utmost importance. Accordingly, the LCP policies cited above call for new development to *avoid* encroachment within public viewsheds wherever feasible. These LCP policies require that the impacts of new development in view of Highway One be minimized, and that new development in Cambria be designed and integrated into the site's special character and aesthetic. The questions of "special community" and Cambria's "community character" are thus central to the Commission's review of this project.

### **2.2.1 Community Character**

The Moonstone Drive area is reflective the town's unique character. As described in the *Cambria Design Plan*, the viability of this popular visitor-serving area depends on views of the Pacific Ocean that are unhindered by typical urban features such as street lights, trash containers and street trees. Accordingly, the goal for Moonstone Beach should be to enhance the picturesque, wild identity and natural resources of the area.

LCP standards cited above seek to preserve the scenic resources of the San Luis Obispo County coastline, among other ways, by requiring new development to be sited to avoid its intrusion within public view corridors. Specifically, Policy 6 requires site selection for new development to be visually compatible with existing community characteristics. Also, new development should emphasize locations not visible from major public view corridors, and to use slope created pockets to shield development and minimize visual intrusion. Where it is not feasible to completely avoid intrusion within public views, Policy 2 requires that this impact be minimized. The special conditions of approval relating to structural mass, architectural style, and building materials, will ensure that the project will be compatible with the community design standards.

### **2.2.2 Main Building**

When evaluating the character of an individual building as it relates to other buildings in a community, a number of factors need to be considered, including the building's proportions, layout, exterior finish and



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any architectural embellishments. Equally important are height, bulk, and other considerations of scale. The revised project would be 25.5 feet tall, one inch lower than originally proposed. (see Special Condition 1(a)). The design is a modified Mission style with clay tile roof, stucco siding, and some curved windows (see Exhibit E).

The original proposal to locate the motel in the rear corner of the lot conflicts with LCP required riparian habitat setbacks of 50 ft. The bulk of the County approved motel was sited in the southwest corner of the lot where it would be partially shielded by existing vegetation. In terms of scale, the originally proposed building coverage (11,390 square feet) combined with its height (25.6 feet above grade) would make it the largest building, not to mention the only privately owned structure on the ocean side of Cambria's Moonstone Beach frontage. The building's scale is somewhat tempered, however, by its location generally below the grade of Highway One. In any case, the architectural style, scale, and visual prominence of this building seaward of the highway play an important role in defining Cambria's special character.

The proposed development would accommodate new visitor-serving uses on the site. As such, the effort to accommodate the new and increased level of use results in a significantly larger building profile, which in turn increases the amount of development between Highway One and the scenic Cambria coast. The San Luis Obispo LCP has two fundamental strategies for protecting the coast's scenic resources that apply in this case: (1) minimize the visual intrusions seaward of Highway One; and (2) insure that new development is appropriately scaled to fit into existing "special" coastal communities. As previously detailed, the County-approved project raises concerns because it would enlarge the existing building and intensify development on the relatively undeveloped coastal side of Moonstone Beach Drive. Subsequent to the filing of the appeal, alternative building sites have been investigated in an effort to determine whether it is possible to site and design a motel that would not impact public views, and at the same time protect important riparian habitats.

As an alternative, this permit calls for changes to the proposed siting and scale of the motel that will reduce the visibility of the motel from Highway One (See Special Condition 1). This alternative is also accompanied by a landscaping effort that must help screen the project and be maintained throughout the life of the project. In accordance with LCP policy 2, new development should be compatible with unique natural features of the site (in this case the surrounding Santa Rosa Creek Nature Preserve). The use of native plants and trees to screen the development is compatible with the natural surroundings of the site, and will not interfere with scenic quality of the area or block significant coastal views.

Special Condition 2 requires the development and implementation of a detailed landscape plan. It also requires the monitoring, maintenance and, if necessary, replacement of landscaping to ensure that the development will be screened in perpetuity. Special Condition 2 also requires the Permittee to submit reports to the Executive Director, demonstrating compliance with the landscape installation and screening requirements. In the event that landscaping does not effectively screen the development, a supplemental landscape plan must be prepared. Additionally, Special Condition 1(d) requires that exterior design elements be incorporated into approval of the proposed development. This condition of



approval requires that all exterior finishes consist of earthen tones that blend with the surroundings, and that associated mechanical and electrical equipment be adequately screened from public view.

### **2.2.3 Parking Lot**

The County-approved project includes 39 spaces, including two motorcycle parking spots, constructed on the eastern side of the site and directly fronting Moonstone Beach Drive. The approved parking lot angles towards the riparian corridor on the eastern portion of the property and appears to be around 15 feet from the property boundary at its closest point. The Site Plan includes concrete cobble stone pavers and areas of textured concrete that run the entire length of the parking area.

While mitigation measures (landscaping and siting) were required by the County, they are not sufficient to conceal the assembled mass of motor vehicles and would inevitably alter the informality of the existing parking lot. Such upscale improvements are driven by the need to accommodate the increased intensity of use, but will also tend to change the existing community character. This alteration of community character will result from increasing the collected presence of parked motor vehicles in public view. Reflective glare from the sun shining on the vehicles and the amassed vehicles in the parking lot will detract from the visitor experience. Thus, the public viewshed would be impaired by the "visual clutter" effect of the parked automobiles, for both travelers on Highway One and pedestrians along Moonstone Beach Drive.

The LCP dictates that public view protection is paramount at this site and should be protected. Again, there are elements of the County-approved project, especially required landscape screening that attempt to satisfy these policy objectives. These objectives can be met even further by: (1) allowing for a reduced parking area building envelope; (2) concentrating parking in the portion of the site currently used for informal parking and the area nearest to the highway frontage; (3) maintaining landscape screening which softens the edge of the parking lot and screens cars from view; and (4) breaking up the overall massing of vehicles through reducing the overall number of spaces visible from public view corridors.

The Applicant has since proposed a project alternative that locates 28 parking spaces underground. However, the proposed parking scheme will still include a limited number of spaces aboveground and visible to the public. Reducing the size of the surface parking lot and constructing a portion of the parking lot underground limits the number of vehicles in view at one time. Based upon this revised parking lot scheme, it is estimated that approximately 11 parking spaces could be accommodated in a resized aboveground parking scheme. While not all vehicles (especially large ones) can be totally concealed, the combination of a reduced above-ground parking area combined with screening vegetation should result in the parked vehicles being substantially hidden when viewed from Highway One. By limiting structural development in this way, the important public view corridor can be protected consistent with LCP Policies 2, 5, and 6.



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As conditioned, the Highway One view corridor and Moonstone Beach Drive's rustic, "special community" character are all maintained with the modified subterranean parking lot area. Such a parking lot would be compatible with this scenic location to the maximum extent possible while still accommodating a visitor serving facility at the site. Only as conditioned can the proposed parking lot area be found consistent with the scenic and special community LCP polices cited above.

### **2.2.4 Signing**

The County approved two signs as indicated on the approved Site Plan. However, the size, type and exact location are not specified. In a nutshell, the signs need to be designed and sited so as to minimize intrusion on the view, as conditioned. A final sign plan showing dimensions, location, material and colors of all signs must be submitted for sign-off to ensure visual and community compatibility (see Special Condition 1(c)). In any case, no pole-signs are allowed and plastic shall not be used as a sign material. Signs shall be designed to be consistent with the architectural character of the main building. As conditioned, the proposed signs are consistent with the site design and special community LCP polices cited above.

In sum, as so conditioned in all of the ways mentioned, the proposed project is consistent with the cited San Luis Obispo County LCP visual resource and Special Community protection policies and development standards. The Commission finds that, as conditioned, the proposed project is consistent with the relevant local coastal program policies discussed in this finding.

## **3. Public Access**

### **3.1 Applicable Coastal Act and LCP Public Access Provisions**

Coastal Act Section 30604(c) requires that every coastal development permit issued for any development between the nearest public road and the sea "shall include a specific finding that the development is in conformity with the public access and public recreation policies of [Coastal Act] Chapter 3." Because this project is located seaward of the first through public road (Highway One), for public access and recreation issues the standard of review is both the certified LCP and the access and recreation policies of the Coastal Act.

#### **3.1.1 Coastal Act Policies**

Coastal Act Sections 30210 through 30214 and 30220 through 30224 specifically protect public access and recreation. In particular:

*Section 30210: In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*



*Section 30212(a): Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, ...*

*Section 30212.5: Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.*

*Section 30213: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred....*

*Section 30214(a): The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case...*

### **3.1.2 LCP Access Policies**

*Policy 2: New Development. Maximum public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development. Exceptions may occur where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; (2) adequate access exists nearby, or; (3) agriculture would be adversely affected. Such access can be lateral and/or vertical. Lateral access is defined by those accessways that provide for public access and use along the shoreline. Vertical access is defined as those accessways, which extend to the shore, or perpendicular to the shore in order to provide access from the first public road to the shoreline. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.04.420 a. and c. OF THE CZLUO.]*

*Policy 8: Minimizing Conflicts with Adjacent Uses. Maximum access shall be provided in a manner which minimizes conflicts with adjacent uses. Where a proposed project would increase the burdens on access to the shoreline at the present time or in the future, additional access areas may be required to balance the impact of heavier use resulting from the construction of the proposed project. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.04.420j OF THE CZLUO.]*

### **3.2 De Novo Public Access Analysis**

In order to approve a coastal permit, the cited access provisions have to be met.

#### **3.2.1 Public Access Trails and Parking Background**



Although the subject site (located on Moonstone Beach Drive) is designated for Commercial Retail in the LCP, combining designations include Coastal Special Community, Archeologically Sensitive Area, and Visitor-Serving Area. The proposed development is located on the south side of, and fronting, Moonstone Beach Drive. Currently Moonstone Beach Drive is a two-lane road designed primarily for auto traffic. Curb, gutter, and sidewalk are not allowed in order to preserve the road's rural character. Gravel shoulders provide space for parking and pedestrians. The Moonstone Bluff Trail is located roughly ¼ mile west of the project site. The Moonstone Bluff Trail is a pedestrian path between the beach cliff and the road, providing people with a place to walk and enjoy unobstructed views of the coast. As discussed in more detail below, the Applicants originally submitted a Site Plan that includes a 4'-0" decomposed granite path fronting the entire length of the project site, running parallel with Moonstone Drive. The provision of this public access amenity along Moonstone Drive is a substantial benefit of the proposed project and is retained through Special Condition 1(g) of the revised project approval.

Historically, the Applicant's project site has been at the center of multiple public activities along the Cambria shoreline. The existing building currently houses an antique store. Prior to that, the building was used as a restaurant, and before that a gas station. Also, as reported by the applicants, the site at one time was filled with material from a State Highway 1 construction project. The project site is uniquely situated at the west entrance to Cambria. Moreover, pedestrians seeking scenic coastal views and related beach activities frequently traverse the open grassy area immediately adjacent to the project site. There is a network of informal trails heading from locations adjacent to the site, along Moonstone Beach Drive and down to recreation areas of San Simeon State Beach. Some of these trails emanate from around (although not directly within) the Applicant's property, including trails from Moonstone Beach Drive to the State Beach parking and rest areas located a short distance west of the project site. Informal access in some areas has been persistent enough to create walking trails, which are visible from aerial photos (see Exhibit B).

### **3.2.2 Public Access Impacts**

Both the Coastal Act and the San Luis Obispo LCP are protective of public access to the coastline. Coastal Act Sections 30210 through 30214 and 30220 through 30224 specifically protect public access and recreation.

In terms of the public access impacts of the project, the new motel project will clearly bring increased commercial and visitor-serving use of the public beach resources, particularly San Simeon State Park. As recommended for approval herein, peak use periods of the new development can be expected to regularly bring nearly 39 automobiles (including 2 motorcycles) into the development area. Thus, the increased impacts on public resources would be substantial, particularly when considered over time, even if only some of the visitors associated with these cars take advantage of the site's close proximity to the beach. The submitted Site Plan, however, mitigates for these impacts by including a decomposed



granite pathway linking this portion of Moonstone Drive to the Moonstone Bluff Trail and other beach access points.

As discussed at length in the previous visual resources section, the project will also entail changes to the public vista across the site that is currently available. Travelers along Moonstone Drive and Highway One currently enjoy large stands of riparian vegetation and trees associated with the Santa Rosa Creek Nature Preserve as a backdrop. Maintaining and protecting visual access to the coast is as important as physical access. Indeed, in cases where public opportunities for physical access to the shoreline are not readily available, visual access may be extremely important. In this case, the applicant's Site Plan provides for public visual access by providing an important linkage to a popular blufftop trail with vista points and public benches. As discussed previously, the parking lot design and motel orientation has also been modified to mitigate the direct impacts of the lot on the public viewshed.

### **3.2.3 Public Access Consistency Analysis**

Since the Commission found substantial issue and continued the de novo review on this project in November, the Applicants have submitted a Revised Site Plan, which retains the previous, County-approved access trail and amenities component. In general, the public access component of the project proposed by the applicant is consistent with the relevant Coastal Act and LCP policies that require the maximization and protection of public access. The proposed decomposed granite footpath fronting the property along Moonstone Beach Drive will provide lateral access to connecting trails that head both to the beach and out to the open bluff just west of the project site. Special Condition 1(g) acknowledges the access benefits of the proposed development by requiring the implementation of offsite improvements to occur prior to motel occupancy. The Commission finds that, as conditioned, the project is consistent with the Access policies of the San Luis Obispo County certified LCP and the Coastal Act.

## **4. Nonpoint Source Runoff**

### **4.1 Applicable LCP Nonpoint Source Runoff Provisions**

The LCP states:

***Policy 8: Timing of Construction and Grading.*** Land clearing and grading shall be avoided during the rainy season if there is a potential for serious erosion and sedimentation problems. All slope and erosion control measures should be in place before the start of the rainy season. Soil exposure should be kept to the smallest area and the shortest feasible period. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PUSUANT TO SECTION 23.05.036 OF THE CZLUO.]

***Policy 9: Techniques for Minimizing Sedimentation.*** Appropriate control measures (such as sediment basins, terracing, hydro-mulching, etc.) shall be used to minimize erosion and sedimentation. Measures should be utilized from the start of site preparation. Selection of appropriate control measures shall be





*based on evaluation of the development's design, site conditions, predevelopment erosion rates, environmental sensitivity of the adjacent areas and also consider costs of on-going maintenance. A site specific erosion control plan shall be prepared by a qualified soil scientist or other qualified professional. To the extent feasible, non-structural erosion techniques, including the use of native species of plants, shall be preferred to control run-off and reduce increased sedimentation. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PUSUANT TO SECTION 23.05.036 OF THE CZLUO.]*

**Policy 10: Drainage Provisions.** *Site design shall ensure THAT drainage does not increase erosion. This may be achieved either through on-site drainage retention, or conveyance to storm drains or suitable watercourses. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PUSUANT TO SECTION 23.05.034 OF THE CZLUO.]*

#### **4.2 De Novo Nonpoint Source Runoff Analysis**

The County-approved project would increase impervious surfacing through paving over the undeveloped upper bluff area for the proposed 39-space parking lot (approximately 10,800 square feet of surface parking). The Applicant currently proposes a revised project for 11 above-ground parking spaces which would result in substantially less square feet of impervious surfacing in upper level parking areas (approximately 2,000 square feet in surface parking). The County conditioned the project for a drainage plan to include silt and contaminated sediment filtration for all parking areas, and a long-term monitoring and maintenance program for the silt and runoff filtering mechanisms.

Minimizing impervious surfaces resulting from new development is one way to reduce nonpoint source runoff. The primary mechanism for minimizing impervious surfaces and reducing parking lot-related polluted runoff, in this case, is to reduce the size of the parking lot. As the parking lot size is reduced, the number of vehicles using the lot at any one time is also reduced. With fewer vehicles, there is a corresponding reduction in the amount of automobile by-products contributing to polluted runoff (e.g., petroleum hydrocarbons, heavy metals such as lead, copper, zinc and cadmium, etc.). With fewer pollutants and less impervious area for them to collect upon, there is a reduction in polluted runoff ultimately flushed off site. This is the case whether or not silt and grease traps are in use given that the filtering ability of these units can vary (dependent upon flows and levels of contaminants).

Ultimately, a smaller above ground parking lot serves to address previously identified visual and special community resource concerns, and at the same time serves in minimizing impervious surfacing and reducing polluted runoff. In other words, LCP policies and goals are better served at this location with a reduced aboveground parking area. In order to approve a coastal permit for the project, all of the cited local coastal program policies have to be satisfied. This can be accomplished by retaining the essence of County conditions 5 and 6 regarding drainage and erosion control, as well as, reducing the parking lot area through project modifications. Furthermore, Special Condition 3 of this permit requires polluted runoff controls to be incorporated into the project design and construction.



The Commission finds that, as conditioned, the proposed project is consistent with the relevant local coastal program policies discussed in this finding.

## **5. Hazards**

### **5.1 Applicable LCP Hazard provisions**

County LCP "Coastal Hazards" Policies enumerate the relevant hazard requirements to be followed.

*Policy 2: Erosion and Geologic Stability. New development shall ensure structural stability while not creating nor contributing to erosion or geologic instability. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.07.086 OF THE CZLUO.]*

### **5.2 De Novo Geotechnical Analysis**

The subject site is composed of mostly unconsolidated fill consisting of well and poorly graded gravel with varying quantities of sand and clay. Underlying the fill is clayey sand terrace deposits. Exploratory borings found this to be the case for the upper 7 to 18 feet of soil. Metavolcanic rock was found at approximately 35 feet below the surface, and sandstone was encountered in borings at a depth of 37 feet. Subsurface water was encountered at some boring locations between 20 and 37 feet.

The soils and engineering report prepared for the project (by Earth Systems Consultants dated July 7, 1999) did not identify any unusual soil or geotechnical characteristics that would compromise the proposed development. The site does not contain any notable geologic features other than the sloping bank of Santa Rosa on the south side of the proposed development area. Maintaining the geologic integrity of the creek bank is of premier importance. To maintain site stability consistent with LCP Policy 2, the project is conditioned to require that no development be allowed to occur within 50 feet of the upper extent of Santa Rosa creek bank. Because of the deeper/subterranean parking lot excavation (to approximately 8 feet below the grade of the site), approximately 2000 cubic yards of material can likely be expected from the excavation of the approved below ground parking area. In order to ensure that the additional cut would not lead to any site stability problems, the Applicant has provided evidence of review and approval of all appropriate plans by a licensed geologist or geotechnical engineer (See Exhibit G). Special Condition 1(f) requires written evidence that the consulting engineer has reviewed the final plans and found them consistent with the recommendations contained in the July 7, 1999 Soils and Engineering Report.

In order to approve a coastal permit for the project, LCP policies addressing structural, geologic stability, and erosion control have to be satisfied. Staff has evaluated the Soils and Engineering Report submitted by the Applicant. Based on this evaluation, the Commission concurs that this can be achieved primarily by retaining the essence of geotechnical recommendations provided by the Applicant as incorporated into the revised plan requirements of Special Condition 1(f). As conditioned, the Commission finds that the project is consistent with the relevant local coastal program geologic hazard policies.



## 6. Public Services: Sewer and Water

### 6.1 Applicable LCP Public Service Provisions

The LCP states:

As required by Public Works Policy 1 of the San Luis Obispo County's *Coastal Plan Policies*, all new development must demonstrate that there is sufficient water supply to serve the development:

*Public Works Policy 1: Availability of Service Capacity: New development (including divisions of land) shall demonstrate that adequate public or private service capacities are available to serve the proposed development. Priority shall be given to infilling within existing subdivided areas. Prior to permitting all new development, a finding shall be made that there are sufficient services to serve the proposed development given the already outstanding commitment to existing lots within the urban service line for which services will be needed consistent with the Resource Management System where applicable...*

The following section of the San Luis Obispo County Coastal Zone Land Use Ordinance implements this policy:

*Section 23.04.430 - Availability of Water Supply and Sewage Disposal Services. A land use permit for new development that requires water or disposal of sewage shall not be approved unless the applicable approval body determines that there is adequate water and sewage disposal capacity available to serve the proposed development, as provided by this section . . .*

In addition to these urban service policies, water supply for new development in Cambria must be considered in light of *Coastal Plan Policies* priorities for Agriculture and Visitor-serving development.

*Agriculture Policy 7: Water Supplies Water extractions consistent with habitat protection requirements shall give highest priority to preserving available supplies for existing or expanded agricultural uses. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]*

*All uses shall be consistent with protection of significant coastal resources... [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]*

*Recreation & Visitor-Serving Facilities Policy 2: Priority for Visitor-Serving Facilities. Recreational development and commercial visitor-serving facilities shall have priority over non-coastal dependent use, but not over agriculture or coastal dependent industry in accordance with PRC 30222.*



## **6.2 De Novo Public Services Analysis**

Water supply is a serious issue in Cambria. Currently available water supplies are not sufficient to support full build-out without harm to riparian habitats. This issue has been thoroughly discussed in both the North County Update and the Periodic Review of the Implementation of San Luis Obispo County's local coastal program. The uncertainty inherent in the water supply questions for Cambria, coupled with a focus on improving management, underscores the importance of curbing new water extractions until the many questions can be answered, and until meaningful management decisions are made.

In December of 2000, the Board of Supervisors adopted a 1% growth rate for 2001, and directed that a Resource Capacity Study be completed for review by the Board in the spring of 2001. The County has suggested that further restrictions on new water connections await the completion of this RMS study. Although the County has initiated the scoping for the study, is unclear when such a study would be completed. More importantly, the burden of the uncertainty in the water supply must not be placed on coastal resources. Rather, a precautionary approach should be taken until such time as better knowledge is gained about both the capacity of San Simeon and Santa Rosa Creeks, including the needs of instream habitats, and about additional water supplies (e.g. a desalination plant) that might support new development. For example, without completion of instream flow studies and the newly-launched Habitat Conservation Plan to address sensitive species, the capacity of San Simeon Creek to support new development cannot be known. Fundamentally, this approach is necessary to meet the Coastal Act requirement that new development be environmentally sustainable. It cannot reasonably be concluded at this time that new development in Cambria is currently sustainable.

Nonetheless, as recently discussed in the Commission's Periodic Review of the San Luis Obispo County Local Coastal Program, notwithstanding the compelling evidence that there is inadequate water to supply new development in Cambria, in order to provide reasonable notice to property owners in Cambria contemplating beginning the development review process, or that may not yet have received basic land use approvals, it is reasonable to allow the completion of the 1% percent growth rate for the remainder of 2001 (approximately 37 connections for the year). In addition, this approach allows the County additional time to assess the issue, from a broader planning perspective, prior to taking more proactive action with respect to single-family home proposals. The Commission adopted the following recommendation in its July, 2001 Periodic Review action:

*Recommendation 2.13. Continue implementation of the 1% growth rate in Cambria until 1/1/02, after which time coastal development permits for new development that would require a new water connection or that would otherwise create additional water withdrawals from Santa Rosa or San Simeon Creeks should not be approved unless the Board of Supervisors can make findings that (1) water withdrawals are limited to assure protection of instream flows that support sensitive species and habitats; (2) there is adequate water supply reserved for the Coastal Act priority uses of agricultural production, and increased visitors and new visitor-serving development; (3) a water management implementation plan is incorporated into the LCP, including measures for water conservation, reuse of wastewater, alternative water supplies, etc.,*



*that will assure adequate water supply for the planned build-out of Cambria or that will guarantee no net increase in water usage through new water connections (e.g. by actual retrofitting or retirement of existing water use); (4) substantial progress has been made by the County and the CCSD on achieving implementation of buildout reduction plan for Cambria; and (5) there is adequate water supply and distribution capacity to provide emergency response for existing development.*

Clearly, the ability to provide adequate water to existing and future development in Cambria is a significant unresolved issue. However, the approach taken by the Commission to address this issue to date has been a programmatic one, focused on addressing the problems and unresolved questions through comprehensive planning and resource management, rather than calling for an immediate halt to all new development. As reflected in the modification to the North Coast Update, the Commission established a date certain by which it expects these planning and resource monitoring efforts to result in specific changes to the management and allocation of Cambria's limited water supply; we are now six months past that date. The Periodic Review recommendation is intended to focus the County on the necessary steps for approving new development after January 1, 2002. The County of San Luis Obispo approved this project on August 17, 2001, nearly 4 months prior to this date. On March 6, 2001, also prior to January 1, 2002, the Applicant applied for an additional 0.8 EDU's (equivalent dwelling units) to the Cambria Community Services District (CCSD). The applicant was issued an "Intent to Serve" letter from the CCSD on October 31, 2001. In addition, the Applicant has incorporated a variety of water conservation measures to reduce the amount of water use associated with the new development (see Exhibit I). These water conservation measures include: 1) drip irrigation systems; 2) low volume faucets and shower heads; 3) cleaning operations that include water reuse systems resulting in 30% water use reduction; and 4) participation in CCSD "pink pipe" pilot project that includes an offer to install a point of connection and piping to use recycled water for irrigation. With these elements included into the proposed project, the demand for additional water supplies is reduced. Therefore, the proposed project does not raise significant issues with respect to the allocation of water and LCP Public Works Policies.

Furthermore, Recreation & Visitor-Serving Facilities Policy 2 requires that recreational development and commercial visitor-serving facilities shall have priority over non-coastal dependent use, but not over agriculture or coastal dependent industry. The project consists of a 34-unit motel and will support a visitor-serving use. Therefore, under the LCP this project is given priority and is consistent with Recreation and Visitor-Serving Policy 2.

The project is consistent with the relevant local coastal program policies discussed in this finding.

## **7. 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



**Appeal A-3-SLO-01-086 Staff Report**

El Colibri Inn  
Page 30

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, which is incorporated into this finding in its entirety, has discussed the relevant coastal resource issues with the proposal, 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.



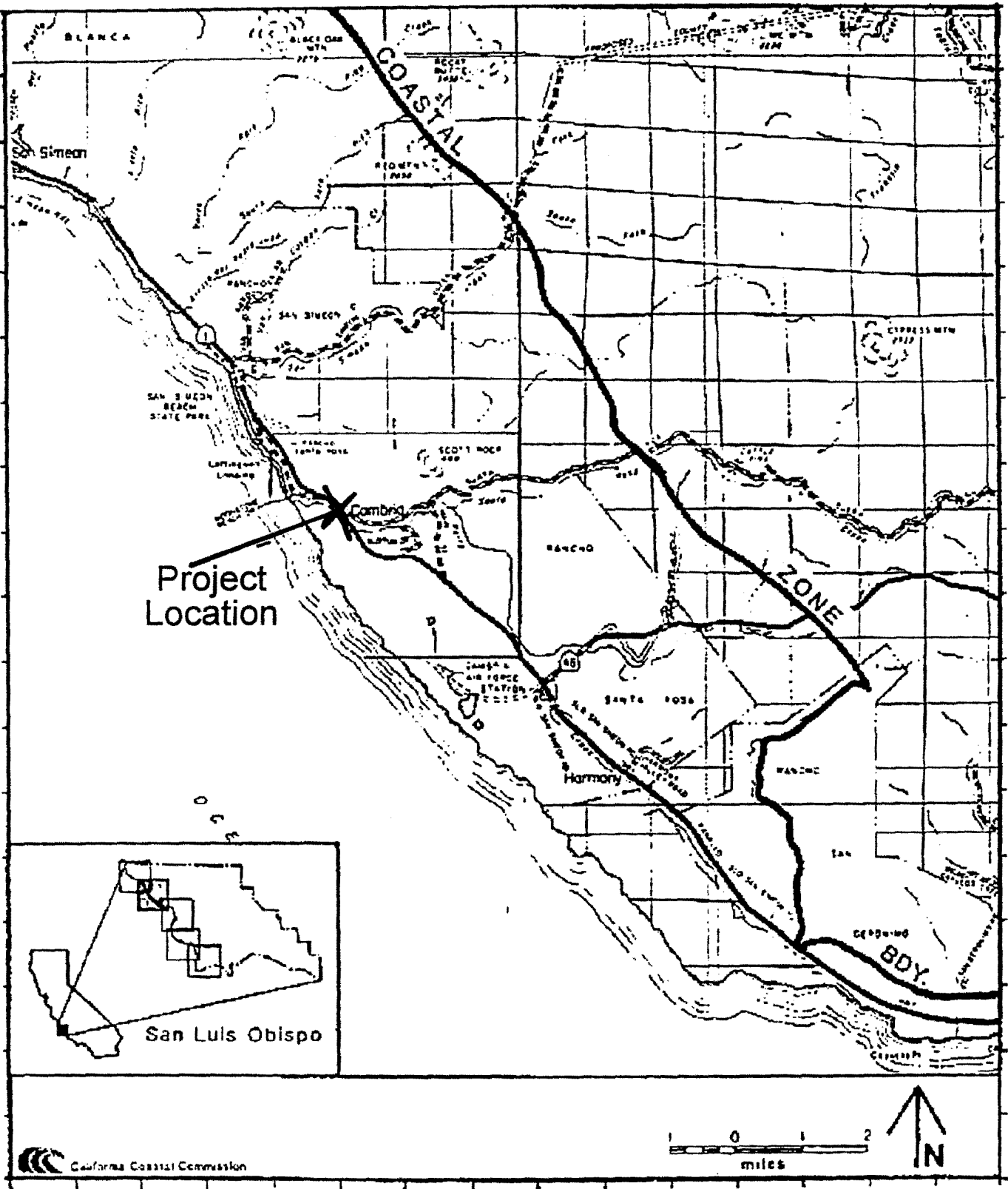


EXHIBIT NO. A
APPLICATION NO. A-3-SLO-01-086
<i>Location Map</i>

Pacific Ocean

San Simeon  
State Beach

Santa Rosa  
Creek  
Preserve

Highway 1

Project  
Location



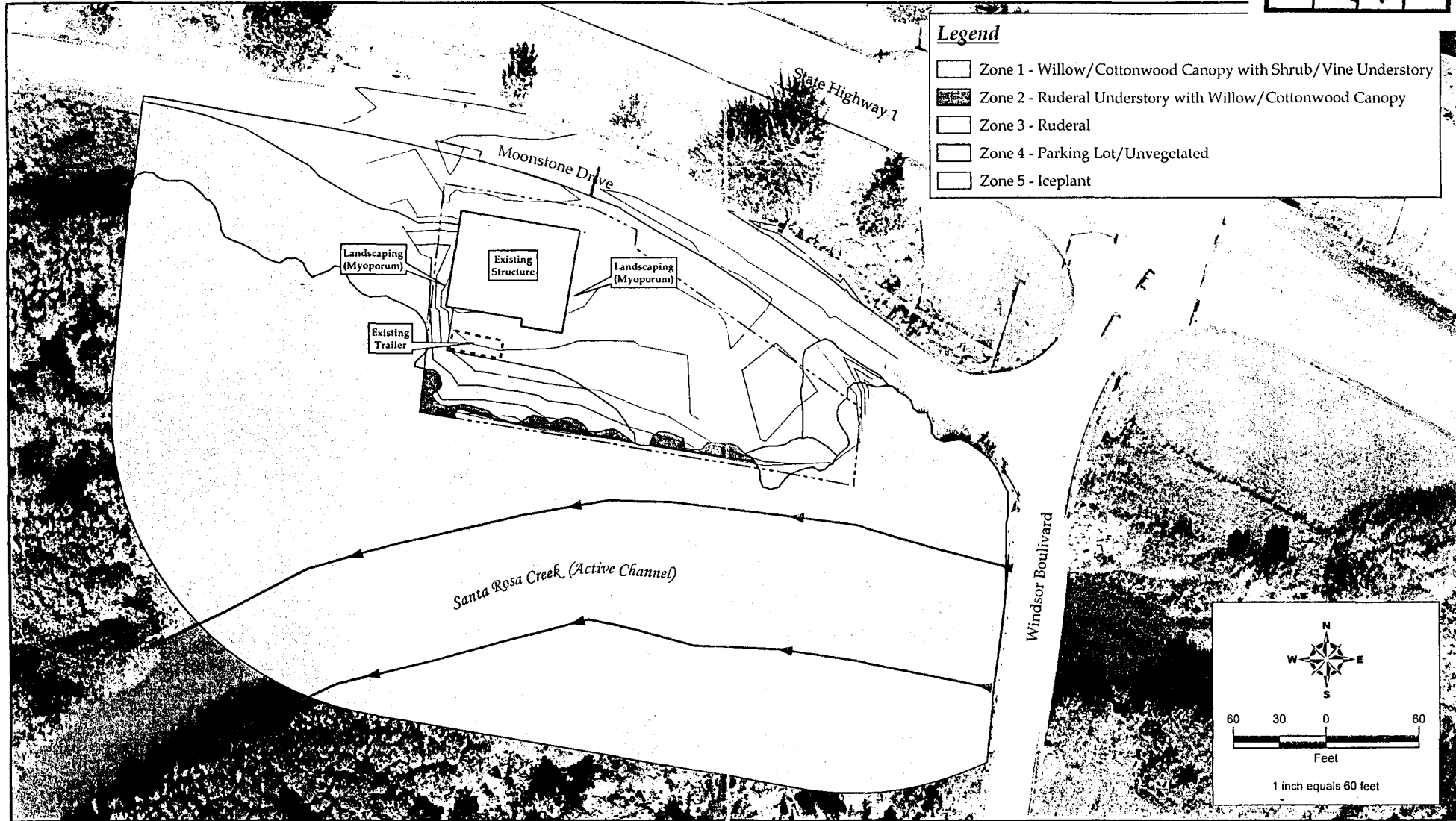
EXHIBIT NO. B
APPLICATION NO. A-3-SLO-01-086
Aerial Photo



EXHIBIT NO. C

APPLICATION NO.  
A-3-SLE-01-086

Riparian Habitat  
Evaluation Map



Riparian Habitat Evaluation Map

# Site Plan

APPLICATION NO. A-3-SLO-01-086

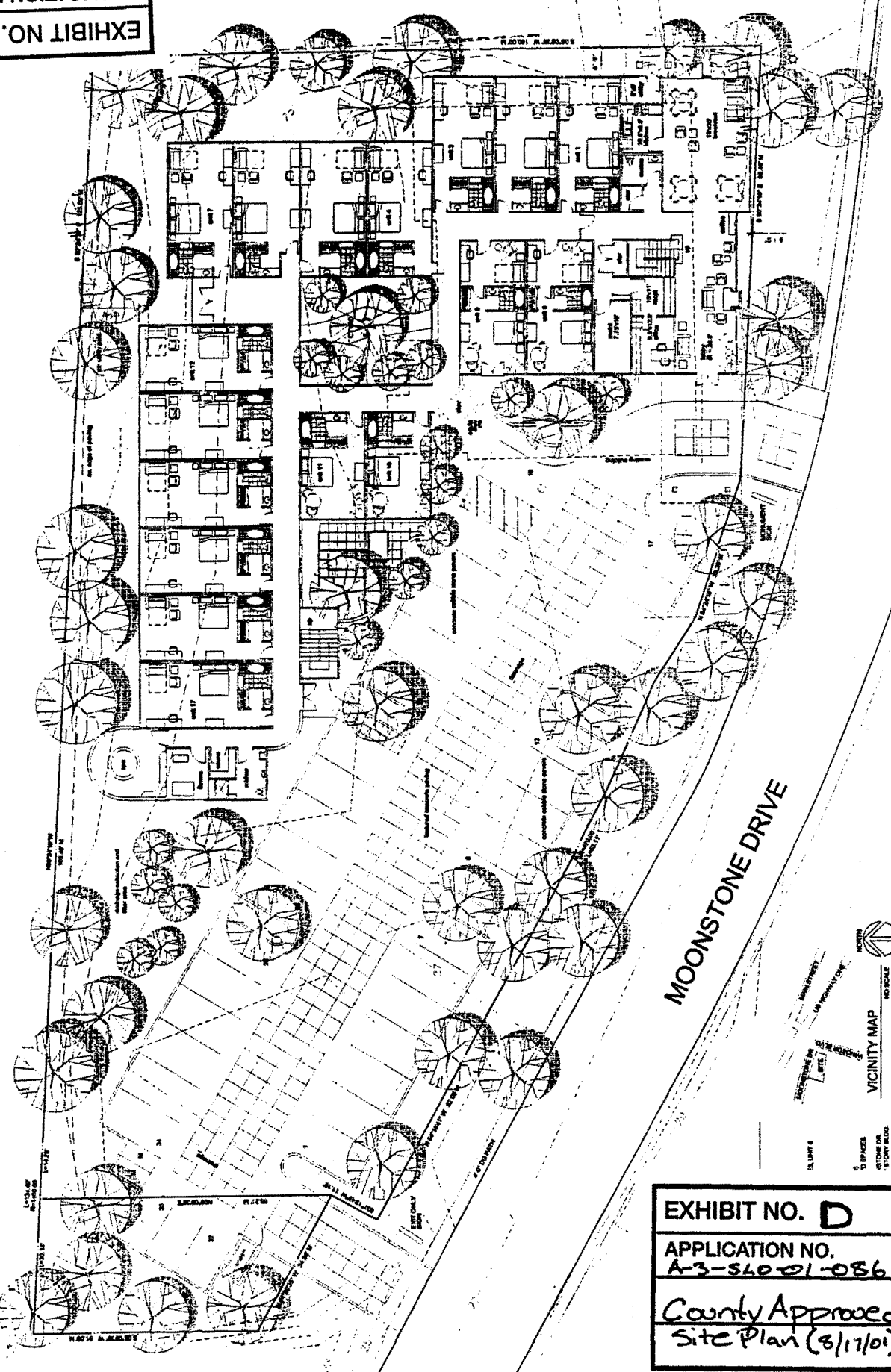
EXHIBIT NO. F



PROJECT: EL COLIBRI INN  
 MOONSTONE DRIVE, CAMBRIDGE, CA  
 CLIENT: SUNMOUNT SPLASH DEV.  
 P.O. BOX 18827  
 SAN LUIS OBISPO, CA 94908

DATE	REVISION	DRAWN
11-14-01	REVISED PER COMMENTS	DDK
11-14-01	REVISED PER COMMENTS	DDK

SHEET **A1**  
 OF 02



MOONSTONE DRIVE

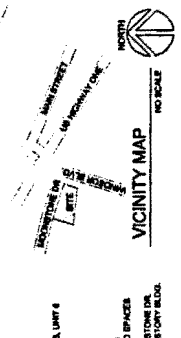
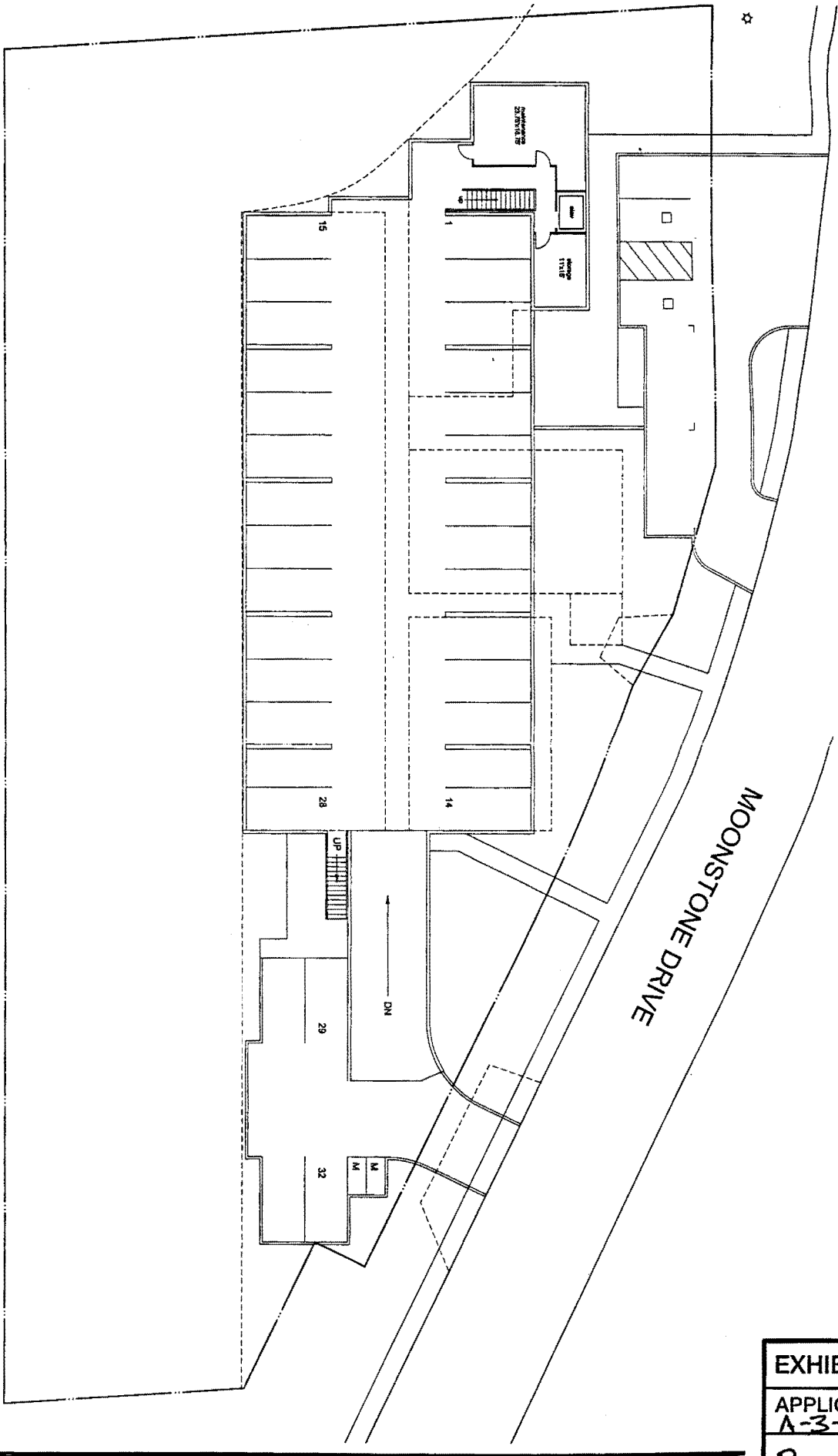


EXHIBIT NO. D  
 APPLICATION NO. A-3-SLO-01-086  
 County Approved  
 Site Plan (8/17/01)

SITE PLAN / FIRST FLOOR

SITE PLAN / BASEMENT PARKING GARAGE PLAN



1" = 10'-0"

EXHIBIT NO. E  
 APPLICATION NO.  
 A-3-SLO-01-086  
 Revised Site Plan  
 1 of 3

SHEET	DATE	ISSUANCE
		10/1/12
A1	JOB NO.	SCALE
		1" = 10'-0"
DRAWN		DATE
GOK		10/1/12
PROJECT		DATE
EL COLIBRI INN		10/1/12
MOONSTONE DRIVE, CAMBRIA, CA		10/1/12

PROJECT	EL COLIBRI INN MOONSTONE DRIVE, CAMBRIA, CA
SHEET	PARKING GARAGE PLAN

CLIENT	SUMMIT SPLASH DEV. P.O. BOX 12627 SAN LUIS OBISPO, CA 93406
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SITE PLAN / FIRST FLOOR PLAN

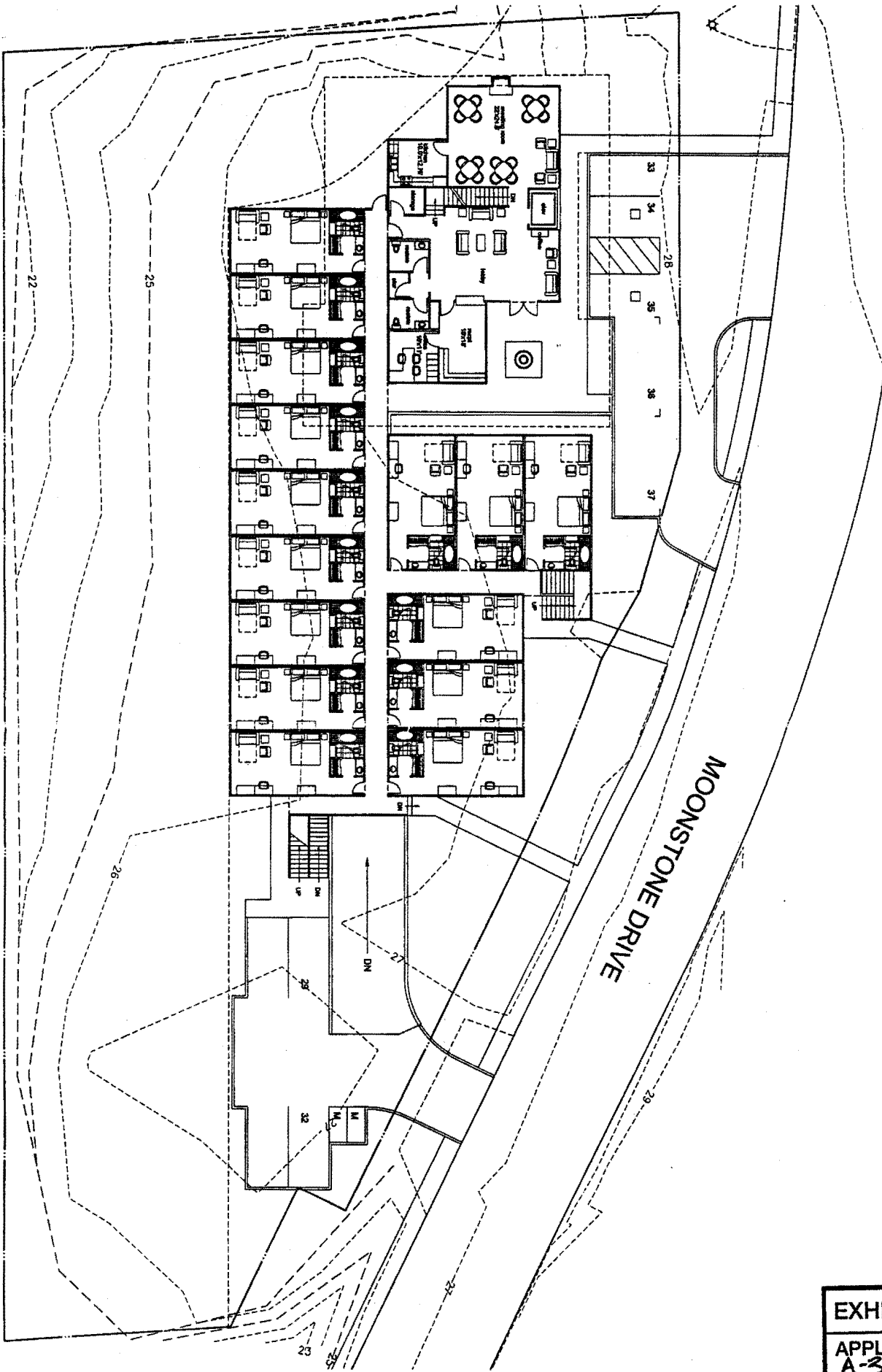


EXHIBIT NO. E  
 APPLICATION NO.  
 A-3-340-01-086  
*Revised Site Plan*  
 2 of 3

DATE	REVISIONS
1-10-07	1-10-07
1-10-07	1-10-07
1-10-07	1-10-07
1-10-07	1-10-07
1-10-07	1-10-07

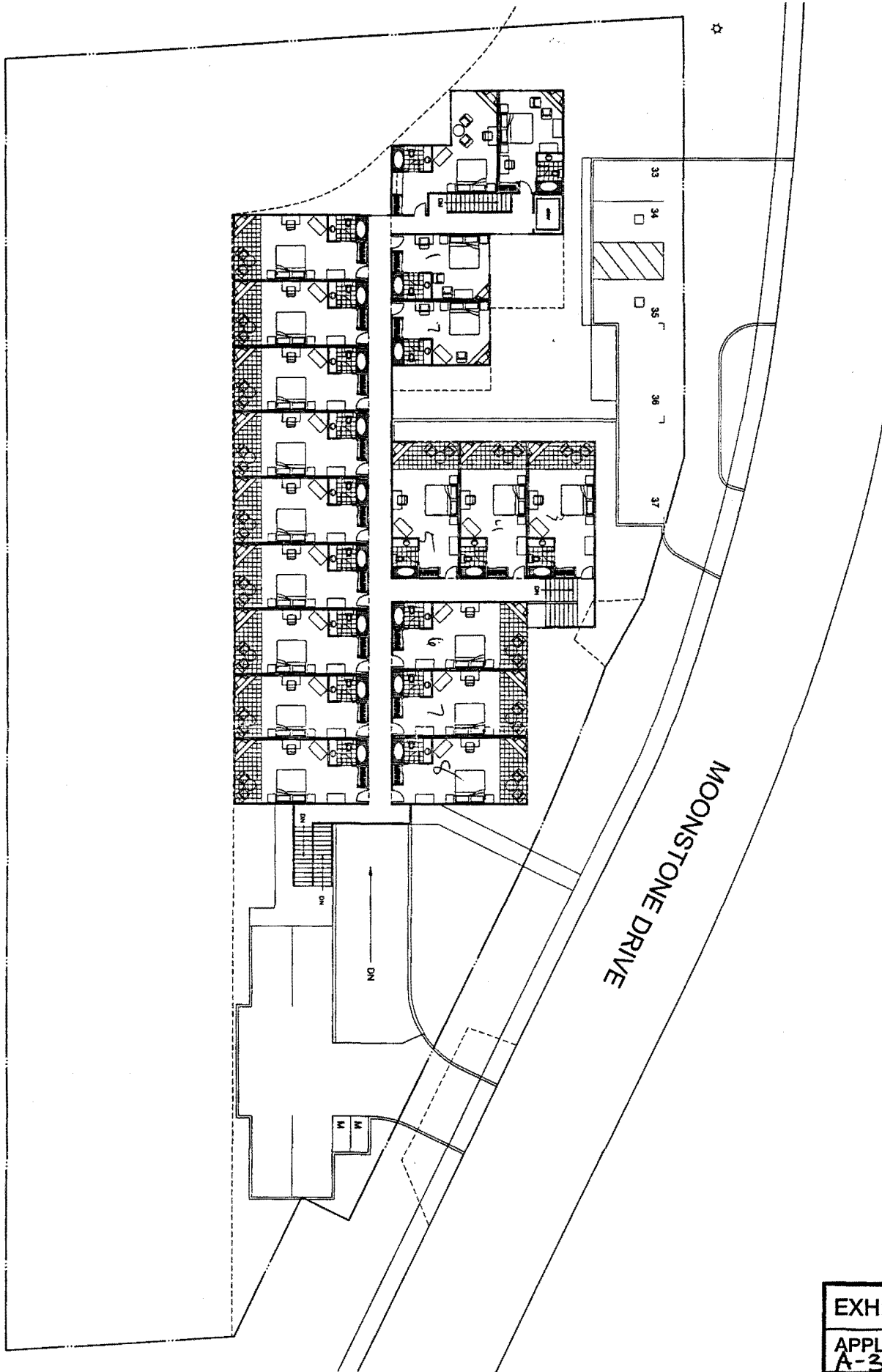
PROJECT  
**EL COLIBRI INN**  
 MOONSTONE DRIVE, CAMBRIA, CA  
 SHEET  
**SITE PLAN/FIRST FLOOR**

CLIENT  
 SUMMIT SPLASH DEV.  
 P.O. BOX 12827  
 SAN LUIS OBISPO, CA 93406



A2

SECOND FLOOR PLAN



1" = 12'-0"



EXHIBIT NO. E  
 APPLICATION NO.  
 A-3-560-01-086  
 Revised Site Plan  
 3 of 3

SHEET  
**A3**

DATE: 02/12/12  
 DRAWN BY: GOK  
 SCALE: 1" = 12'-0"  
 JOB NO.: 2012

PROJECT: **EL COLIBRI INN**  
 MOONSTONE DRIVE, CAMBRIA, CA  
 SHEET: **SECOND FLOOR PLAN**

CLIENT: **SUMMIT SPLASH DEV.**  
 P.O. BOX 12827  
 SAN LUIS OBISPO, CA 93408



**Exhibit A**  
**D990387P - Findings**

- A. As conditioned the proposed project is consistent with the Local Coastal Program and the Land Use Element of the general plan because the LCP Land Use Element (North Coast Area Plan) allows for this use. The use is consistent with all other elements of the general plan. The use is also protective of the adjacent environmentally sensitive area.
- B. As conditioned, the project or use satisfies all applicable provisions of Title 23 of the San Luis Obispo County Code because the proposed use contains required parking area, is protective of the adjacent riparian habitat as required by 23.07.172.
- 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 the Coastal Zone Land Use 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 other similarly designated land in the area contain similar uses.
- 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 tall intersections in the vicinity are operating at LOS A or B and the project will be subject to payment of North Coast road fees.
- F. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because of the project's distance to marine resources, it will not inhibit access to coastal waters and recreation areas.
- G. Based on the Initial Study and all comments received, there is no evidence in light of the whole record that the project will have any significant impacts on the environment.

**Riparian Setback Modification**

- H. Alternative locations and routes are infeasible or more environmentally damaging.

The project was first proposed adjacent to Moonstone Beach Drive with parking located to the south and west of the proposed structure. It was decided, in order to lessen visual effects of the project, to move the bulk of the building to the rear of the site. The parking area was also relocated in such a way that allowed for a large enough area to install adequate biological filterin runoff before the runoff reached the adjacent creek bank. The biologist's opini riparian edge also was part of this decision to move the structure back to the come

A-3-SLO-01-086  
Patel motel

EXHIBIT NO. F
APPLICATION NO. A-3-SLO-01-086
County Findings/and 1 of 6

decomposed granite parking area has always created a very "hard-edge" to the riparian corridor. Moving the structure back into the setback and then enhancing the edge effect in that area would create an overall improvement in the functioning of the on site habitat which is presently non-existent.

I. Adverse environmental effects are mitigated to the maximum extent feasible.

According to the biologist's report, the site does not contain any riparian habitat. The site has always created a hard edge between the well developed riparian corridor along Santa Rosa Creek and the development on the site. Furthermore, the reduction in setback in this case will not cause any significant environmental effects on the riparian vegetation.

In order to improve the "edge effect" of the abrupt end of the riparian habitat, the applicant proposes to create a softer edge to the corridor through the site's landscaping. The project includes a plant palette that will enhance the site's riparian habitat value.

J. The adjustment is necessary to allow a principal permitted use of the property and redesign of the proposed development would not allow the use with the standard setback.

The applicant's proposed project, a 34 room hotel, is a principal permitted use in the CR land use designation. The fifty foot setback buffer takes up approximately one third of the lot width. It is estimated that a project half the size of the proposed project may be constructed on the site if the entire 50 foot buffer area was implemented (eighteen rooms versus 34 rooms).

K. The adjustment is the minimum that would allow for the establishment of a principal permitted use.

The adjustment is needed in order to allow for construction of a 34 room hotel on this degraded site. A project half this size may be constructed with the entire 50 foot setback buffer in place. However, based on the biologist's report on the site, there are no resources on the site that would be preserved with the 50 foot buffer.

EXHIBIT NO. F
APPLICATION NO. A-3-SLO-01-086
County Findings/Cond. 2 of 6

**EXHIBIT B**  
**Conditions of Approval - D990387PD**

**Approved Development**

1. This approval authorizes the:
  - a. construction of a 34 room hotel with a breakfast room and kitchen.
  - b. 39 parking spaces as shown on the approved plan.
  - c. demolition of an existing wood frame structure.
  - d. a drainage and run off control and filter area utilizing best management practices for drainage control.
  - e. A reduction in the 50 foot riparian setback to a minimum of 15 feet.
  - f. riparian area enhancement program.

**Site Development**

2. Site development shall be consistent with the approved site plan, floor plans and elevations and landscape plan.

**Building Height**

3. Building height shall not exceed 25 feet 6 inches as measured from average natural grade and shall substantially conform to the height shown on the approved plans.

**Fire Safety Plan**

4. Prior to issuance of a building permit, a final fire safety plan shall be submitted to the Cambria Fire Department for review and approval. The plan shall include, at a minimum, the following elements:
  - a. Installation of a fire hydrant in a location to be determined by the Cambria Fire Department. The hydrant will include service line to the project's fire suppression system.
  - b. Exterior materials shall be fire resistant and may consist of plaster and tile roof or "hardiplank" (fiberboard). Exterior materials shall be subject to the approval by the Cambria Fire Department.
  - c. The applicant shall install a fire sprinkler system through out the project.
  - d. Exiting requirements shall not direct people to areas of the site to the rear of the buildings that might expose them to brush fire hazards.
  - e. If the fire suppression service line is located above ground, it m landscaping provided that clear access is maintained.
  - f. A licenced civil engineer will prepare and stamp plans for all sit

A-3-SLO-01-086  
Patel motel

EXHIBIT NO. <i>F</i>
APPLICATION NO. <i>A-3-SLO-01-086</i>
<i>County Findings/Cond.</i>
<i>3 of 6</i>



- improvements.
- g. The project entrance driveway shall be a minimum of 20 feet wide if used for two way traffic. The porte cochere shall be a minimum of 13 feet 8 inches high.
  - h. Fire resistive landscaping shall, be used in areas between the structure and natural vegetated areas. Final landscape plans shall be subject to review and approval by the Cambria Fire Dept.

**Drainage**

- 5. **Prior to issuance of a building permit for new construction**, the applicant shall submit a grading and drainage plan pursuant to Title 23 of the County Code to the Department of Planning and Building for review and approval.
- 6. The drainage plans required by the Coastal Zone Land Use Ordinance shall also provide for the following:
  - a. Calculations that show post development run off rates and average volumes shall not exceed pre-development conditions.
  - b. Runoff from all roofs, parking areas, driveways and other impervious surfaces shall be collected and directed through a system of vegetated an/or gravel filter strips or other media devices in a manner similar to that shown on the approved site plan. The filter elements shall be designed to 1) trap sediment, particulates and other solids; and 2) remove or mitigate contaminants through infiltration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff in excess of this standard from the building site in a non-erosive manner.
  - c. The plan shall also include provisions for maintaining the drainage and infiltration systems so that they are functional through out the life of the approved development. Such maintenance shall include the following: 1) the drainage and filtration system shall be inspected, cleaned and repaired prior to the on set of the rainy season, but no later than September 30<sup>th</sup> of each year; and 2) should any of the project's surface or subsurface drainage/filtration structures fail or result in increased erosion, the applicant/landowner shall be responsible for any necessary repairs or restoration of eroded areas. Should repairs or restoration become necessary, prior to commencement of such repairs or restoration work, the applicant shall submit repair and restoration plan to the dept of Planning and Building to determine if an amendment or new Coastal Development Permit is required to authorize the work.

**Biological Resources**

- 7. **Prior to issuance of a construction permit**, the applicant shall submit a Riparian Corridor Enhancement Plan to the Department of Planning and Building for review and approval. The Riparian Corridor Enhancement Plan shall include at a minimum, the following:
  - a. A plant palette that emphasizes and extends the riparian vegetation maximum extent feasible. In locations where structures (as oppose

A-3-SLO-01-086  
Patel motel

EXHIBIT NO. F
APPLICATION NO. A-3-SLO-01-086
County Findings/Conditions
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are located adjacent to or near the enhancement area, the plant palette shall emphasize fire safe plantings.

- b. The riparian enhancement area shall be maintained as such for the life of the project. A maintenance schedule prepared by a botanist or other professional knowledgeable about riparian enhancement shall be submitted to the Dept. of Planning and Building for review and approval prior to issuance of a construction permit. The maintenance schedule shall include criteria for success of the planting plan and shall be for a duration not less than three years from the completion of the project.
- 8. The structures on the site that are located adjacent to Santa Rosa Creek shall not include any areas for outside activities including patios, balconies, walkways or any type of improved access. Outdoor lighting in the area between the riparian corridor and the structure shall be kept to an absolute minimum.
- 9. Prior to the start of site disturbance activities, construction type fencing shall be installed at least five feet outside the dripline of any vegetation located along the project site's frontage on Santa Rosa Creek in order to protect the riparian corridor and vegetation from disturbance. The fencing shall be maintained in place until construction has ended.

**Landscaping**

- 10. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within (60) days after final building inspection and thereafter maintained in a viable condition on a continuing basis.
- 11. Prior to issuance of a construction permit, submit a landscaping/irrigation plan to the Development Review Section of the Department of Planning and Building for review and approval, to show the landscape features required by Land Use Ordinance section 23.04.180 et seq., and to show other landscape features required by these conditions of approval.

**Demolition and Underground Tanks**

- 12. Prior to issuance of a demolition permit, show evidence that the Environmental health Division has approved underground tank removal or has approved leaving underground tanks in place.
- 13. Prior to issuance of a demolition permit, the applicant shall establish an exclusion area 15 feet from the upland extent of riparian vegetation along Santa Rosa Creek. Construction fencing or other barriers shall be in place prior to any site disturbance on the site.

**Roads**

- 14. Prior to issuance of a building permit, submit any required road improve

A-3-SLO-01-086  
Patel motel

EXHIBIT NO.	F
APPLICATION NO.	A-3-SLO-01-086
	County
Findings/Conditions	
	5 of 6

Department of Public Works for review and approval. Sidewalks are not required per the Moonstone Beach area standards.

15. The project is subject to North Coast road improvement fees.

**Other Agency Permitting**

16. **Prior to issuance of a building permit**, the applicant shall provide evidence that the following agencies have issued appropriate permits, indicated that no permit is needed or have reviewed plans required by that agency and such plans or features of the project are adequate:

- a. Environmental Health (both kitchen and underground tanks)
- b. Cambria Fire Department
- c. Cambria Community Services District water and sewer will-serve letters.

**Monitoring**

17. **Prior to issuance of a building permit**, the applicant shall submit a riparian habitat monitoring plan to the Department for review and approval. The plan shall be in place for a minimum of five years and shall gauge the success of the riparian habitat enhancement program.

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EXHIBIT NO. F
APPLICATION NO. A-3-SLO-01-086
County Findings/Conditions
6 of 6



May 21, 2002

FILE NO.: SL-11334-SB

Mr. Robert Mueller  
Cambria Moonstone, LP  
P.O. Box 12627  
San Luis Obispo, CA 93406

**RECEIVED**

MAY 29 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

PROJECT: 5620 MOONSTONE BEACH DRIVE  
CAMBRIA, CALIFORNIA

SUBJECT: Opinion Regarding Planned Foundations and Drainage Concept to Affect  
the Stability of the Site

- REF:
- 1) Preliminary Site and Elevation Plans for Proposed Hotel at 5620 Moonstone Beach Drive, undated
  - 2) Soils Engineering Report, Proposed Commercial Development, 5620 Moonstone Beach Drive, Cambria, California, Doc. No. 9907-014.SER, dated July 7, 1999

Dear Mr. Mueller:

As per our recent meeting, we have reviewed the above referenced preliminary plans, and an engineering geologist of this firm visited the site. We understand that it is proposed to construct a two-story hotel at the site, with an underground level for parking. Initial grading operations will remove or recompact the existing undocumented fill in the building area. A structural mat foundation is anticipated, however conventional or caisson foundations could also be utilized. Site drainage from the building and parking areas will be directed to Moonstone Drive. The structure will have a significant setback from the top of the existing fill slope to the south.

It is our opinion that the anticipated grading, foundation types and drainage plan for the proposed development should not affect the stability of the fill slope at the site boundary.

If there are any questions concerning this letter, please do not hesitate to contact the undersigned.

Sincerely,

Earth Systems Pacific

Fred J. Potthast, G. E.

Date Signed 5/21/02

Doc. No.: 0205-080.LTR/mr

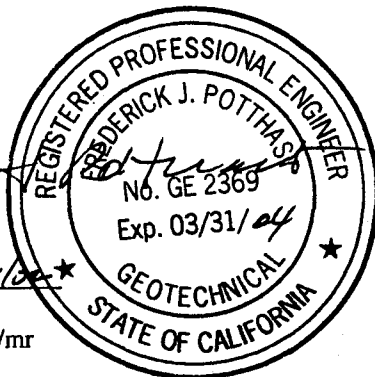


EXHIBIT NO. <b>G</b>
APPLICATION NO. <b>A-3-SLO-01-000</b>
<b>Geotechnical Eval.</b>
<b>1 of 2</b>

**LAMPMAN & SMITH**  
A STRUCTURAL ENGINEERING CORPORATION  
225 PRADO ROAD, SUITE G • SAN LUIS OBISPO • CALIFORNIA 93401  
(805) 544-9173 • FAX (805) 543-2830

CHRISTOPHER I. LAMPMAN, S.E.  
MICHAEL F. SMITH, P.E.

Job No.: LS01156  
May 31, 2002  
LS-CA67-02

Mr. Robert Mueller  
Cambria Moonstone, L.P.  
P O Box 12627  
San Luis Obispo, CA 93406

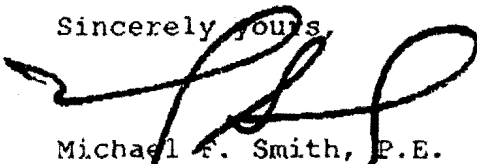
RE: El Colibri Commercial Structure, 5620 Moonstone Drive,  
Cambria, CA.

Dear Mr. Mueller:

The site section for the El Colibri project shows the location of the underground parking structure proposed for construction. In the design review for this project, the structural support for retaining walls (exterior garage walls) would be contained in the floor of the garage. All types of design that have been considered for this project do not require the extending of footings beyond the building pad.

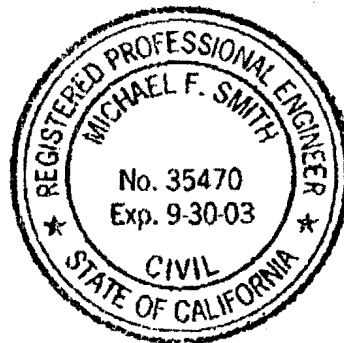
Please feel free to contact this firm with any questions that you might have related to this project.

Sincerely yours,



Michael F. Smith, P.E.

Copies: Garth Kornreich

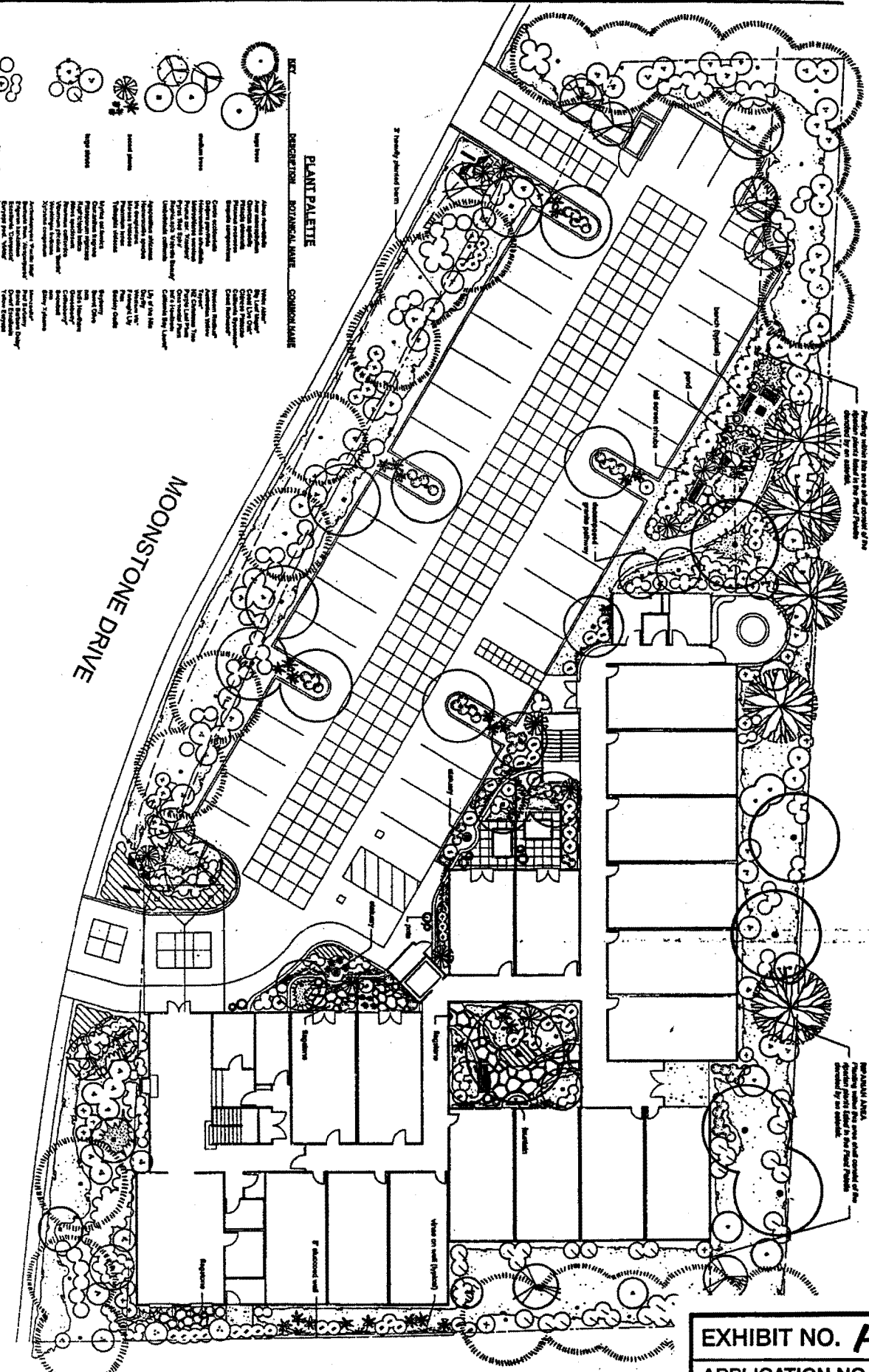


5-31-02

EXHIBIT NO. G
APPLICATION NO. A-3-340-01-086
Engineering Eval. 2072

CONCEPTUAL LANDSCAPE PLAN

MOONSTONE DRIVE



**PLANT PALETTE**

SYMBOL	DESCRIPTION	BOTANICAL NAME	COMMON NAME
(Symbol)	Large tree	...	...
(Symbol)	Small tree	...	...
(Symbol)	Shrub	...	...
(Symbol)	Groundcover	...	...

**PLANTING NOTES:**

- All plantings shall be installed by the contractor within 90 days of the start of construction.
- Plantings shall be watered and maintained until established.
- Plantings shall be installed in accordance with the manufacturer's specifications.
- Plantings shall be installed in accordance with the local codes and regulations.
- Plantings shall be installed in accordance with the landscape architect's specifications.
- Plantings shall be installed in accordance with the landscape architect's specifications.
- Plantings shall be installed in accordance with the landscape architect's specifications.

EXHIBIT NO. H  
 APPLICATION NO. A-3-510-01-086  
 Landscape Plan

DATE: 11/15/03

PROJECT: CAMBRIA INN  
 Moonstone Drive, Cambria, CA

CLIENT: Stewart Spahn Dev.  
 P.O. Box 12827  
 San Luis Obispo, CA 93408

SHEET: L-1 OF 11

***Cambria Moonstone L.P.***

**P.O. Box 12627 San Luis Obispo, CA 93406**  
 805 544-5651 FAX: 805 597-5151

To:  
 Jonathan Bishop <jbishop@coastal.ca.gov>


Our site has historic use of 19.6 EDUs (water units) and has .8 EDU added with "Intent to Serve" commitment from CSD. We are confident that the project can accomplish a net reduction in water use from the standard of EDUs allocated to our project and are not installing new connections.

The following are our considerations for the issue of water:

- code requirements for low volume faucets and shower heads insure that the historic EDU (water unit) usage for the site will be reduced by the new project. The prior occupant, a 280 seat restaurant, would not have been able to implement such proven conservation programs.
- landscape design proposed for the site will be served by a drip irrigation system; there are no areas of lawn proposed or other area requiring new levels of usage for maintaining landscape
- install a point of connection and piping to use recycled water for irrigation  
 CCSD has formalized a recycled water system called the "pink pipe" into long range planning: El Colibri Inn has given our immediate proximity to CSD facilities, offered to facilitate a pilot project
- we are able to specify that cleaning operations use water reuse systems that are currently available for installation: the manufacturers state that these systems result in a 30% water use reduction
- we can and will implement visitor conservation with waste reduction program (reuse of linen is a primary program in our industry that saves operational costs and conserves water)

Attached:

Via fax 831 427 4877 "Intent to Serve" letter and "Completion of Retrofit P. Requirements" notice from CCSD.

EXHIBIT NO. <b>I</b>
APPLICATION NO. <b>A-3-SLO-01-086</b>
<b>Water Conservation Elements</b>
 California Coastal Commission

