

## **CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
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# F18a

### **A-3-PSB-22-0064 (MITTRY SFD) DECEMBER 16, 2022 HEARING EXHIBITS**

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# NAOMI AVE RESIDENCE

171 NAOMI AVE., SHELL BEACH CA 93449

## PROJECT DATA

**DESCRIPTION**  
DEMO OF EXISTING 1,340 SQ. FT. 2 BEDROOM, 2 BATH HOUSE WITH ATTACHED 2 CAR GARAGE. PROPOSED CONSTRUCTION OF NEW (2) STORY 2,852 SQ. FT., 3 BEDROOM, 3.5 BATH, SINGLE FAMILY DWELLING W/ 689 SQ. FT. ATTACHED GARAGE & 107 SQ. FT. STORAGE

**SITE INFORMATION**  
  
JURISDICTION CITY OF PISMO BEACH  
ZONING LOW DENSITY RESIDENTIAL (R-1)  
APN 010-505-013  
STREET ADDRESS 171 NAOMI AVE.  
GROSS LOT SIZE 7,300 SF

**BUILDING INFORMATION**  
  
NUMBER OF STORIES TWO STORY  
OCCUPANCY OCCUPANCY R-3 (RESIDENTIAL)  
CONSTRUCTION TYPE TYPE V B (NON-RATED)  
FIRE SPRINKLERS YES  
ROOF RATING CLASS C MINIMUM  
HAZARDS PROPERTY IS NOT LOCATED WITHIN A HIGH FIRE RISK AREA NOR A FLOOD PLAIN AREA

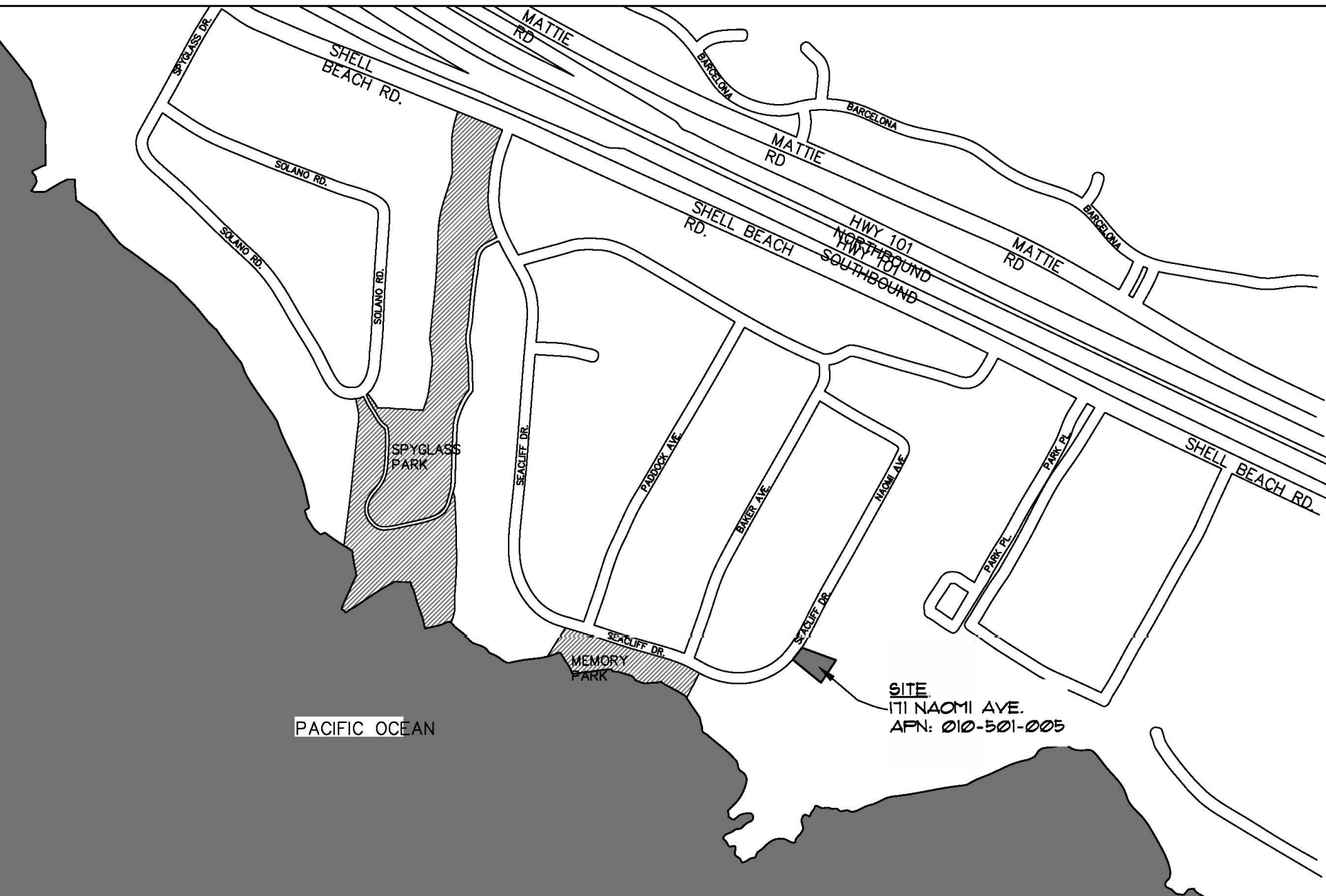
BUILDING AND FLOOR AREA PROPOSED	
FIRST FLOOR	PROPOSED S.F.
1ST FLOOR LIVING AREA	1,232 S.F.
2ND FLOOR LIVING AREA	1,620 S.F.
TOTAL FLOOR LIVING AREA	2,852 S.F.
1ST FLOOR GARAGE	689 S.F.
1ST FLOOR STORAGE	107 S.F.
1ST FLOOR COVERED PATIO AREA	359 S.F.
2ND FLOOR DECK AREA	390 S.F.

**DEVELOPMENT STANDARDS**  
  
MAXIMUM HEIGHT ALLOWED: 25'-0" FROM EXISTING SITE GRADE, MEASURE AT CENTER OF BUILDING FOOTPRINT & 15' MAX FROM HIGHEST ELEVATION ON LOT / 51.3' (HIGH ELEV)+ 15' = 66.3' MAX. HT. PROPOSED: 14'-8" FROM HIGHEST ELEVATION ON LOT PEAK ELEVATION: 66.0' = OK  
  
MAXIMUM BUILDING AREA (INCLUDING GARAGE) ALLOWED: 86% OF 2,700 + 60% OF LOT EXCESS .86 X 2,700 = 2,322 S.F. ; .60 X 4,600 = 2,760 S.F. TOTAL ALLOWED: 5,082 S.F. TOTAL PROPOSED: 3,648 S.F.= OK  
  
SECOND FLOOR / FIRST FLOOR RATIO 2ND FLOOR CANNOT EXCEED 80% OF SQUARE FOOTAGE OF THE FIRST FLOOR INCLUDING GARAGE 2,028 SQ. FT. X .80 = 1,622 SQ. FT. > 1,620 SQ. FT. = OK TOTAL PROPOSED: 80% = OK  
  
PLANTING AREA RATIO REQUIRED: 20% LOT AREA MINIMUM TOTAL REQUIRED: .20 X 7,300 = 1,460 S.F. TOTAL PROPOSED: 2,140 S.F. = OK  
  
LOT COVERAGE RATIO ALLOWED: 55% LOT AREA MAXIMUM .55 X 7,300 = 4,015 S.F. TOTAL PROPOSED: 2,387 S.F. = OK  
  
GARAGE SETBACK FROM STREET PROPERTY LINE R-1, R-3: 20% OF LOT DEPTH MINIMUM, NO MORE THAN 20' REQUIRED (RESIDENTIAL GARAGE ENTRANCES ONLY) TOTAL PROPOSED: 25'-0" = OK  
  
FRONT YARD, NOT INCLUDING GARAGE R-1: 20% OF LOT DEPTH OR THE AVERAGE OF THE EXISTING YARDS ON EITHER SIDE, WHICHEVER IS SMALLER (NO LESS THAN 10', NO LARGER THAN 20') BLUFFTOP LOTS: 15' TOTAL PROPOSED: 24'-0" = OK  
  
SIDE YARDS/INTERIOR LOTS R-1 AND R-3: 10% OF LOT WIDTH, NO SMALLER THAN 4 FEET BUT NOT REQUIRED TO EXCEED 5 FEET TOTAL PROPOSED: 5'-0" = OK  
  
REAR YARD R-1 AND R-3: 10% OF LOT DEPTH, MINIMUM 5 FEET & NO MORE THAN 10 FEET REQUIRED TOTAL PROPOSED: 10'-0" = OK  
  
DRIVEWAY WIDTH AT STREET NO SMALLER THAN 12' AND NO LARGER THAN 16' IN WIDTH TOTAL PROPOSED: REMOVE AND REPLACE EXISTING 16' WIDE DRIVEWAY  
  
OVERLAY ZONES CA: COASTAL APPEAL HL-1: HEIGHT LIMITATIONS -1

## PROJECT NOTES

- THIS PROJECT SHALL COMPLY WITH THE 2019 EDITIONS OF THE CALIFORNIA RESIDENTIAL CODE (CRC) AND/OR CALIFORNIA BUILDING CODE (CBC), CALIFORNIA MECHANICAL CODE (CMC), CALIFORNIA PLUMBING CODE (CPC), CALIFORNIA ELECTRICAL CODE (CEC), CALIFORNIA GREEN BUILDING STANDARDS CODE, AND CALIFORNIA ENERGY CODE (CENC), ALL AMENDMENTS TO THE CA CODES ADOPTED BY THE CITY OF PISMO BEACH, AND ALL OTHER CODES, REGULATIONS, AND APPROVALS ESTABLISHED BY THE CITY OF PISMO BEACH.
- THE CONTRACTOR SHALL NOT SCALE THE DRAWINGS. ANY OMISSION IN DIMENSIONING SHOULD BE BROUGHT TO THE ATTENTION OF THE DESIGNER IMMEDIATELY AND BEFORE WORK IS STARTED ON THAT SECTION.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON THE JOB. ANY DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE DESIGNER IMMEDIATELY AND BEFORE WORK IS STARTED ON THAT SECTION.
- WHERE NO DETAIL IS SHOWN, CONSTRUCTION SHALL BE AS SHOWN IN SIMILAR DETAILS. IF THE CONDITION IS NOT CLEAR, THE CONTRACTOR SHALL NOTIFY THE DESIGNER IMMEDIATELY.
- ANY INCONSISTENCIES IN MATERIAL CALLOUTS OR SPECIFICATIONS SHALL BE CALLED TO THE ATTENTION OF THE DESIGNER.
- ALL DIMENSIONS ARE TO FACE OF STUD (UNO) UNLESS NOTED OTHERWISE
- THE CALIFORNIA ENERGY CONSERVATION STANDARDS FOR NONRESIDENTIAL AND / OR RESIDENTIAL BUILDINGS HAVE BEEN REVIEWED AND THE BUILDING DESCRIBED ON THE DRAWINGS IS IN SUBSTANTIAL CONFORMANCE.
- A DRAINAGE REPORT IS REQUIRED FOR THIS PROJECT.
- NO HAZARDOUS MATERIALS ARE TO BE STORED AND/ OR USED WITHIN THE BUILDING WHICH EXCEED THE QUANTITIES LISTED IN CBC TABLES 307.1(1) AND 307.1(2).
- ANY/ALL DEFERRED SUBMITTALS SHALL BE REVIEWED BY THE PROJECT ENGINEER PRIOR TO SUBMISSION TO THE BUILDING DEPARTMENT FOR REVIEW AND APPROVAL.
- ALL WORK LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY OR WITHIN THE JURISDICTION OF THE UTILITIES AND PUBLIC WORKS DEPARTMENTS SHALL COMPLY WITH THE MOST CURRENT EDITION OF THE ENGINEERING STANDARDS AND STANDARD SPECIFICATION. THE CURRENT ADOPTED STANDARDS ARE DATED FEBRUARY 2014.
- THE ADJOINING STREET SHALL BE CLEANED BY SWEEPING TO REMOVE DIRT, DUST, MUD AND CONSTRUCTION DEBRIS AT THE END OF EACH DAY.
- TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED WHEN PERMANENT IMPROVEMENTS, PLANTINGS AND FACILITIES ARE IN PLACE. TEMPORARY MEASURES SHALL BE REMOVED PRIOR TO FINAL INSPECTION APPROVALS.
- REMODELING PRE-1978 STRUCTURES WITHOUT USING LEAD SAFE WORK PRACTICES IS A VIOLATION OF CALIFORNIA HEALTH AND SAFETY CODE SECTION 105256. CONTRACTORS, REMODELERS AND PAINTERS ARE REQUIRED TO USE "LEAD-SAFE" WORK PRACTICES PURSUANT TO TITLE 17, CA CODE OF REGULATIONS SECTION 36050.
- PRIOR TO ANY DEMOLITION OR GRADING THE CONTRACTOR SHALL PROTECT ANY TREES ADJACENT TO THE WORK ZONE.
- CONTRACTOR TO VERIFY PLUMBING FIXTURES COMPLY WITH GREEN CODE REQ'S
- A LICENSED SURVEYOR OR ENGINEER SHALL VERIFY PAD ELEVATIONS, FINISH FLOOR ELEVATION, AND SETBACKS PRIOR TO FOUNDATION INSPECTION, AND ROOF ELEVATIONS, PRIOR TO ROOF SHEETING INSPECTION. SUBMIT DOCUMENTATION AND OBTAIN APPROVAL PRIOR TO SUBMITTING REQUEST FOR INSPECTION.
- CONTRACTOR SHALL PROVIDE AT LEAST THREE RANDOM MOISTURE READINGS PERFORMED AT WALL AND FLOOR FRAMING IN THE PRESENCE OF THE BUILDING INSPECTOR PRIOR TO APPROVAL TO ENCLOSE THE WALL AND FLOOR FRAMING TO VERIFY A MAXIMUM 19% MOISTURE CONTENT.
- ENERGY COMPLIANCE FORMS CF2R AND CF3R WILL BE COMPLETED AND SUBMITTED TO THE BUILDING INSPECTOR AT TIME OF INSPECTION OF RELATED COMPONENTS.
- AT TIME OF ROUGH MECHANICAL INSPECTION, ALL DUCT AND OTHER RELATED AIR DISTRIBUTION COMPONENTS SHALL BE COVERED WITH TAPE, PLASTIC, SHEET METAL OR OTHER ACCEPTABLE METHOD TO REDUCE THE AMOUNT OF DUST OR DEBRIS THAT MAY COLLECT IN THE SYSTEM PER CGBC 4.504.1
- GAS FIREPLACES SHALL BE A DIRECT-VENT SEALED-COMBUSTION TYPE PER CGBC 4.503.1
- PRIOR TO START OF CONSTRUCTION, THE CONTRACTOR SHALL SCHEDULE A PRE-CONSTRUCTION CONFERENCE WITH ALL PARTIES INVOLVED AT THE PROJECT SITE TO REVIEW THE SPECIAL INSPECTION REQUIREMENTS, PROCEDURES, AND INDIVIDUAL SPECIAL INSPECTORS THAT WILL BE ASSIGNED TO THE PROJECT, AS WELL AS REQUIREMENTS FOR STRUCTURAL OBSERVATION. CONTRACTOR SHALL CONTACT THE CITY OF PISMO BEACH BUILDING DIVISION TO CONFIRM AN ACCEPTABLE MEETING DATE AND TIME.

## VICINITY MAP



### VICINITY MAP

SCALE: N.T.S.



## PROJECT DIRECTORY

OWNER	RICHARD E MITTRY THE MITTRY FAMILY TRUST PO BOX 338 SULTANA CA 93666	ARCHITECT	LOCH SODERQUIST LSA ARCHITECTS POB 3057 SHELL BEACH, CA 93449
		SURVEYOR	GEO WEST LAND SURVEYS POB 1383 SAN LUIS OBISPO, CA 93406 805-461-5560

## SHEET INDEX

ARCHITECTURAL	
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NAOMI AVE RESIDENCE

171 NAOMI AVE.  
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APN: 010-501-005

PLANNING SUBMITAL

OWNER  
MITTRY, RICHARD E; THE MITTRY  
FAMILY TRUST  
PO BOX 338  
SULTANA CA 93666

DATE		ISSUE	
9/16/21		PLAN APPROVAL	

REVISIONS		
NO	DATE	ISSUE

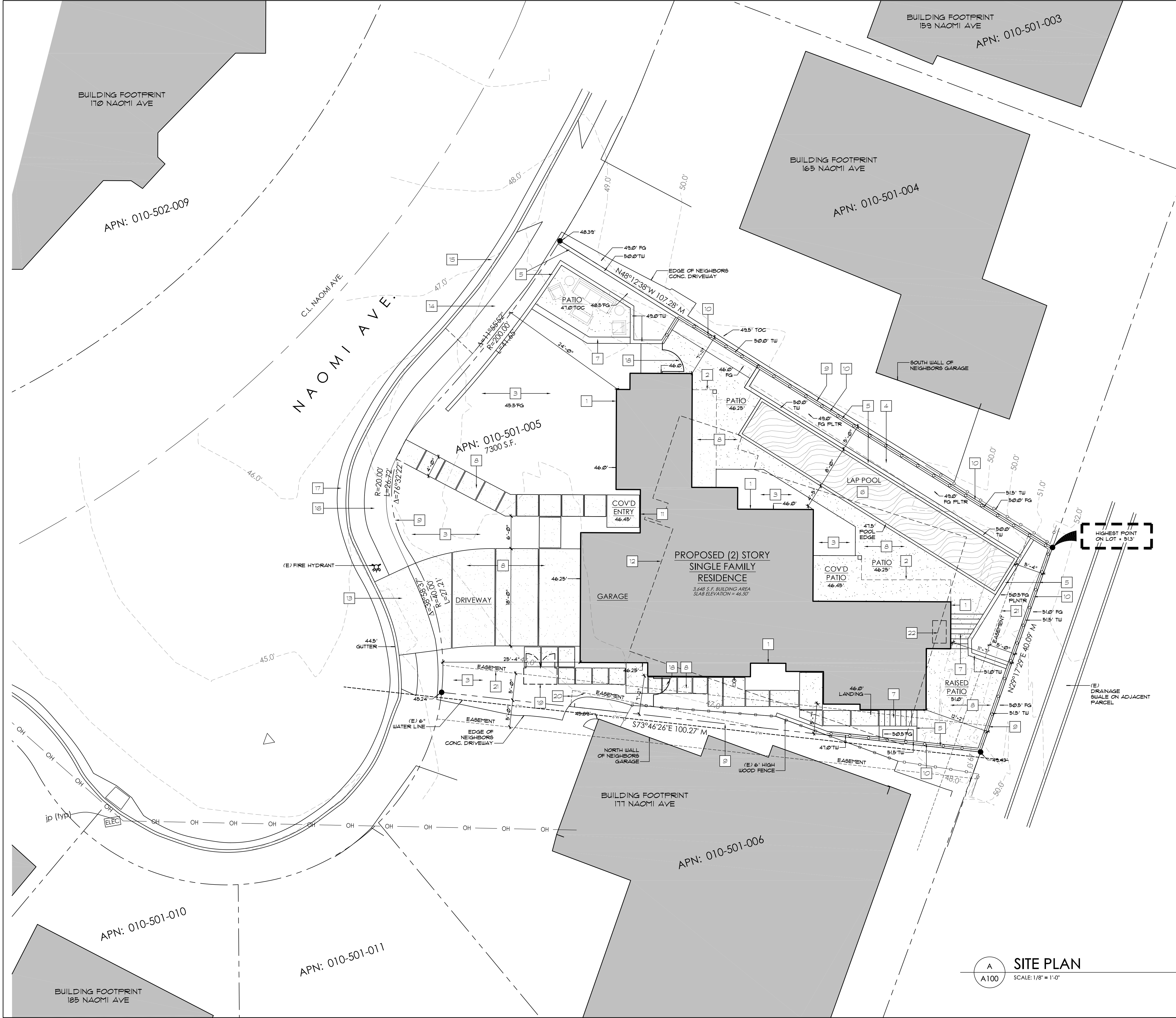
COVER SHEET

PROJECT NO.

ISSUE DATE  
09.16.21

A001





NOTES:

KEYNOTES:

1. EXTERIOR WALL OF PROPOSED RESIDENCE
2. OVERHANG ABOVE, TYP.
3. LANDSCAPE AREA. SEE LANDSCAPE PLAN
4. RAISED LANDSCAPE PLANTER. SEE LANDSCAPE PLAN
5. STUCCO 2" FORMED CONCRETE RETAINING WALL, TYP.
6. 8' WIDE X 55' LONG LAP POOL W/ RETRACTABLE COVER
7. FORMED CONCRETE STAIRS W/ HANDRAIL PER IRC.
8. HARDSCAPE ENHANCED CONCRETE
9. PROPERTY LINE
10. NEW SLAT WOOD FENCE ON TOP OF CONC. WALL, TOTAL HEIGHT (WALL + FENCE) NOT TO EXCEED 6'-0"
11. MAIN ENTRANCE
12. FOOTPRINT OF EXISTING RESIDENCE TO BE DEMOLISHED, SEE DEMO PLAN
13. NEW 16' WIDE DRIVEWAY APRON TO REPLACE EXISTING
14. NEW CONC. SIDEWALK PER CITY OF PISMO BEACH SPECS.
15. NEW CONC. CURB AND GUTTER PER CITY OF PISMO BEACH SPECS.
16. EXISTING CONC. SIDEWALK
17. EXISTING CURB + GUTTER
18. SLAT WOOD GATE (6' HIGH MAX.)
19. 42" HIGH HORIZ. CEDAR SLAT TRASH ENCLOSURE
20. LINE OF OPEN SPACE EASEMENT
21. LINE OF UTILITY / DRAINAGE EASEMENT
22. POOL EQUIPMENT IN ENCLOSED STORAGE ROOM

ALL EASEMENTS ARE SHOWN  
HOSE BIBBS WILL BE FITTED WITH A NON-REMOVABLE BACKFLOW DEVICES PER CFC 603.4.6  
A 4" INCH SEWER LATERAL IS REQUIRED FOR A DWELLING THAT HAS 4 OR MORE WATER CLOSETS PER CFC TABLE 103.2, FOOTNOTE 14  
UNDERGROUND SERVICE CONDUCTORS WILL SERVE THE MAIN ELECTRICAL PANEL  
MAIN WATER LINE IS 6" A.C. PIPE, WATER SERVICE LINE IS 1" DIAMETER  
ALL DIMENSIONS ARE TO FRAMING, NOT FINISHED WALL UNO.

LEGEND:

EPC

EPC

UNDERGROUND ELEG, PH, & CATV

G

G

GAS LINE: STEEL BLACK PIPE, CONTRACTOR TO VERIFY SIZE

SS

SS

NEW 4" ABS SEWER LINE (UNO.)

W

W

SCH. 40 PVC WATER LINE (UNO.) SIZE AS NOTED

YARD SETBACK LINE

PROPERTY LINE

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SITE PLAN

PROJECT NO.

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09.16.21

A100

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Exhibit 2  
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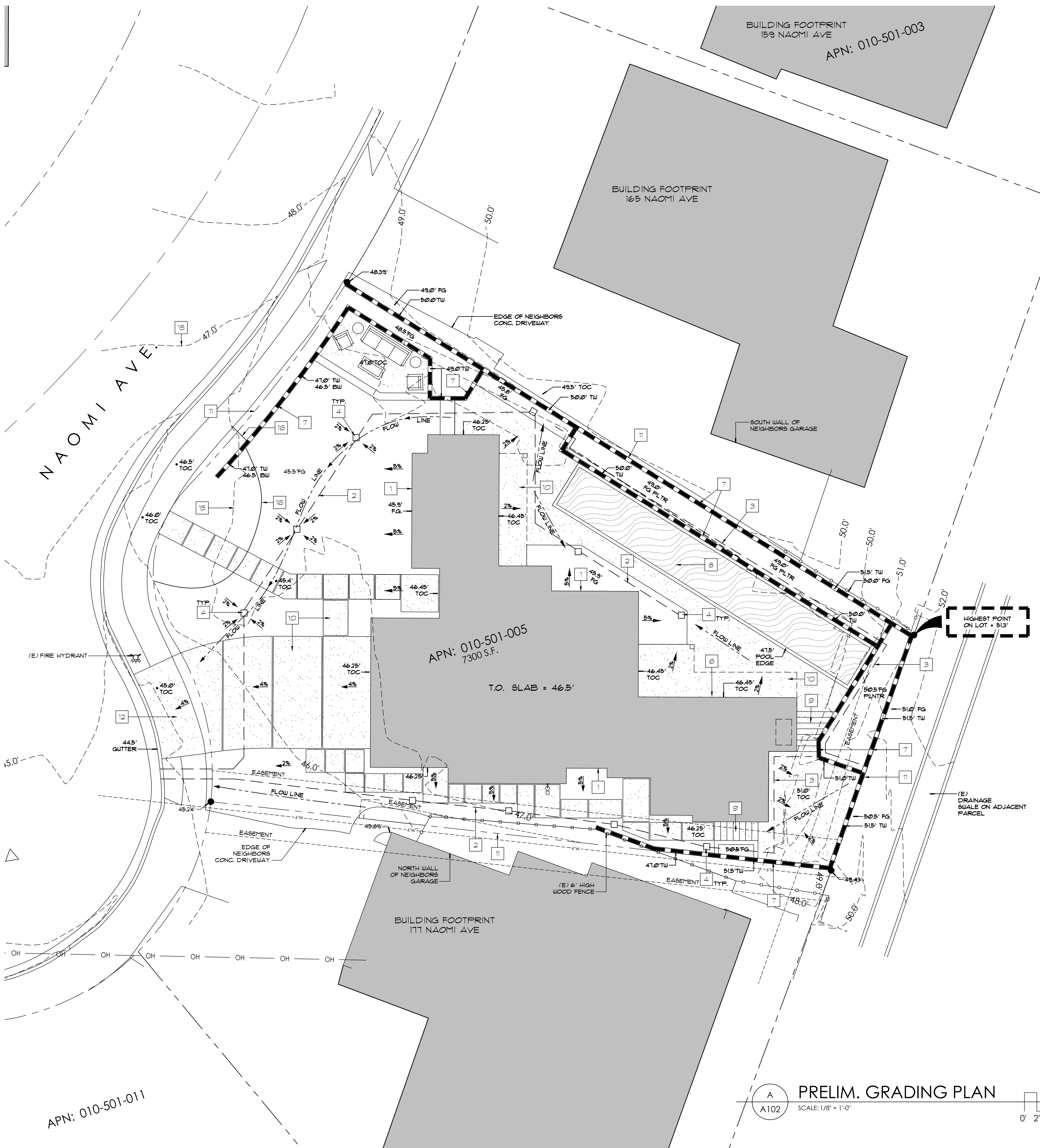
A  
A100

SITE PLAN  
SCALE: 1/8" = 1'-0"

0' 2' 4' 8' 16'

NORTH





KEYNOTES:

1. SLOPE 5% AWAY FROM BUILDING
  2. 4" DRAIN LINE, 1% MIN. SLOPE TO DAYLIGHT
  3. 4" PERFORATED DRAIN LINE BEHIND RETAINING WALL, SLOPE TO DAYLIGHT
  4. 12" X 12" ND8 DRAIN BOX
  5. DAYLIGHT DRAIN PIPES THRU CURB
  6. EXTERIOR WALL OF PROPOSED RESIDENCE
  7. STUCCO OR FORMED CONCRETE RETAINING WALL, TYP.
  8. 8' WIDE X 55' LONG LAP POOL, W/ RETRACTABLE COVER
  9. FORMED CONCRETE STAIRS W/ HANDRAIL PER IRC
  10. HARDSCAPE, ENHANCED CONCRETE
  11. PROPERTY LINE
  12. NEW 16' WIDE DRIVEWAY APRON TO REPLACE EXISTING
  13. LINE OF OPEN SPACE EASEMENT
  14. LINE OF UTILITY / DRAINAGE EASEMENT
  15. EXISTING CONTOUR, TYP.
  16. PROPOSED CONTOUR
- ALL EASEMENTS ARE SHOWN
  - HOSE BIBBS WILL BE FITTED WITH A NON-REMOVABLE BACKFLOW DEVICES PER CFC 603.4.6
  - A 4 INCH SEWER LATERAL IS REQUIRED FOR A DWELLING THAT HAS 4 OR MORE WATER CLOSETS PER CFC TABLE 103.2, FOOTNOTE 4
  - UNDERGROUND SERVICE CONDUCTORS WILL SERVE THE MAIN ELECTRICAL PANEL
  - MAIN WATER LINE IS 6" A.C. PIPE, WATER SERVICE LINE IS 1" DIAMETER
  - ALL DIMENSIONS ARE TO FRAMING, NOT FINISHED WALL UNO.

LEGEND:

- EPC— EPC UNDERGROUND ELEC, PH. 4 CATV
- G— G GAS LINE, STEEL, BLACK PIPE, CONTRACTOR TO VERIFY SIZE
- SS— SS NEW 4" ABS SEWER LINE (UNO.)
- W— W SCH. 40 PVC WATER LINE (UNO.) SIZE AS NOTED
- YARD SETBACK LINE
- PROPERTY LINE

GENERAL NOTES:

1. OWNER AND OR OWNER'S CONTRACTOR SHALL PROTECT PUBLIC INFRASTRUCTURE FROM DAMAGE DURING THE COURSE OF CONSTRUCTION. NOTE: THE EXISTING STREET SECTIONS MAY BE SUBSTANDARD AND THE CONTRACTOR SHALL PROTECT THE PUBLIC INFRASTRUCTURE FROM DAMAGE BY HEAVY LOADING/EQUIPMENT DURING THE COURSE OF CONSTRUCTION. THE CONTRACTOR SHALL REPAIR, AT OWNER'S EXPENSE, ANY/ALL DAMAGE TO PUBLIC INFRASTRUCTURE INCURRED DURING AND/OR DUE TO CONSTRUCTION, TO THE SATISFACTION OF THE CITY ENGINEER.
2. WHERE DETERMINED NECESSARY BY THE CITY ENGINEER, DAMAGED PORTIONS OF THE EXISTING CURB, GUTTER AND SIDEWALK ALONG THE PROPERTY FRONTAGE SHALL BE REPLACED TO THE SATISFACTION OF THE CITY ENGINEER PRIOR TO FINAL APPROVAL.
3. ENCROACHMENT PERMIT(S) MUST BE OBTAINED PRIOR TO ANY/ALL WORK IN PUBLIC RIGHT-OF-WAY.
4. CITY STREETS ARE TO REMAIN OPEN TO THROUGH TRAFFIC AT ALL TIMES. TEMPORARY LONG TERM PARKING OR STORAGE OF CONSTRUCTION EQUIPMENT OR MATERIALS SHALL OCCUR WITHOUT PRIOR ISSUANCE OF AN ENCROACHMENT PERMIT.
5. A TRAFFIC CONTROL PLAN IS REQUIRED FOR ANY DETOURS OR REROUTING OF TRAFFIC. DURING CONSTRUCTION, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE FOR SAFE TRAFFIC CONTROL IN AND AROUND THE SITE. THIS MAY INCLUDE BUT SHALL NOT BE LIMITED TO SIGNS, FLASHING LIGHTS, BARRICADES AND FLAG PERSONS AS DIRECTED BY THE BUILDING OFFICIAL OR THE CITY ENGINEER.
6. EXCAVATION WITHIN THE STREETS SHALL BE COVERED WITH TRAFFIC RATED STEEL PLATES OR BACKFILLED AND FAVED, TO THE SATISFACTION OF THE CITY ENGINEER, PRIOR TO THE END OF WORK EACH DAY.
7. EROSION AND DRAINAGE CONTROL FEATURES SHALL BE INSTALLED TO PREVENT SEDIMENT FROM LEAVING THE SITE. EROSION CONTROL DEVICES SHALL BE INSTALLED AND IN PLACE FOLLOWING DAILY CONSTRUCTION ACTIVITIES. THE APPLICANT SHALL NOTIFY THE ENGINEERING DIVISION OF ANY CHANGES IN CONSTRUCTION WHICH WILL REQUIRE ADDITIONAL EROSION CONTROL MEASURES OR OTHER CHANGES TO THE EROSION CONTROL PLAN.
8. WASTE MATERIALS SHALL NOT BE WASHED INTO THE STORM DRAIN SYSTEM. THIS INCLUDES BUT IS NOT LIMITED TO SOIL, PAINT, STUCCO, GROUT, COLOR COAT, CONCRETE DUST, SAW RESIDUES, GRINDINGS, OIL, ETC.
9. DURING THE CONSTRUCTION PERIOD, THE PROJECT FRONTAGE(S) SHALL BE SUPT DAILY AND KEPT FREE OF DIRT, DUST AND DEBRIS. AT THE CONCLUSION OF CONSTRUCTION, PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT, THE FRONTAGE(S) SHALL BE INSPECTED BY THE CITY ENGINEER AND REPAIRS COMPLETED AS DIRECTED TO THE SATISFACTION OF THE CITY ENGINEER.

GRADING NOTES:

1. LOT GRADING SHALL MEET THE MINIMUM REQUIREMENTS OF THE LATEST CBC EDITION.
2. DRAINAGE SHALL BE CARRIED TO THE STREET OR OTHER IMPROVED DRAINAGE DEVICE VIA A NON-EROSIVE DRAINAGE DEVICE.
3. NO GRADING OR DRAINAGE IMPROVEMENTS WHICH ALTER EXISTING DRAINAGE COURSES OR CONCENTRATE DRAINAGE TO ADJACENT PROPERTIES SHALL BE ALLOWED WITHOUT PRIOR APPROVAL FROM THE CITY ENGINEER.

EROSION CONTROL NOTES:

1. EROSION CONTROL MEASURES SHALL BE FULLY INSTALLED AT ALL TIMES.
2. ALL SITE ACCESSSES SHALL BE PROTECTED AGAINST EROSION AT ALL TIMES THAT WORK IS NOT BEING PERFORMED ON THE SITE, INCLUDING EVENINGS, WEEKENDS AND HOLIDAYS. SUCH PROTECTION MAY BE REMOVED TO PROVIDE ACCESS TO THE SITE DURING WORK HOURS IF AND WHEN IT IS NOT REQUIRED DUE TO WEATHER CONDITIONS.
3. THE FIRST DOWNSTREAM STORM DRAIN INLET SHALL BE PROTECTED PER DETAIL.
4. ALL STOCKPILES SHALL BE PROTECTED AGAINST EROSION PER DETAIL, IMMEDIATELY UPON PLACEMENT.
5. PERMANENT EROSION CONTROL MEASURES SHALL BE FULLY ESTABLISHED TO THE SATISFACTION OF THE CITY ENGINEER.
6. IN THE EVENT OF OFF-SITE EROSION, THE PROPERTY OWNER AND/OR HIS REPRESENTATIVE(S) SHALL BE RESPONSIBLE FOR THE REPAIR AND ASSOCIATED COSTS OR DAMAGES.
7. EROSION CONTROL PLANS REPRESENT THE MINIMUM ACCEPTABLE PROTECTION. FURTHER MEASURES WILL BE REQUIRED, TO THE SATISFACTION OF THE CITY ENGINEER IN THE EVENT OF INADEQUACY OR FAILURE.

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APN: 010-501-003

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SULTANA CA 93666

DATE	ISSUE
9/16/21	PLAN APPROVAL

REVISIONS		
NO	DATE	ISSUE

PRELIM. GRADING PLAN

PROJECT NO.

ISSUE DATE  
09.16.21

A101

PRELIM. GRADING PLAN

SCALE: 1/8" = 1'-0"

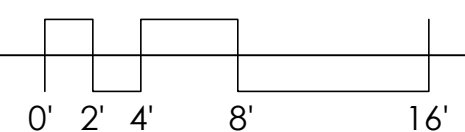
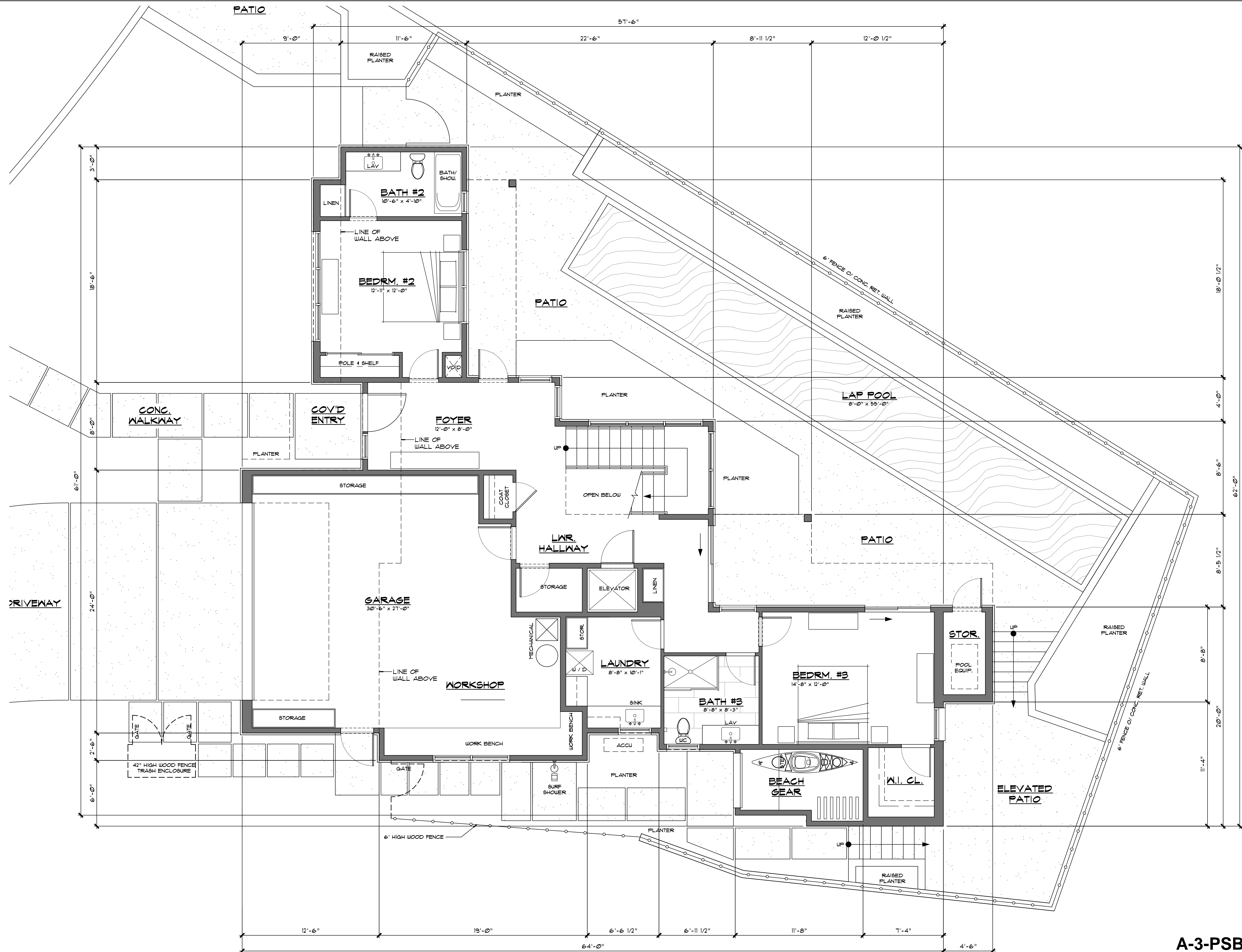


Exhibit 2  
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Exhibit 2  
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APN: 010-501-005

PLANNING SUBMITTAL

OWNER

MITTRY, RICHARD E; THE MITTRY  
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PO BOX 338  
SULTANA CA 93666

DATE	ISSUE
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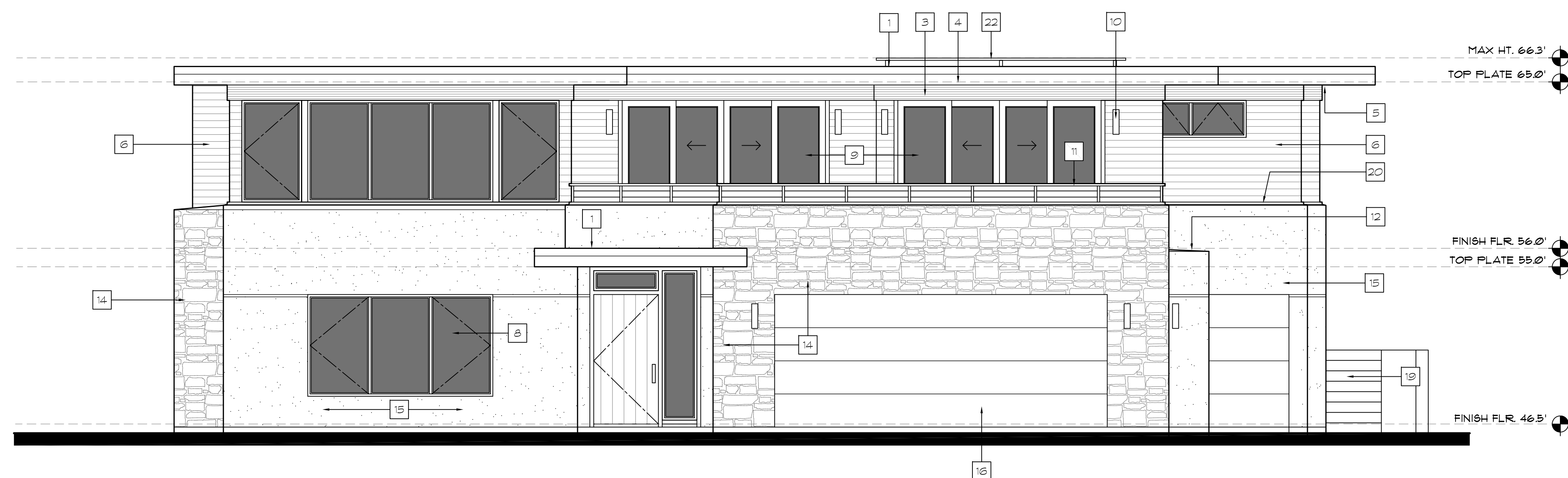
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NO	DATE	ISSUE

## EXTERIOR ELEVATIONS

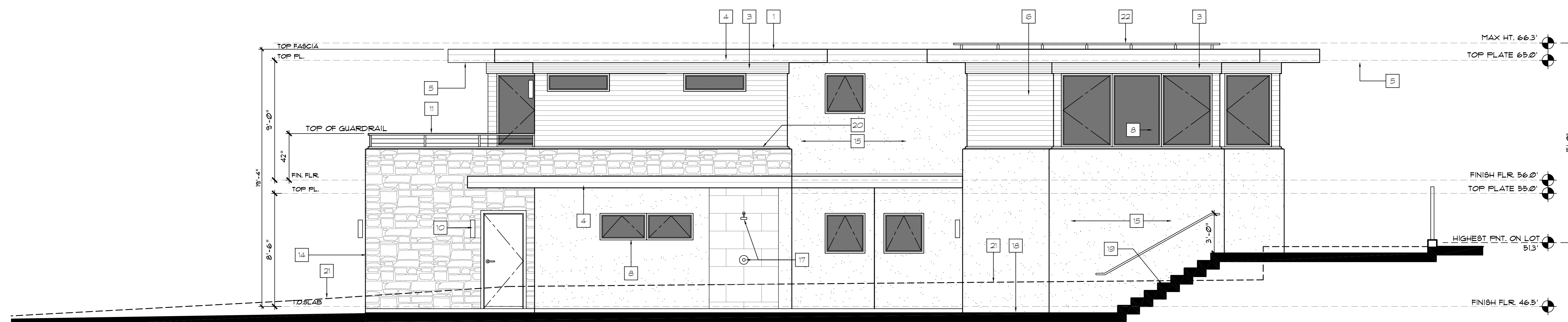
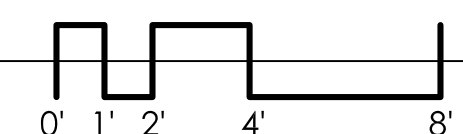
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ISSUE DATE	09.16.21
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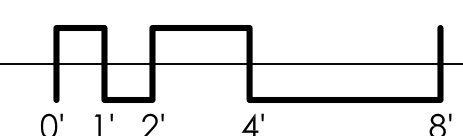
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**WEST ELEVATION**

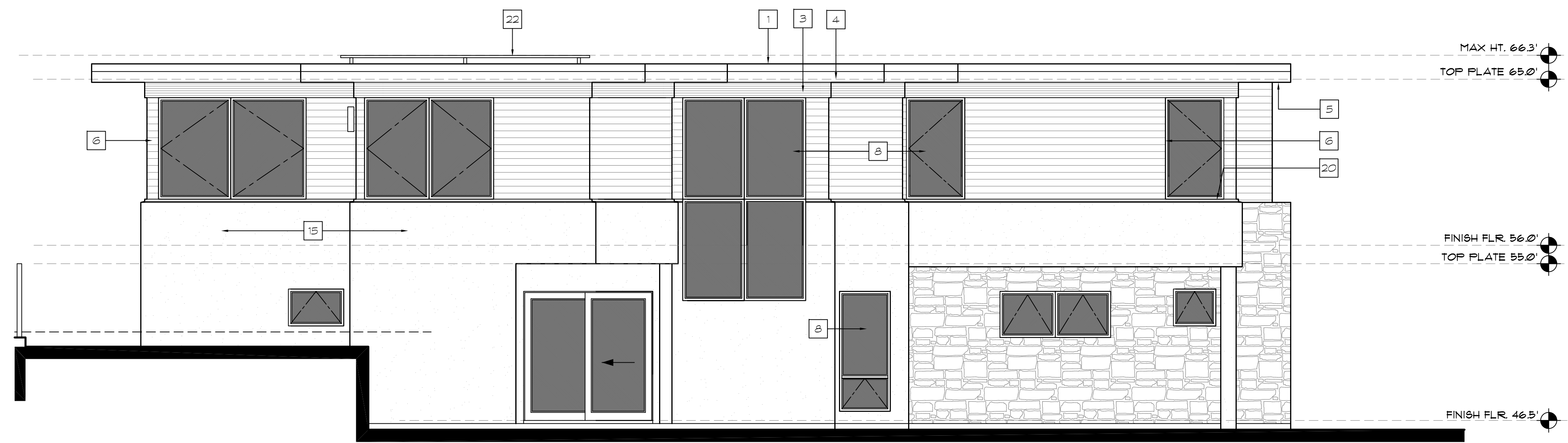


**SOUTH ELEVATION**

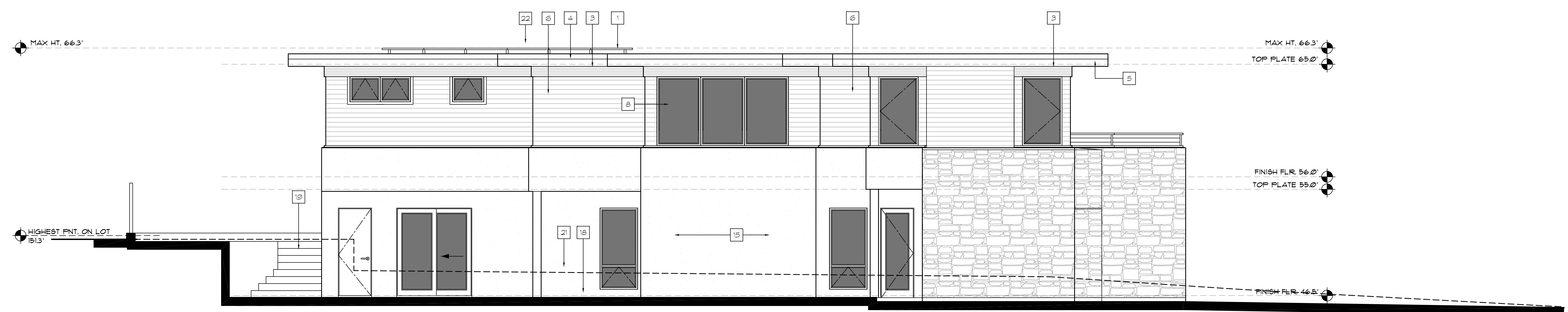


**Exhibit 2**  
**A-3-PSB-22-0064**  
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C  
A302  
EAST ELEVATION  
SCALE: 1/4" = 1'-0"  
0' 1' 2' 4' 8'



D  
A302  
NORTH ELEVATION  
SCALE: 1/4" = 1'-0"  
0' 1' 2' 4' 8'

NOTES:

KEYNOTES:

- 1. SINGLE PLY ROOF MEMBRANE O/ SHAPED FOAM INSULATION
- 2. NOT USED
- 3. 2X CONT. HEADER TRIM
- 4. STUCCO O/ 2X FASCIA
- 5. STUCCO SOFFIT, TYP.
- 6. HORIZ. 1X4 CEDAR RAINSCREEN
- 7. 1X3 WINDOW / DOOR TRIM
- 8. ANODIZED BRONZE WINDOW ASSEMBLY
- 9. ANODIZED BRONZE SLIDING DOOR ASSEMBLY
- 10. EXTERIOR LIGHT FIXTURE
- 11. CONT. FLAT BAR ALUM. GUARDRAIL ASSEMBLY O/ STUCCO HALF WALL, WHERE APPLICABLE
- 12. COUNTER FLASHING # ROOF / WALL INTERSECTION, TYP.
- 13. STANDING SEAM METAL ROOFING
- 14. STONE VENEER SEE COLOR BOARD
- 15. STUCCO SIDING O/ W/P. MEMBRANE
- 16. SECTIONAL ROLL UP GARAGE DOOR, SEE COLOR BOARD
- 17. OUTDOOR SHOWER VALVES / STONE TILE
- 18. FINISH GRADE
- 19. STAIRS BEYOND, SEE FLOOR PLAN
- 20. CONT. SILL TRIM, TYP.
- 21. LINE OF NATURAL GRADE
- 22. PV ARRAY, SEE ROOF PLAN, SHEET A202

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808-895-2682  
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No. C66064  
STATE OF CALIFORNIA

THIS WORK WAS PREPARED BY ME OR  
UNDER MY SUPERVISION AND  
CONSTRUCTION OF THE PROJECT WILL BE  
UNDER MY OBSERVATION.

NAOMI AVE RESIDENCE  
171 NAOMI AVE  
PISMO BEACH CA 93449  
APN: 010-001-005

PLANNING SUBMITTAL

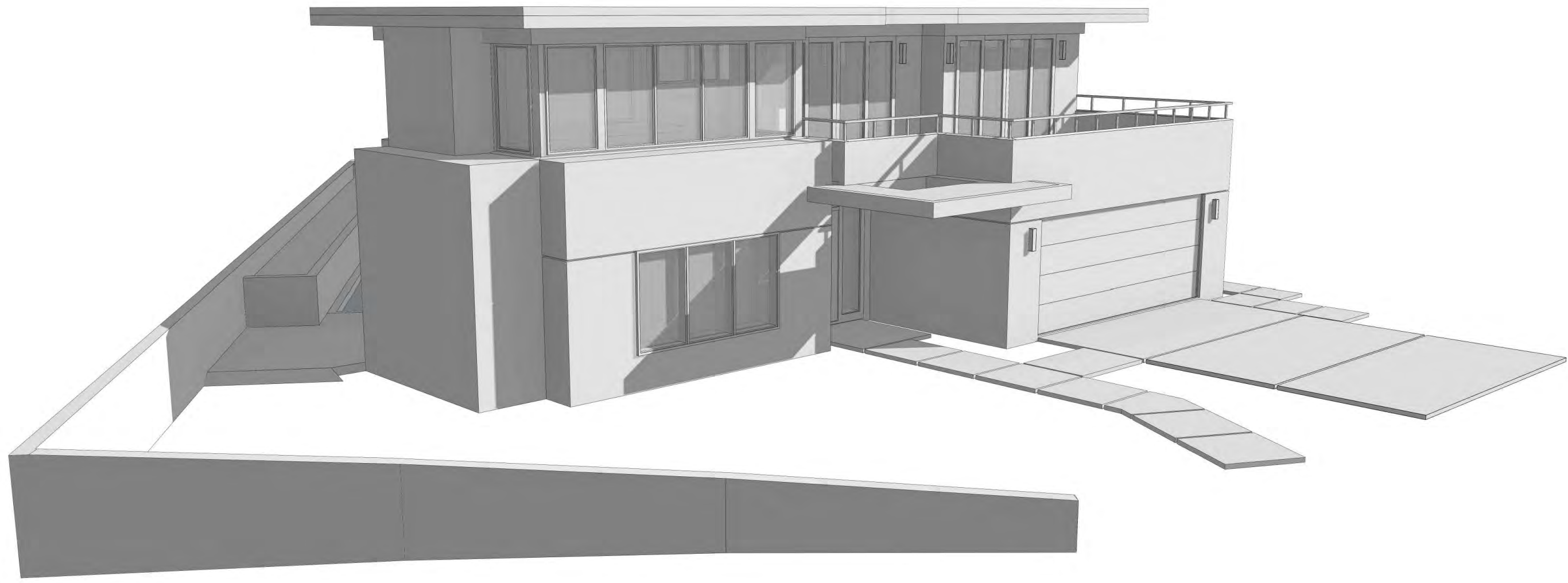
OWNER		
MITTRY, RICHARD E: THE MITTRY FAMILY TRUST PO BOX 338 SULTANA CA 93666		
DATE	ISSUE	
9/16/21	PLAN APPROVAL	
REVISIONS		
NO	DATE	ISSUE

EXTERIOR ELEVATIONS

Exhibit 2  
A-3-PSB-22-0064  
Page 7 of 10

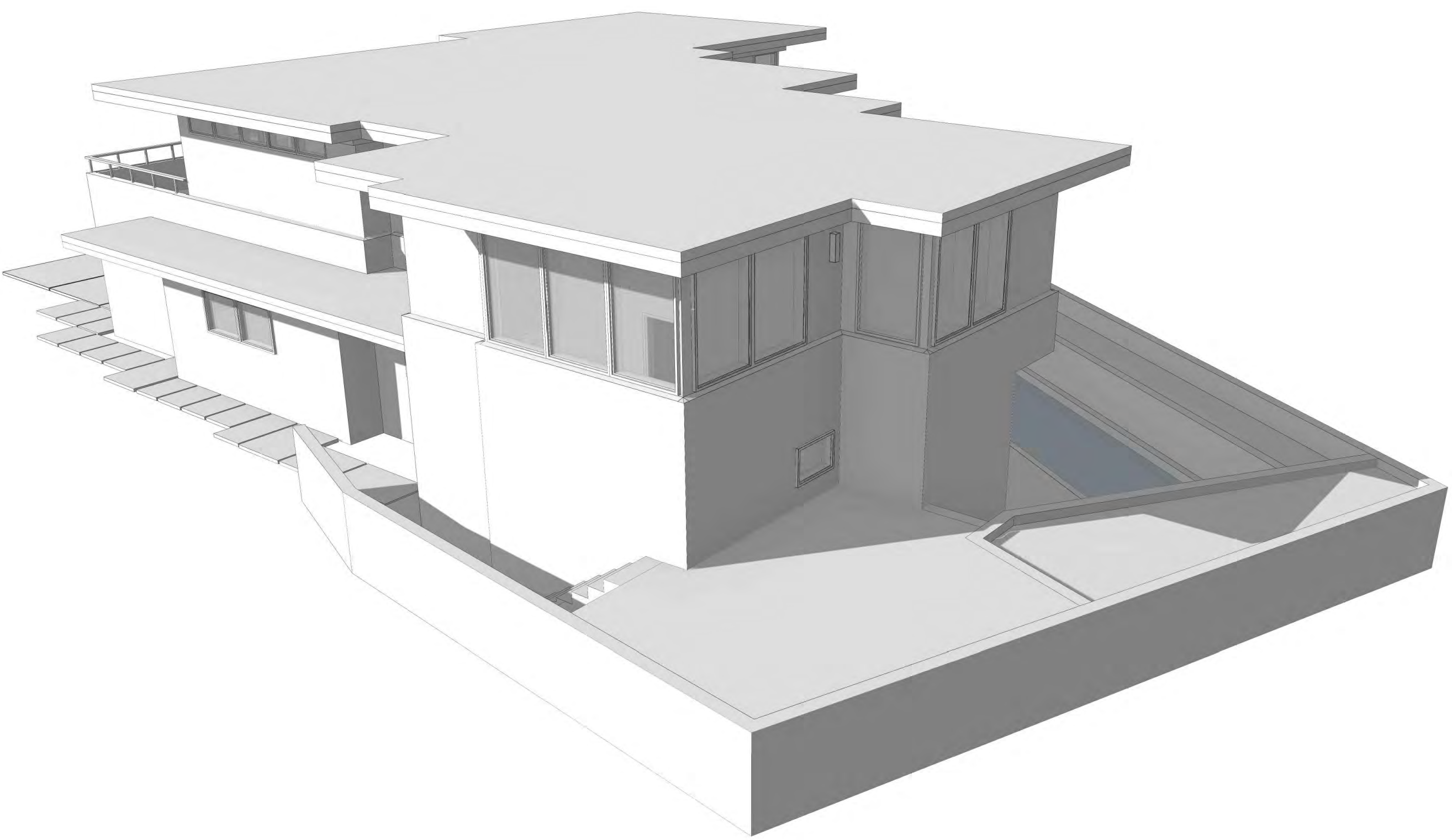
PROJECT NO.
ISSUE DATE 09.16.21
A302





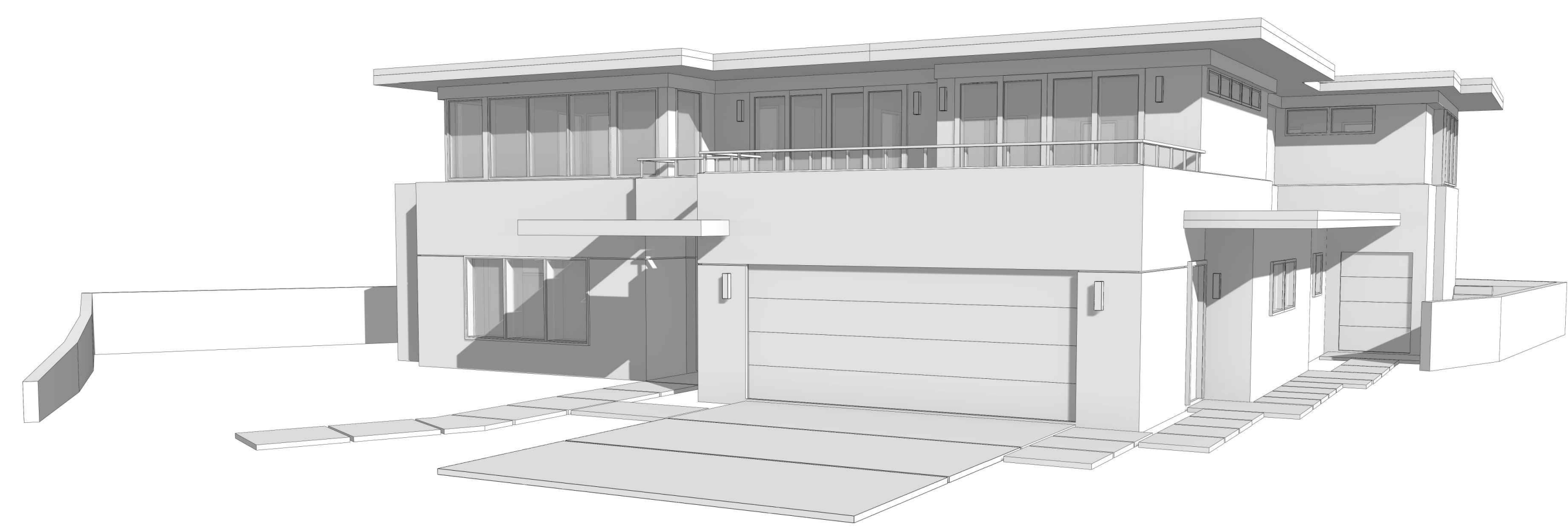
A  
A302

VIEW FROM NORTH WEST



B  
A302

VIEW FROM SOUTH EAST



C  
A302

VIEW FROM SOUTH WEST



D  
A302

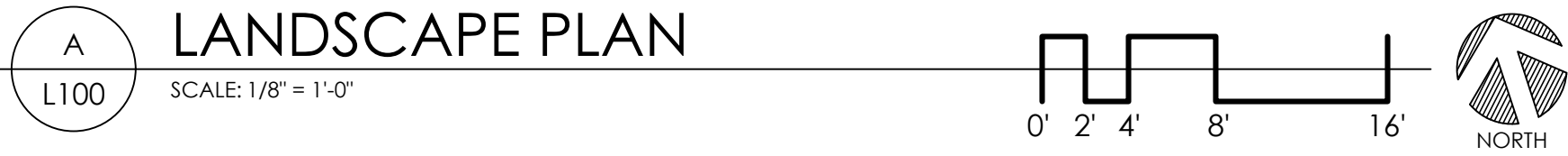
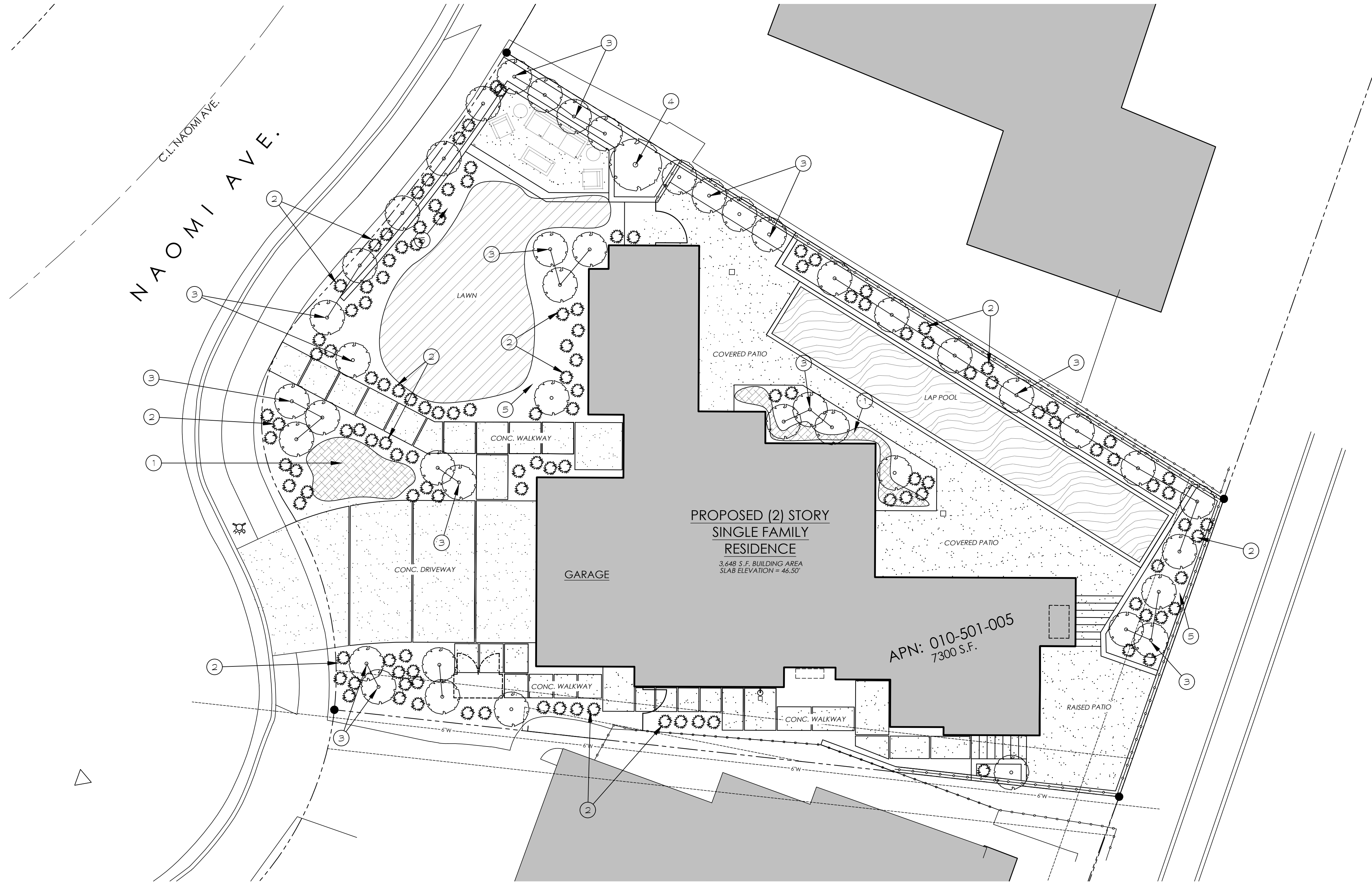
VIEW FROM NORTH EAST

Exhibit 2  
A-3-PSB-22-0064  
Page 8 of 10

DATE	ISSUE
9/16/21	PLAN APPROVAL

REVISIONS		
NO	DATE	ISSUE





NOTES:

PLANT PALETTE

- ① GROUND COVERS  
Carmel Sur Manzanita  
Santa Barbara Daisy  
Gum Plant (*grindelia stricta venulosa*)  
Calluna Firefly  
Pacific Mist (*Arctostaphylos*)  
Dwarf Coyote bush (*Baccharis pigeon point*)

- ② ACCENT PLANTS  
Spanish Lavender (*Helianthemum*)  
Purple Echium  
Aloe vera  
Hydrangea (Nikko Blue)  
Deer grass  
Farewell To Spring (*Clarkia amoena*)  
About California Wax Myrtle (*Morella californica*)  
About Giant Wildye (*Elymus condensatus*)  
About Bladder Pod (*Peritoma arborea*)

- ③ SHRUBS  
Santa Cruz Island Ironwood (*Lyonothamnus floribundus ssp. asplenifolius*)  
Blueblossom Ceanothus (*Ceanothus thyrsiflorus*)  
Hooker's Manzanita (*Arctostaphylos hookeri*)  
Island Snapdragon (*Gambelia speciosa*)  
Hearst's Ceanothus (*Ceanothus hearstiorum*)  
Point Reyes Ceanothus (*Ceanothus gloriosus*)  
Mock Orange (*Philadelphus lewisii*)

- ④ TREES  
California Torreyia (*Torreyia californica*)  
Santa Cruz Island Ironwood (*Lyonothamnus floribundus ssp. asplenifolius*)  
Monterey Cypress (*Hesperocyparis macrocarpa*)  
Coast Live Oak (*Quercus agrifolia* var. *agrifolia*)  
California Pepper Tree (*Schinus molle*)

- ⑤ MULCH / GRAVEL  
Cypress Mulch  
3/4" crushed granite or gold rock

LANDSCAPE PLAN GENERAL NOTES

- A. AUTOMATIC IRRIGATION SYSTEM CONTROLLERS FOR LANDSCAPING PROVIDED AT TIME OF FINAL INSPECTION SHALL BE (1) WEATHER-OR SOIL-MOISTURE BASED CONTROLLERS THAT ADJUST IRRIGATION IN RESPONSE TO CHANGES IN PLANT NEEDS, OR (2) WEATHER-BASED CONTROLLERS THAT ACCOUNT FOR LOCAL RAINFALLS PER CGBC 4.304.1

WATER BUDGET

MAXIMUM APPLIED WATER ALLOWANCE (MAWA):  
THE PROJECT'S MAXIMUM APPLIED WATER ALLOWANCE SHALL BE CALCULATED USING THIS EQUATION:

$$MAWA = (ETO) (0.62) [(0.7 \times LA) + (0.3 \times SLA)]$$

WHERE:

- MAWA = MAXIMUM APPLIED WATER ALLOWANCE (GALLONS PER YEAR)
- ETO = REFERENCE EVAPOTRANSPIRATION FROM APPENDIX A (INCHES PER YEAR)
- 0.7 = ET ADJUSTMENT FACTOR (ETAF)
- LA = LANDSCAPED AREA INCLUDES SPECIAL LANDSCAPE AREA (SQUARE FEET)
- 0.62 = CONVERSION FACTOR (TO GALLONS PER SQUARE FOOT)
- SLA = PORTION OF THE LANDSCAPE AREA IDENTIFIED AS SPECIAL LANDSCAPE AREA (SQUARE FEET)
- 0.3 = THE ADDITIONAL ET ADJUSTMENT FACTOR FOR SPECIAL LANDSCAPE AREA (1.0 - 0.7 = 0.3)

ETO ARROYO GRANDE = 40  
LA = 3,799  
SLA = 0

$$MAWA = (40) (.62) [(0.7 \times 3,799) + (0.3 \times SLA)]$$

MAXIMUM APPLIED WATER ALLOWANCE = 65,950.64 GALLONS PER YEAR

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NAOMI AVE RESIDENCE

171 NAOMI AVE.  
PISMO BEACH, CA 93449  
APN: 010-501-005

PLANNING SUBMITAL

OWNER  
MITTRY, RICHARD E; THE MITTRY  
FAMILY TRUST  
PO BOX 338  
SULTANA, CA 93666

DATE ISSUE

9/16/21 PLAN APPROVAL

REVISIONS

NO DATE ISSUE

LANDSCAPE + IRRIGATION  
PLAN

PROJECT NO.

ISSUE DATE  
09.16.21

L100

Exhibit 2  
A-3-PSB-22-0064  
Page 9 of 10



Legend

- RECORD BOUNDARY PER 6/MB/40
- TREE DRIPLINE (APPROXIMATE)
- OAK TREE AND SIZE
- 615
- CONTOUR
- EDGE OF UNSURFACED ROAD
- WALL
- FLOWLINE
- FENCES
- EDGE OF PAVEMENT
- CONCRETE
- SPOT ELEVATION
- POWER/UTILITY POLE
- GUY WIRE
- BENCHMARK
- CONTROL POINT
- IRRIGATION CONTROL VALVE
- WATER VALVE
- WATER METER
- GAS METER
- GAS VALVE
- PHONE PEDESTAL, BOX, VAULT, OR LOCKER
- PHONE MANHOLE
- TRAFFIC SIGNAL CONTROL BOX
- TRAFFIC SIGNAL POLE
- TV PEDESTAL, BOX, VAULT, OR LOCKER
- STORM DRAIN MANHOLE
- DRAIN INLET
- SEWER MANHOLE
- CLEANOUT
- SIGN
- LAMP POST
- ELECTRIC PEDESTAL, BOX, VAULT, OR LOCKER
- PVC PIPE UTILITY STUB/RISER
- FIRE HYDRANT
- MAIL BOX

Basis of Bearings

The basis of bearing for this topographic survey is between two found monuments along the centerline of Naomi Avenue, between the found centerline monuments having a bearing of North 29°18'00" East per the recorded map 110/L5/97.

Basis of Elevations

The basis of elevations for this topographic map is based on City of Pismo Beach Primary Control Network #9, being a "TP with nail & tag RCE 8906 in mon well at the nw centerline intersection of Spyglass drive & Solano Road." Elevation = 82.002' NAVD88.

Boundary

The property lines shown hereon represent the actual boundary lines based on a boundary survey. Permanent monuments were located in the field and represent the property corners of the property surveyed. This survey was based on 110/L5/97 and Tract 192 (6/MB/40).



PO Box 1383  
San Luis Obispo, CA 93406  
805.461.5560

Surveyor's Notes:

- Boundary information shown hereon is based on field measurements and from data per map 6/MB/40.
- The contour interval is 1.0'.
- A current title report should be referenced for any possible easements not shown on this map.
- The tree driplines are approximate.
- Only the surface evidence of underground utilities have been measured in the field on this survey. If approximate underground alignments are shown, We make no warrantee as to the actual location, type or depth of those underground utilities. Call Underground Service Alert (USA) at 1-800-642-2444 to verify the actual location of utilities prior to any excavation. The surveyor also has made no investigation as to subsurface environmental conditions that would affect the use or development of this property.
- The information shown hereon was prepared as an instrument of service for the client at the time of the survey, and shall not be used in whole or in part for any other project without written authorization from Barak Miles, PLS
- The signed and sealed original drawing of this map constitutes the final work product. Karp Land Surveys will not be liable for electronic versions of this map provided to other parties.
- Copyright 2020-Present, Barak Miles, PLS, Geo West Land Surveys., all rights reserved. All rights reserved. Any copies of this drawing shall have this notice. Any copies, working drawings, or other drawings containing the work product shown hereon, shall contain the following note: Topographic Survey by Geo West Land Surveys; Atascadero.
- This map correctly represents a survey performed by me or under my direction in conformance with the requirements of the Professional Land Surveyor's Act.

Barak Miles, PLS 7835

09/13/2021  
Date



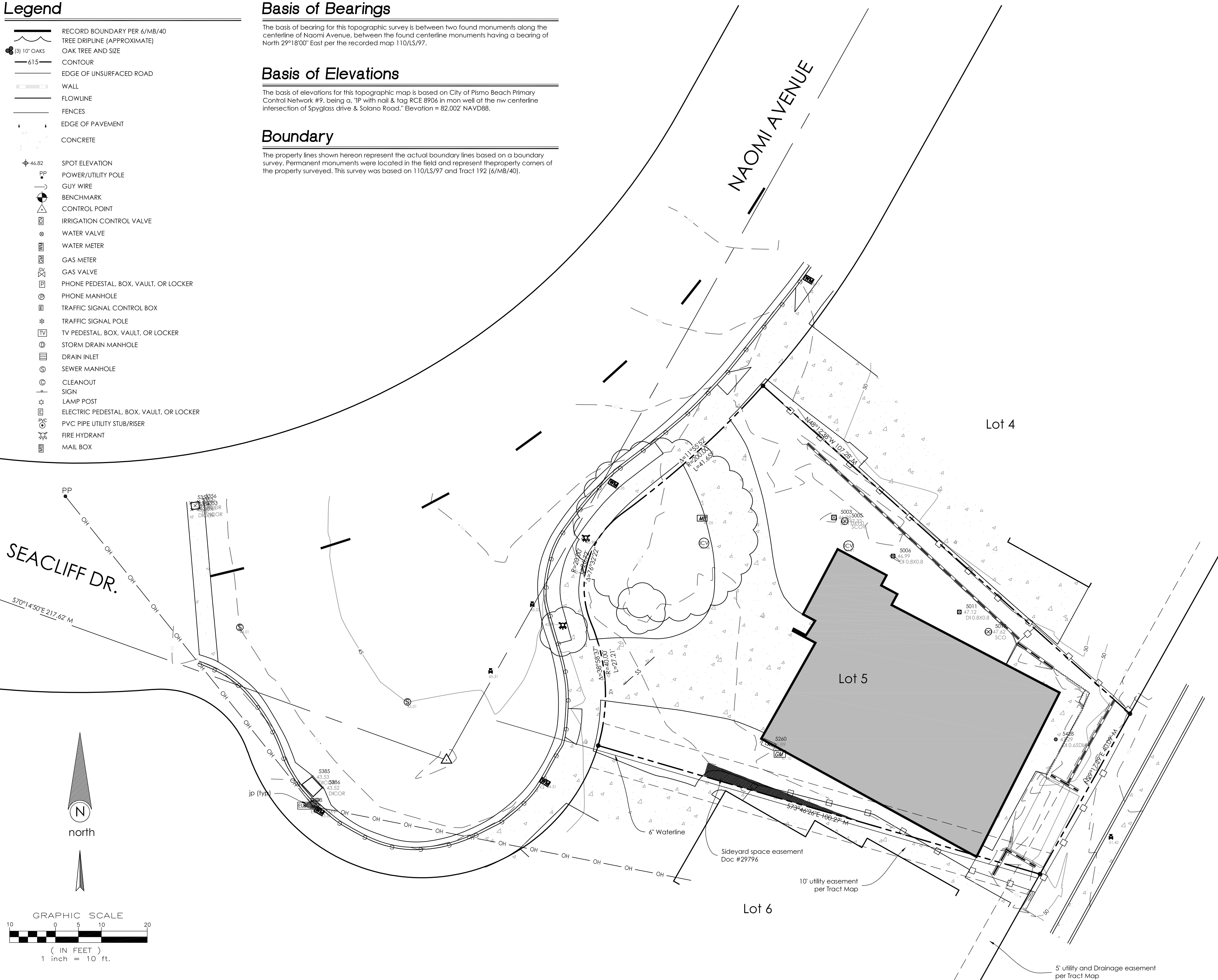
Topographic Map

LOT 5 BLOCK 1 OF TRACT 192 RECORDED IN BOOK 6 OF MAP BOOKS PAGE 40 IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

Prepared for: Scott Newton  
4241 S. Mooney Blvd  
Visalia, CA 93277

Property Address: 171 Naomi  
Shell Beach, CA

Exhibit 2  
A-3-PSB-22-0064  
Page 10 of 10  
Sheet T1







RECEIVED

OCT 25 2022

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

760 Mattie Road, Pismo Beach, CA 93449  
(805) 773-4658 | PismoBeach.org

October 20, 2022

**Sent Via USPS Certified Mail**

**Tracking Number: 7021 0950 0000 2828 2943**

**FINAL LOCAL  
ACTION NOTICE**

**REFERENCE #** 3-PSB-22-0965

**APPEAL PERIOD** 10/25-11/7/22

**Notice of Final Action  
by the City of Pismo Beach Community Development Department  
on a Project located with the Pismo Beach Coastal Zone**

**OWNER / APPLICANT:** Richard Mittry, Mittry Family Trust  
PO Box 338  
Sultana, CA 93666  
Tel: 559-285-6214

**REPRESENTATIVE:** Frances Romero, TW Land Planning & Development, LLC  
195 S. Broadway Street, Suite #209  
Orcutt, CA 93455  
Tel: 805-720-1120 / Email: fromero@twlandplan.com

**DESCRIPTION:**

**Site Address:** 171 Naomi Avenue, Pismo Beach, CA 93449

**Project Summary:** Review and ratification of a Coastal Development Permit to construct a new single-family residence at 171 Naomi Avenue; the project is within the Coastal Zone and is appealable to the Coastal Commission; APN 010-501-005

**DATE OF ACTION:** 10/18/2022

**ACTION:** Adopted Resolution R-2022-091 ratifying the City Council's April 19, 2022, approval of a Coastal Development Permit (P21-000015) to demolish an existing single-family residence and construct a new 3,648-square-foot single-family residence at 171 Naomi Avenue, and approval of a Negative Declaration.

**ATTACHMENTS:**

- 1) Resolution No. 2022-091
- 2) Staff Report & PowerPoint Presentation
- 3) Approved Project Plans
- 4) Legal AD / Notice of Public Hearing
- 5) Correspondence





---

**APPEAL STATUS:**                **THE PROJECT IS APPEALABLE TO THE CALIFORNIA COASTAL COMMISSION**

**NOTE:** Appealable to the California Coastal Commission pursuant to Coastal Act Section 30503. An aggrieved person may appeal this decision to the Coastal Commission within ten working days following Coastal Commission receipt of this notice. Any appeal of this action must be filed in writing to the Coastal Commission using forms obtainable from the Santa Cruz District Office at the address identified above.



**RESOLUTION NO. R-2022-091**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH,  
CALIFORNIA RATIFYING THE CITY COUNCIL'S APRIL 19, 2022 APPROVAL OF A  
COASTAL DEVELOPMENT PERMIT (P21-000015) TO DEMOLISH AN EXISTING  
SINGLE-FAMILY RESIDENCE AND CONSTRUCT A NEW 3,648-SQUARE-FOOT  
SINGLE-FAMILY RESIDENCE AT 171 NAOMI AVENUE, AND APPROVAL OF A  
NEGATIVE DECLARATION**

---

**WHEREAS**, on April 19, 2022, the City Council adopted Resolution R-2022-028, approving a Coastal Development Permit (CDP) to construct a new single-family residence at 171 Naomi Avenue (P21-000015); and

**WHEREAS**, this action was preceded by the adoption of Resolution R-2022-027 adopting a General Plan/Local Coastal Program Amendment to the City of Pismo Beach Land Use Element Planning Area 'E' (St. Andrews Tract) to eliminate development restrictions imposed by Policies LU-E-1 'a' and 'b', making the CDP consistent with the Local Coastal Program (LCP); and

**WHEREAS**, under Resolution R-2022-027, the City Council also adopted a Negative Declaration for the collective actions; and

**WHEREAS**, on September 9, 2022, the California Coastal Commission certified the Local Coastal Program Amendment (LCPA) as submitted; and

**WHEREAS**, Coastal Commission staff informed the City that the City would need to amend the prior CDP action or take a new CDP action to be consistent with the current LCP; and

**WHEREAS**, outside of the certification of the LCPA, no other changes in the facts have occurred related to the CDP; and

**WHEREAS**, it has been determined that ratification of the City Council's prior approval is the appropriate course of action; and

**WHEREAS**, the City Council held a duly-noticed public hearing on October 18, 2022, at which all interested persons were given the opportunity to be heard; and

**WHEREAS**, the City Council finds, after due study, deliberation, and public hearing that the following circumstances exist:



**A. FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

1. The City Council has considered the Initial Study and Negative Declaration dated December 8, 2021 (State Clearinghouse No. 2021120183) and all comments received during the public review period and finds in its independent judgement that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, the City Council finds the Project will not have a significant environmental effect.
2. The project is consistent with the applicable General Plan designation and all applicable General Plan policies, as well as with applicable zoning designation and regulations because the project is in the low-density residential land use category within the R-1 zoning designation, which allows for construction of single-family residences consistent with the density factor of the General Plan.
3. The proposed development occurs within city limits on a project site of no more than five acres and is surrounded by similar or comparable residential uses.
4. The project site has no value as habitat for endangered, rare, or threatened species because the site is currently developed with an existing single-family residence and ornamental landscaping.
5. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality because the project, as conditioned, is consistent with all applicable Zoning Code and California Building Code standards.
6. The site can be adequately served by all required utilities and public services.

**B. FINDINGS FOR APPROVAL OF THE COASTAL DEVELOPMENT PERMIT:**

1. The project improvements comply with the public access and public recreation policies of Chapter 3 (commencing with Section 30220) of the California Coastal Act of 1976.
2. The demolition of an existing 1,340-square-foot-residence and construction of a 3,648-square-foot single-family residence is appropriate in size so as to be compatible with the adjacent residences and structures as the proposed development falls within the range of other similar residences in the surrounding neighborhood.
3. The architecture and general appearance of the two-story single-family residence is in keeping with the character of the neighborhood as the architectural style, building materials, and massing are similar to and compatible with other residences in the neighborhood.



4. The proposed development is consistent with the General Plan, Local Coastal Program, and General Plan Land Use Plan category of Low-Density Residential (R-1).
5. The proposed development is compatible with the nearby existing uses and not detrimental to the health, safety, morals, comfort, and general welfare of persons living or working in the surrounding area of the proposed project because the proposed use includes the development of a new single-family residence where other single-family residences exist in the immediate neighborhood.
6. The proposed development will not be detrimental to the orderly development of improvements in the surrounding area and will not be detrimental to the orderly and harmonious development of the city because the proposed use is similar to other residential development in the immediate neighborhood.
7. The proposed development will not impair the desirability of investment or occupation in the neighborhood because the proposed use is similar to other residential development in the immediate neighborhood and maintains a similar scale and character to other development in the same R-1 zone.
8. The proposed project will not significantly alter existing natural landforms because the project site does not contain prominent natural landforms.
9. The height, bulk, and scape of the proposed development is compatible with the adjacent area and with the surrounding views and other Local Coastal Program Land Use Plan considerations as designed.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Pismo Beach hereby ratifies its April 19, 2022, approval of Coastal Development Permit P21-000015, with the above findings and subject to the conditions as set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.


**BE IT FURTHER RESOLVED** that the City Council of the City of Pismo Beach hereby ratifies the adoption of the Negative Declaration with the above findings, which is incorporated herein by this reference.

**UPON MOTION OF** Mayor Pro Tem Reiss, seconded by Council Member Guthrie, the foregoing resolution was adopted by the City Council of the City of Pismo Beach this 18<sup>th</sup> day of October 2022, by the following vote:


<b>AYES:</b>	<b>3</b>	<b>Reiss, Guthrie, Waage</b>
<b>NOES:</b>	<b>1</b>	<b>Blake</b>
<b>ABSENT:</b>	<b>0</b>	
<b>ABSTAIN:</b>	<b>0</b>	
<b>RECUSED:</b>	<b>1</b>	<b>Newton</b>



Approved:

  
Ed Waage, Mayor

Attest:

  
Erica Inderlied, City Clerk





**EXHIBIT A**

**CITY OF PISMO BEACH CONDITIONS OF APPROVAL  
CITY COUNCIL MEETING OF OCTOBER 18, 2022  
PERMIT NO. P21-000015, CDP / ARP  
LOCATION: 171 NAOMI AVENUE, APN: 010-501-005**

The conditions set forth in this permit affect the title and possession of the real property that is the subject of this permit and shall run with the real property or any portion thereof. All the terms, covenants, conditions, and restrictions herein imposed shall be binding upon and inure to the benefit of the owner and applicant, his or her heirs, administrators, executors, successors and assigns. Upon any sale, division or lease of real property, all the conditions of this permit shall apply separately to each portion of the real property and the owner (applicant, developer) and/or possessor of any such portion shall succeed to and be bound by the obligations imposed on owner (applicant, developer) by this permit.

**AUTHORIZATION:** Subject to the conditions stated below, approval of Permit P21-000015 grants planning permits for the demolition of an existing residence and construction of a new two-story single-family residence as shown on the approved plans with City of Pismo Beach stamp of October 18, 2022. Approval is granted only for the construction and use as herein stated; any proposed changes shall require approval of amendments to these permits by the City of Pismo Beach.

**EFFECTIVE DATE:** This permit shall become effective only upon City Council adoption and Coastal Commission certification of the General Plan/Local Coastal Program amendment to eliminate Policy LU-E-1 'a' and 'b' for the subject property at 171 Naomi Avenue (P21-000054) and upon the approval of this permit by the California Coastal Commission, provided that an appeal has not been filed to the California Coastal Commission within the 10 day appeal period following filing of a complete final local action notice. The filing of an appeal shall stay the effective date until an action is taken on the appeal.

**EXPIRATION DATE:** The applicant is granted two years for inauguration (i.e. building permits issued and construction begun) of this permit. The permits will expire on October 18, 2024, unless inaugurated prior to that date. Time extensions are permitted pursuant to Zoning Code Section 17.121.160 (2).

**ACCEPTANCE OF PERMIT AND CONDITIONS:** The property owner and the applicant (if different) shall sign these Conditions within ten (10) working days of receipt; the permit is not valid until signed by the property owner and applicant.



**COMPLIANCE AGREEMENT:** I have read and understood, and I will comply with all applicable requirements of any law or agency of the State, City of Pismo Beach, and any other governmental entity at the time of construction. The duty of inquiry as to such requirements shall be my responsibility. I agree to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the project; or my failure to comply with conditions of approval. This agreement shall be binding on all successors and assigns.

**I HAVE READ AND UNDERSTOOD, AND I WILL COMPLY WITH ALL ATTACHED STATED CONDITIONS OF THIS PERMIT**

Approved by the City Council on October 18, 2022.

\_\_\_\_\_  
Owner/Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner/Applicant

\_\_\_\_\_  
Date



**CONDITIONS, POLICIES, AND SELECTED CODE REQUIREMENTS FOR  
PROJECT NO. P21-000015  
171 NAOMI AVENUE, APN 010-501-005**

Conditions as indicated below have been deemed to be of a substantive nature on the basis of the City Council's decision. These conditions cannot be altered without Planning Commission approval.

**A. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A BUILDING PERMIT:**

**BUILDING DIVISION**

1. All construction shall conform to the edition of the applicable California Building Code (CBC) or California Residential Code (CRC), the California Plumbing Code, the California Mechanical Code, the California Electrical Code, the California Energy Code, and the California Green Building Standards Code, including City of Pismo Beach amendments, in effect when an application for a construction permit is submitted to the Building Division.
2. An application for a Building Permit remains valid for 365 days after the date of filing. If a permit is not issued by this date, the application shall expire. In order to renew action on an application after expiration, the applicant must confirm that Planning approvals remain valid and then submit a new application, plans and documentation and pay a new plan review fee.
3. All required documents essential to the design of the project shall be submitted with the construction permit application. No deferred submittals, such as truss details, fire sprinkler plans, metal fabrication drawings, etc., are allowed.
4. City of Pismo Beach policy requires a soils investigation for all new buildings and additions where the new floor area will exceed 500 square feet. The soils engineer shall evaluate soils in the area of the proposed structure and offer appropriate recommendations. The soils report shall be unique to this lot and current (dated less than 2 years prior to permit application date) and submitted with the building permit application.
5. Underground electric service conductors are required.

6. The location of this project is in a noise critical area identified by the Noise Element of the City's General Plan. Interior community noise equivalent levels (CNEL) with windows closed, attributed to exterior sources shall not exceed an annual CNEL of 45 dB in any habitable room. Provide an acoustical analysis report, prepared under the supervision of a person experienced in the field of acoustical engineering, with the application for building permit. The report shall show:
  - Topographical relationship of noise sources and dwelling site.
  - Identification of noise sources and their characteristics, predicted noise spectra at the exterior of the proposed dwelling structure considering present and future land usage.
  - Basis for the prediction (measured or obtained from published data), noise attenuation measures to be applied, and an analysis of the noise insulation effectiveness of the proposed construction showing that the prescribed interior noise level requirements are met.
  - If interior allowable noise levels are met by requiring that windows be non-openable or closed, the design for the structure must also specify the means that will be employed to provide ventilation to provide a habitable interior environment.
7. Provide a photovoltaic (PV) system meeting the minimum requirements specified in Section 150.1(c)14 of the CA Energy Code, with an annual electrical output equal to or greater than the dwelling's annual usage. Provide a calculation on plan sheet and show location of PV system on roof plan and elevation views. Note on plans that a separate permit is required for the PV system. Submit a separate permit application and complete plans for the PV system. Deferred submittals are not allowed; the permit for the PV system shall be issued concurrent with the building permit for the residence.
8. All conditions of the Planning Permit, such as required lot mergers, a required subdivision map, public improvement design documents, mitigation measures and any other requirement of the City shall be completely satisfied prior to Building Permit issuance for the project. No building permits for a part of the overall project will be considered, such as early grading, foundation only, partial demolition, etc.
9. A separate permit is required to demolish each existing structure on the site as necessary to allow the new project to proceed.

## **PLANNING DIVISION**

10. COMPLIANCE WITH GENERAL PLAN. Prior to the issuance of a building permit, the Project Planner shall confirm that the plan set and building elevations are in compliance with the General Plan.
11. COMPLIANCE WITH PLANNING COMMISSION APPROVAL. Prior to the issuance of a building permit, the Project Planner shall confirm that the construction plot plan



and building elevations are in compliance with the City Council's approval and these conditions. Project shall comply with these standards:

Item	Approved
Lot Area	7,300 sf (existing lot of record)
Maximum Building Height	25' (66' elev.) from centerpoint of building (48'); and 15' (66' elev.) from highpoint of lot (51'3")
Maximum Building Area	3,648 sf (includes garage)
2 <sup>nd</sup> floor/1 <sup>st</sup> floor ratio	1,620 sf, (79.8%)
Maximum Lot Coverage	2,387 sf (32.7%)
Minimum Planting Area	2,140 sf (29.3%)
Setbacks	Front – 24' Side – 5' Rear – 11'-7" Garage – 25'
Parking Spaces	2 spaces within garage

12. **COLORS AND MATERIALS.** Colors and materials shall be consistent with those shown on the color board as reviewed and approved by the City Council on April 14, 2022.

13. **LANDSCAPING AND IRRIGATION PLANS.** Landscaping and irrigation plans encompassing the entire site shall be submitted by the project applicant to the City for review and approval by the project planner. Detailed calculations shall be provided on the face of the plan indicating the provision of a minimum of 20% landscaping provided for the project site. The Plans shall be consistent with Chapter 15.48 of the City of Pismo Beach Municipal Code. The landscape plan shall include the following provisions:

- a. Use of low-water-using irrigation systems. Drip irrigation shall be used.
- b. Landscape Design Plan (including a plant list that only uses drought tolerant of local native plant varieties).
- c. Irrigation Design Plan.
- d. Tree list, including mature height of all trees not to exceed the height of the residence.
- e. Landscaping square footage shall be calculated based on the lot size after any dedication.
- f. The Model Water Efficient Landscape Ordinance (MWELo) requires City provided forms for Prescriptive Compliance water use to be submitted with the Building Permit Plans.

## **ENGINEERING DIVISION**

14. **Engineering standard conditions (notes):** Shall be placed on the plans at time of submittal. A copy may be obtained through the Engineering Department.

15. Project improvements shall be designed and constructed in accordance with City standards and specifications and in accordance with all applicable City Ordinances. The decision of the City Engineer shall be final regarding the specific standards that shall apply.
16. Appropriate City standards shall be referred to on the plans and shall be included on a detail sheet within the plan set.
17. Encroachment Permits are required prior to any/all work in the public right of way. City Streets are to remain open to through traffic at all times. A traffic control plan shall be submitted to the Engineering Division for approval prior to detours or rerouting of traffic. Excavation within the streets shall be covered or backfilled and paved prior to the end of work each day. No temporary or long-term parking, storage, or disposal of construction equipment or materials within the right-of-way shall occur without prior issuance of an encroachment permit.
18. A waiver shall be obtained for any excavation in the roadway per the Pavement Cut Ordinance (O-2018-003) prior to issuance of a Building Permit. If a waiver is granted, the roadway shall be repaired in accordance with the guidelines included in the Pavement Cut Ordinance. Naomi Avenue is under a pavement cut moratorium until February 7, 2022. The road is paved in rubberized asphalt. Street repair shall be approved by the City Engineer.
19. The City Engineering Division shall approve any landscaping or irrigation within a public right of way. All landscaping shall be maintained by the homeowner.
20. The applicant shall provide a current title report to the Engineering Division.
21. Driveways and driveway approaches shall be located and constructed per City of Pismo Beach standards. Profiles shall be provided for all interior driveways.
22. The Owner and/or owner's contractor are to take precaution against damaging road surfaces. Note: The existing street sections adjacent the property may be substandard and may be subject to damage by heavy loading/equipment during construction. The owner is responsible for protection against and/or repair of, at owner's expense, any/all damage incurred during and/or due to construction.
23. Erosion and Drainage control features are to be available to be placed in the event of rain or other erosive action to prevent any sediment or refuse from leaving the site. Erosion control devices shall be installed and in place following daily construction activities. The applicant shall notify the Engineering Division of any changes in construction which will require additional erosion control measures. No Building Permits will be issued without prior approval of the Engineering Division and an approved erosion and sediment control plan and construction schedule. Erosion control measures shall be in place and approved by the Engineering Division prior to the start of construction.



### **Grading and Drainage Plans**

24. A Preliminary Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.
25. All grading and drainage improvements shall be designed and constructed in accordance with the City Grading Ordinance and subject to approval by the City Engineer.
26. The project shall conform to the City's Storm Water Discharge Ordinance.
27. Post Construction Requirements: In order for the proposed development to maintain conformance with the City's Regional Stormwater Permit, implementation of Low Impact Development (LID) source control, site design, and stormwater treatment onsite or at a joint stormwater treatment facility shall be required. The stormwater design shall be submitted for review and approval by the City Engineer and in addition shall provide mitigation for post development runoff versus pre-development runoff. A Stormwater Control Plan application shall be submitted.
28. A Water Pollution Control Plan (WPCP) shall be submitted.
29. Calculations and/or a drainage report must be submitted with the plans.
30. The applicant shall submit a composite utility plan.
31. Landscape and irrigation plans in the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Public Works Department and the Community Development Department.
32. An Erosion and Drainage Control Plan shall be submitted in accordance with the City Grading Ordinance. The plan shall reflect "Best Management Practices" as proposed in the California Regional Water Quality Control Board Erosion and Sediment Control Field Manual and shall include both temporary measures (to be used during construction, and until permanent measures are completed/established) and permanent measures. Plan shall include both source control and perimeter containment measures. All Drainage and Erosion Control Measures shall be designed and/or sized by a qualified professional.
33. A Storm Water Pollution Prevention Plan per the State General Permit for Storm Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.

### **Utilities**

34. The applicant shall install all utilities.

35. All utilities shall be extended to the boundaries of the project.

**36. Sewer System Requirements**

- a. Applicant is required to show the existing location of the Sewer Main in the street and location of the sewer lateral, if existing, on the plans. If no lateral exists or existing lateral is in poor condition, then applicant is responsible for all costs, materials and labor for the installation of a new lateral. If existing sewer lateral is to be utilized, the applicant must have a video inspection performed of the sewer lateral to confirm the condition and material of the lateral and provide the Public Works department with a copy of the video for review. Show size and type of all sewer lines.

**37. Water System Requirements**

- a. Applicant is required to show the existing location of the Water Main in the street and location of the existing water lateral, if existing, on the plans. The size of the proposed lateral and proposed water meter shall be shown on the plans. If existing lateral is inadequate for the proposed water meter, then applicant is responsible for all costs, materials and labor for the installation of a new water lateral. Show size and type of all water lines. Minimum water lateral and meter size is 1".

38. All wire utility services to the project shall be located underground.

**B. CONDITIONS TO BE MET DURING CONSTRUCTION:**

**BUILDING DIVISION**

1. **SITE MAINTENANCE.** During construction, the site shall be maintained so as to not infringe on neighboring property, such as debris and dust.

**PLANNING DIVISION**

2. **ARCHAEOLOGICAL MATERIALS.** In the event unforeseen archaeological resources are unearthed during any construction activities, all grading and or excavation shall cease in the immediate area and the find left untouched. The Building Official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, Native American, or paleontologist, whichever is appropriate. The qualified professional shall evaluate the find and make recommendations related to the preservation or disposition of artifacts in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the Building Official shall notify to county coroner. If human remains are found to be of ancient age and of archaeological and spiritual significance, the Building Official shall notify the Native American Heritage Commission. The developer shall be liable for costs associated with the professional investigation.



3. Certification of compliance with the soils report shall be submitted to the Building Division prior to foundation approvals. A final report certifying compliance with the soils report or grading plans shall be submitted to the Building Division prior to final approvals.
4. A licensed surveyor or engineer shall verify pad elevations, setbacks, prior to foundation inspection, and roof elevations, prior to roof sheeting inspection, when determined necessary by the Planning Department.

**C. CONDITIONS TO BE MET PRIOR TO REQUEST FOR A FRAMING INSPECTION:**

**PLANNING DIVISION**

1. ROOF HEIGHT. Prior to requesting a framing inspection, a licensed surveyor shall measure and certify the height of the building including anticipated finishing materials. Height to be certified as shown on approved plans.

**D. CONDITIONS TO BE MET PRIOR TO FINAL INSPECTION AND ISSUANCE OF CERTIFICATE OF OCCUPANCY:**

**PLANNING DIVISION**

1. COMPLETION OF LANDSCAPING. All landscaping and irrigation systems shown on the approved plans shall be installed by the applicant and shall be subject to inspection and approval by the Project Planner prior to the issuance of a Certificate of Occupancy.

**BUILDING DIVISION**

2. Prior to Building Division final approval, all required inspections from the other various divisions must have been completed and verified by a city inspector.

**E. CONDITIONS SUBJECT TO ONGOING COMPLIANCE:**

1. ROOF-MOUNTED EQUIPMENT. All roof-mounted air conditioning or heating equipment, vents or ducts shall be screened from view in a manner approved by the Project Planner.
2. COMPLIANCE WITH APPLICABLE LAWS. All applicable requirements of any law or agency of the State, City of Pismo Beach and any other governmental entity at the time of construction shall be met. The duty of inquiry as to such requirements shall be upon the applicant.
3. HOLD HARMLESS. The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees,

from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicant's failure to comply with conditions of approval. This condition shall be binding on all successors and assigns.

4. The property owner and the applicant (if different) shall sign these Conditions of Approval within ten (10) working days of receipt; the permit is not valid until signed by the property owner and applicant.

**F. PLANNING COMMISSION COMMENTS**

1. Any significant architectural changes will be subject to Planning Commission review and approval.

**-END-**





## RECORD OF MINUTE ORDER Pismo Beach City Council

**October 18, 2022 Regular Meeting—5:30 p.m.  
Council Chamber, City Hall, 760 Mattie Road, Pismo Beach, CA 93449**

*The following is a true and correct representation of an action taken by the Pismo Beach City Council, presented while the final minute record for the meeting is pending adoption.*

### **MEMBERS:**

#### **Present:**

Mayor Ed Waage  
Mayor Pro Tem Mary Ann Reiss  
Council Member Sheila Blake  
Council Member Marcia Guthrie  
Council Member Scott Newton

#### **Absent:**

None

### **PUBLIC HEARING**

**Item 11.A: Review and Ratification of a Coastal Development Permit to Construct a New Single-Family Residence at 171 Naomi Avenue; The Project is Within the Coastal Zone and is Appealable to the Coastal Commission; APN 010-501-005 (Downing)**

*Council Member Newtown announced a disqualifying conflict of interest relating to real property.*

#### **Recommendation:**

Adopt a Resolution ratifying the City Council's April 19, 2022, approval of a Coastal Development Permit (P21-000015) to demolish an existing single-family residence and construct a new 3,648-square-foot single-family residence at 171 Naomi Avenue, and approval of a Negative Declaration.

#### **Presenting staff:**

Matt Downing, Community Development Director  
James R. Lewis, City Manager

**Public Hearing / Call for public comment:** No comment.

The following spoke:

Frances Romero, Applicant Representative  
Jay Chapel

Darlene Tunney Rosene

Tedd

Joan Suttle

Frances Romero, Applicant Representative

**Action:** Adopt a Resolution ratifying the City Council's April 19, 2022, approval of a Coastal Development Permit (P21-000015) to demolish an existing single-family residence and construct a new 3,648-square-foot single-family residence at 171 Naomi Avenue, and approval of a Negative Declaration.

Motion: Reiss

Second: Guthrie

Vote: The motion passed on the following vote:

Ayes:	3	Reiss, Guthrie, Waage
Noes:	1	Blake
Absent:	0	
Abstain:	0	
Recused:	1	Newton


Legislative Record: **Resolution R-2022-091** adopted.

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### **CERTIFICATION**

The foregoing is a true and correct representation of an action taken by the Pismo Beach City Council, and the same will be reflected in the final minute record for the meeting.

Dated: October 20, 2022

  
Erica Inderlied  
City Clerk, City of Pismo Beach





## **PISMO BEACH COUNCIL AGENDA REPORT**

**Agenda Item #11.A**

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### **SUBJECT/TITLE:**

**REVIEW AND RATIFICATION OF A COASTAL DEVELOPMENT PERMIT TO CONSTRUCT A NEW SINGLE-FAMILY RESIDENCE AT 171 NAOMI AVENUE; THE PROJECT IS WITHIN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION; APN 010-501-005**

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### **RECOMMENDATION:**

Adopt a **Resolution** ratifying the City Council's April 19, 2022, approval of a Coastal Development Permit (P21-000015) to demolish an existing single-family residence and construct a new 3,648-square-foot single-family residence at 171 Naomi Avenue, and approval of a Negative Declaration.

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### **BACKGROUND:**

On April 19, 2022, the City Council adopted Resolution R-2022-028, approving a Coastal Development Permit (CDP) to construct a new single-family residence at 171 Naomi Avenue (P21-000015). This action was preceded by the adoption of Resolution R-2022-027 adopting a General Plan/Local Coastal Program Amendment to the City of Pismo Beach Land Use Element Planning Area 'E' (St. Andrews Tract) to eliminate development restrictions imposed by Policies LU-E-1 'a' and 'b', and based on the anticipated certification of the Local Coastal Program Amendment (LCPA) by the California Coastal Commission (CCC). Under Resolution R-2022-027, the City Council also adopted a CEQA Negative Declaration for the collective actions. The staff reports for the [General Plan/Local Coastal Program Amendment](#)<sup>1</sup> and the [CDP](#)<sup>2</sup> items from that meeting can be found in the [Access Pismo](#)<sup>3</sup> online public records portal.

On September 9, 2022, the CCC certified the LCPA as submitted, eliminating the development restrictions previously imposed. Through the processing of the LCPA, CCC staff informed the City that the previously-discussed approval process, in which the City would not submit a Notice of Final Action (NOFA) for the CDP until after CCC certification of the LCPA, was no longer supported. According to CCC staff, this process would not allow the CDP to be found consistent with the LCP, regardless of the final action on the LCPA, as action was taken on the CDP under the previous LCP. CCC staff indicated that the City would therefore need to amend its prior CDP action, or take a new CDP action to be consistent with the current (amended) LCP.

The ratification of the Council's prior approval of the CDP is appropriate, as the Council's prior action anticipated the approval by the CCC of the GP/LCP amendment to eliminate the development restrictions imposed by Policies LU-E-1 'a' and 'b', and the finding of

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<sup>1</sup> Full URLs:

<https://accesspismo.pismo-beach.org/WebLink/DocView.aspx?id=421847&dbid=0&repo=Laserfiche>

<sup>2</sup> <https://accesspismo.pismo-beach.org/WebLink/DocView.aspx?id=421848&dbid=0&repo=Laserfiche>

<sup>3</sup> <https://accesspismo.pismo-beach.org/WebLink/Browse.aspx?id=367465&dbid=0&repo=Laserfiche>

consistency with the GP/LCP for this project was based on the GP/LCP as revised to remove those restrictions. Upon ratification of the prior approval, staff can then transmit the NOFA to CCC.

### **Environmental Determination**

In accordance with the California Environmental Quality Act (CEQA), staff prepared an Initial Study for the project because it involved an amendment to the GP/LCP in addition to the single-family residence project. After completion of the Initial Study, staff found that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment, that the preparation of an Environmental Impact Report is not necessary, and no mitigation is required. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Title 14 Section 15000 et seq.) for the project was prepared (**Attachment 2**). Ratification of the Council's previous approval, by adoption of the Resolution provided as **Attachment 1**, would also effect the Council's approval of this Negative Declaration.

It should also be noted that with the General Plan/Local Coastal Program Amendment certified, the CDP would qualify for categorical exemption from CEQA pursuant to Section 15303(a) of the CEQA Guidelines regarding construction of a new single-family residence.

### **Conclusion and Recommendation**

The Council previously approved the proposed CDP on the basis of the General Plan/Local Coastal Program being modified to ensure consistency. Since that action, the CCC certified the LPCA as submitted. No other changes have occurred that should affect the Council's previous action. Therefore, staff recommends that the Council adopt a Resolution (**Attachment 1**) ratifying its prior approval of the CDP for the construction of a new single-family residence.

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### **FISCAL IMPACT:**

There is no direct fiscal impact as a result of staff's recommended action.

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### **ALTERNATIVES:**

1. Do not adopt the Resolution; provide direction to staff.

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### **ATTACHMENTS:**

1. Resolution
2. [Initial Study/Negative Declaration](#) (online attachment only; available in the Access Pismo public records portal at [www.pismo-beach.org/accesspismo](http://www.pismo-beach.org/accesspismo)<sup>4</sup>)

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**Submitted by:**  
Matthew Downing, Community Development Director  
**City Manager Approval:**

**Meeting Date:** October 18, 2022



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<sup>4</sup> <https://accesspismo.pismo-beach.org/WebLink/DocView.aspx?id=450630&dbid=0&repo=Laserfiche>

**RESOLUTION NO. R-2022-XXX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH,  
CALIFORNIA RATIFYING THE CITY COUNCIL'S APRIL 19, 2022 APPROVAL OF A  
COASTAL DEVELOPMENT PERMIT (P21-000015) TO DEMOLISH AN EXISTING  
SINGLE-FAMILY RESIDENCE AND CONSTRUCT A NEW 3,648-SQUARE-FOOT  
SINGLE-FAMILY RESIDENCE AT 171 NAOMI AVENUE, AND APPROVAL OF A  
NEGATIVE DECLARATION**

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**WHEREAS**, on April 19, 2022, the City Council adopted Resolution R-2022-028, approving a Coastal Development Permit (CDP) to construct a new single-family residence at 171 Naomi Avenue (P21-000015); and

**WHEREAS**, this action was preceded by the adoption of Resolution R-2022-027 adopting a General Plan/Local Coastal Program Amendment to the City of Pismo Beach Land Use Element Planning Area 'E' (St. Andrews Tract) to eliminate development restrictions imposed by Policies LU-E-1 'a' and 'b', making the CDP consistent with the Local Coastal Program (LCP); and

**WHEREAS**, under Resolution R-2022-027, the City Council also adopted a Negative Declaration for the collective actions; and

**WHEREAS**, on September 9, 2022, the California Coastal Commission certified the Local Coastal Program Amendment (LCPA) as submitted; and

**WHEREAS**, Coastal Commission staff informed the City that the City would need to amend the prior CDP action or take a new CDP action to be consistent with the current LCP; and

**WHEREAS**, outside of the certification of the LCPA, no other changes in the facts have occurred related to the CDP; and

**WHEREAS**, it has been determined that ratification of the City Council's prior approval is the appropriate course of action; and

**WHEREAS**, the City Council held a duly-noticed public hearing on October 18, 2022, at which all interested persons were given the opportunity to be heard; and

**WHEREAS**, the City Council finds, after due study, deliberation, and public hearing that the following circumstances exist:



**A. FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

1. The City Council has considered the Initial Study and Negative Declaration dated December 8, 2021 (State Clearinghouse No. 2021120183) and all comments received during the public review period and finds in its independent judgement that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, the City Council finds the Project will not have a significant environmental effect.
2. The project is consistent with the applicable General Plan designation and all applicable General Plan policies, as well as with applicable zoning designation and regulations because the project is in the low-density residential land use category within the R-1 zoning designation, which allows for construction of single-family residences consistent with the density factor of the General Plan.
3. The proposed development occurs within city limits on a project site of no more than five acres and is surrounded by similar or comparable residential uses.
4. The project site has no value as habitat for endangered, rare, or threatened species because the site is currently developed with an existing single-family residence and ornamental landscaping.
5. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality because the project, as conditioned, is consistent with all applicable Zoning Code and California Building Code standards.
6. The site can be adequately served by all required utilities and public services.

**B. FINDINGS FOR APPROVAL OF THE COASTAL DEVELOPMENT PERMIT:**

1. The project improvements comply with the public access and public recreation policies of Chapter 3 (commencing with Section 30220) of the California Coastal Act of 1976.
2. The demolition of an existing 1,340-square-foot-residence and construction of a 3,648-square-foot single-family residence is appropriate in size so as to be compatible with the adjacent residences and structures as the proposed development falls within the range of other similar residences in the surrounding neighborhood.
3. The architecture and general appearance of the two-story single-family residence is in keeping with the character of the neighborhood as the architectural style, building materials, and massing are similar to and compatible with other residences in the neighborhood.

4. The proposed development is consistent with the General Plan, Local Coastal Program, and General Plan Land Use Plan category of Low-Density Residential (R-1).
5. The proposed development is compatible with the nearby existing uses and not detrimental to the health, safety, morals, comfort, and general welfare of persons living or working in the surrounding area of the proposed project because the proposed use includes the development of a new single-family residence where other single-family residences exist in the immediate neighborhood.
6. The proposed development will not be detrimental to the orderly development of improvements in the surrounding area and will not be detrimental to the orderly and harmonious development of the city because the proposed use is similar to other residential development in the immediate neighborhood.
7. The proposed development will not impair the desirability of investment or occupation in the neighborhood because the proposed use is similar to other residential development in the immediate neighborhood and maintains a similar scale and character to other development in the same R-1 zone.
8. The proposed project will not significantly alter existing natural landforms because the project site does not contain prominent natural landforms.
9. The height, bulk, and scape of the proposed development is compatible with the adjacent area and with the surrounding views and other Local Coastal Program Land Use Plan considerations as designed.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Pismo Beach hereby ratifies its April 19, 2022, approval of Coastal Development Permit P21-000015, with the above findings and subject to the conditions as set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

**BE IT FURTHER RESOLVED** that the City Council of the City of Pismo Beach hereby ratifies the adoption of the Negative Declaration with the above findings, which is incorporated herein by this reference.

**UPON MOTION OF** Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing resolution was adopted by the City Council of the City of Pismo Beach this 18<sup>th</sup> day of October 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**RECUSED:**

**Approved:**

\_\_\_\_\_  
**Ed Waage, Mayor**

**Attest:**

\_\_\_\_\_  
**Erica Inderlied, City Clerk**



**EXHIBIT A**

**CITY OF PISMO BEACH CONDITIONS OF APPROVAL  
CITY COUNCIL MEETING OF OCTOBER 18, 2022  
PERMIT NO. P21-000015, CDP / ARP  
LOCATION: 171 NAOMI AVENUE, APN: 010-501-005**

The conditions set forth in this permit affect the title and possession of the real property that is the subject of this permit and shall run with the real property or any portion thereof. All the terms, covenants, conditions, and restrictions herein imposed shall be binding upon and inure to the benefit of the owner and applicant, his or her heirs, administrators, executors, successors and assigns. Upon any sale, division or lease of real property, all the conditions of this permit shall apply separately to each portion of the real property and the owner (applicant, developer) and/or possessor of any such portion shall succeed to and be bound by the obligations imposed on owner (applicant, developer) by this permit.

**AUTHORIZATION:** Subject to the conditions stated below, approval of Permit P21-000015 grants planning permits for the demolition of an existing residence and construction of a new two-story single-family residence as shown on the approved plans with City of Pismo Beach stamp of October 18, 2022. Approval is granted only for the construction and use as herein stated; any proposed changes shall require approval of amendments to these permits by the City of Pismo Beach.

**EFFECTIVE DATE:** This permit shall become effective only upon City Council adoption and Coastal Commission certification of the General Plan/Local Coastal Program amendment to eliminate Policy LU-E-1 'a' and 'b' for the subject property at 171 Naomi Avenue (P21-000054) and upon the approval of this permit by the California Coastal Commission, provided that an appeal has not been filed to the California Coastal Commission within the 10 day appeal period following filing of a complete final local action notice. The filing of an appeal shall stay the effective date until an action is taken on the appeal.

**EXPIRATION DATE:** The applicant is granted two years for inauguration (i.e. building permits issued and construction begun) of this permit. The permits will expire on October 18, 2024, unless inaugurated prior to that date. Time extensions are permitted pursuant to Zoning Code Section 17.121.160 (2).

**ACCEPTANCE OF PERMIT AND CONDITIONS:** The property owner and the applicant (if different) shall sign these Conditions within ten (10) working days of receipt; the permit is not valid until signed by the property owner and applicant.

**COMPLIANCE AGREEMENT:** I have read and understood, and I will comply with all applicable requirements of any law or agency of the State, City of Pismo Beach, and any other governmental entity at the time of construction. The duty of inquiry as to such requirements shall be my responsibility. I agree to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the project; or my failure to comply with conditions of approval. This agreement shall be binding on all successors and assigns.

**I HAVE READ AND UNDERSTOOD, AND I WILL COMPLY WITH ALL ATTACHED STATED CONDITIONS OF THIS PERMIT**

Approved by the City Council on October 18, 2022.

\_\_\_\_\_  
Owner/Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner/Applicant

\_\_\_\_\_  
Date

**CONDITIONS, POLICIES, AND SELECTED CODE REQUIREMENTS FOR  
PROJECT NO. P21-000015  
171 NAOMI AVENUE, APN 010-501-005**

Conditions as indicated below have been deemed to be of a substantive nature on the basis of the City Council's decision. These conditions cannot be altered without Planning Commission approval.

**A. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A BUILDING PERMIT:**

**BUILDING DIVISION**

1. All construction shall conform to the edition of the applicable California Building Code (CBC) or California Residential Code (CRC), the California Plumbing Code, the California Mechanical Code, the California Electrical Code, the California Energy Code, and the California Green Building Standards Code, including City of Pismo Beach amendments, in effect when an application for a construction permit is submitted to the Building Division.
2. An application for a Building Permit remains valid for 365 days after the date of filing. If a permit is not issued by this date, the application shall expire. In order to renew action on an application after expiration, the applicant must confirm that Planning approvals remain valid and then submit a new application, plans and documentation and pay a new plan review fee.
3. All required documents essential to the design of the project shall be submitted with the construction permit application. No deferred submittals, such as truss details, fire sprinkler plans, metal fabrication drawings, etc., are allowed.
4. City of Pismo Beach policy requires a soils investigation for all new buildings and additions where the new floor area will exceed 500 square feet. The soils engineer shall evaluate soils in the area of the proposed structure and offer appropriate recommendations. The soils report shall be unique to this lot and current (dated less than 2 years prior to permit application date) and submitted with the building permit application.
5. Underground electric service conductors are required.



6. The location of this project is in a noise critical area identified by the Noise Element of the City's General Plan. Interior community noise equivalent levels (CNEL) with windows closed, attributed to exterior sources shall not exceed an annual CNEL of 45 dB in any habitable room. Provide an acoustical analysis report, prepared under the supervision of a person experienced in the field of acoustical engineering, with the application for building permit. The report shall show:
- Topographical relationship of noise sources and dwelling site.
  - Identification of noise sources and their characteristics, predicted noise spectra at the exterior of the proposed dwelling structure considering present and future land usage.
  - Basis for the prediction (measured or obtained from published data), noise attenuation measures to be applied, and an analysis of the noise insulation effectiveness of the proposed construction showing that the prescribed interior noise level requirements are met.
  - If interior allowable noise levels are met by requiring that windows be non-openable or closed, the design for the structure must also specify the means that will be employed to provide ventilation to provide a habitable interior environment.
7. Provide a photovoltaic (PV) system meeting the minimum requirements specified in Section 150.1(c)14 of the CA Energy Code, with an annual electrical output equal to or greater than the dwelling's annual usage. Provide a calculation on plan sheet and show location of PV system on roof plan and elevation views. Note on plans that a separate permit is required for the PV system. Submit a separate permit application and complete plans for the PV system. Deferred submittals are not allowed; the permit for the PV system shall be issued concurrent with the building permit for the residence.
8. All conditions of the Planning Permit, such as required lot mergers, a required subdivision map, public improvement design documents, mitigation measures and any other requirement of the City shall be completely satisfied prior to Building Permit issuance for the project. No building permits for a part of the overall project will be considered, such as early grading, foundation only, partial demolition, etc.
9. A separate permit is required to demolish each existing structure on the site as necessary to allow the new project to proceed.

## PLANNING DIVISION

10. COMPLIANCE WITH GENERAL PLAN. Prior to the issuance of a building permit, the Project Planner shall confirm that the plan set and building elevations are in compliance with the General Plan.
11. COMPLIANCE WITH PLANNING COMMISSION APPROVAL. Prior to the issuance of a building permit, the Project Planner shall confirm that the construction plot plan

and building elevations are in compliance with the City Council's approval and these conditions. Project shall comply with these standards:

Item	Approved
<b>Lot Area</b>	7,300 sf (existing lot of record)
<b>Maximum Building Height</b>	25' (66' elev.) from centerpoint of building (48'); and 15' (66' elev.) from highpoint of lot (51'3")
<b>Maximum Building Area</b>	3,648 sf (includes garage)
<b>2<sup>nd</sup> floor/1<sup>st</sup> floor ratio</b>	1,620 sf, (79.8%)
<b>Maximum Lot Coverage</b>	2,387 sf (32.7%)
<b>Minimum Planting Area</b>	2,140 sf (29.3%)
<b>Setbacks</b>	Front – 24' Side – 5' Rear – 11'-7" Garage – 25'
<b>Parking Spaces</b>	2 spaces within garage

12. **COLORS AND MATERIALS.** Colors and materials shall be consistent with those shown on the color board as reviewed and approved by the City Council on April 14, 2022.

13. **LANDSCAPING AND IRRIGATION PLANS.** Landscaping and irrigation plans encompassing the entire site shall be submitted by the project applicant to the City for review and approval by the project planner. Detailed calculations shall be provided on the face of the plan indicating the provision of a minimum of 20% landscaping provided for the project site. The Plans shall be consistent with Chapter 15.48 of the City of Pismo Beach Municipal Code. The landscape plan shall include the following provisions:

- a. Use of low-water-using irrigation systems. Drip irrigation shall be used.
- b. Landscape Design Plan (including a plant list that only uses drought tolerant of local native plant varieties).
- c. Irrigation Design Plan.
- d. Tree list, including mature height of all trees not to exceed the height of the residence.
- e. Landscaping square footage shall be calculated based on the lot size after any dedication.
- f. The Model Water Efficient Landscape Ordinance (MWELo) requires City provided forms for Prescriptive Compliance water use to be submitted with the Building Permit Plans.

## ENGINEERING DIVISION

14. **Engineering standard conditions (notes):** Shall be placed on the plans at time of submittal. A copy may be obtained through the Engineering Department.

15. Project improvements shall be designed and constructed in accordance with City standards and specifications and in accordance with all applicable City Ordinances. The decision of the City Engineer shall be final regarding the specific standards that shall apply.
16. Appropriate City standards shall be referred to on the plans and shall be included on a detail sheet within the plan set.
17. Encroachment Permits are required prior to any/all work in the public right of way. City Streets are to remain open to through traffic at all times. A traffic control plan shall be submitted to the Engineering Division for approval prior to detours or rerouting of traffic. Excavation within the streets shall be covered or backfilled and paved prior to the end of work each day. No temporary or long-term parking, storage, or disposal of construction equipment or materials within the right-of-way shall occur without prior issuance of an encroachment permit.
18. A waiver shall be obtained for any excavation in the roadway per the Pavement Cut Ordinance (O-2018-003) prior to issuance of a Building Permit. If a waiver is granted, the roadway shall be repaired in accordance with the guidelines included in the Pavement Cut Ordinance. Naomi Avenue is under a pavement cut moratorium until February 7, 2022. The road is paved in rubberized asphalt. Street repair shall be approved by the City Engineer.
19. The City Engineering Division shall approve any landscaping or irrigation within a public right of way. All landscaping shall be maintained by the homeowner.
20. The applicant shall provide a current title report to the Engineering Division.
21. Driveways and driveway approaches shall be located and constructed per City of Pismo Beach standards. Profiles shall be provided for all interior driveways.
22. The Owner and/or owner's contractor are to take precaution against damaging road surfaces. Note: The existing street sections adjacent the property may be substandard and may be subject to damage by heavy loading/equipment during construction. The owner is responsible for protection against and/or repair of, at owner's expense, any/all damage incurred during and/or due to construction.
23. Erosion and Drainage control features are to be available to be placed in the event of rain or other erosive action to prevent any sediment or refuse from leaving the site. Erosion control devices shall be installed and in place following daily construction activities. The applicant shall notify the Engineering Division of any changes in construction which will require additional erosion control measures. No Building Permits will be issued without prior approval of the Engineering Division and an approved erosion and sediment control plan and construction schedule. Erosion control measures shall be in place and approved by the Engineering Division prior to the start of construction.



**Grading and Drainage Plans**

24. A Preliminary Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.
25. All grading and drainage improvements shall be designed and constructed in accordance with the City Grading Ordinance and subject to approval by the City Engineer.
26. The project shall conform to the City's Storm Water Discharge Ordinance.
27. Post Construction Requirements: In order for the proposed development to maintain conformance with the City's Regional Stormwater Permit, implementation of Low Impact Development (LID) source control, site design, and stormwater treatment onsite or at a joint stormwater treatment facility shall be required. The stormwater design shall be submitted for review and approval by the City Engineer and in addition shall provide mitigation for post development runoff versus pre-development runoff. A Stormwater Control Plan application shall be submitted.
28. A Water Pollution Control Plan (WPCP) shall be submitted.
29. Calculations and/or a drainage report must be submitted with the plans.
30. The applicant shall submit a composite utility plan.
31. Landscape and irrigation plans in the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Public Works Department and the Community Development Department.
32. An Erosion and Drainage Control Plan shall be submitted in accordance with the City Grading Ordinance. The plan shall reflect "Best Management Practices" as proposed in the California Regional Water Quality Control Board Erosion and Sediment Control Field Manual and shall include both temporary measures (to be used during construction, and until permanent measures are completed/established) and permanent measures. Plan shall include both source control and perimeter containment measures. All Drainage and Erosion Control Measures shall be designed and/or sized by a qualified professional.
33. A Storm Water Pollution Prevention Plan per the State General Permit for Storm Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.

**Utilities**

34. The applicant shall install all utilities.

35. All utilities shall be extended to the boundaries of the project.

**36. Sewer System Requirements**

- a. Applicant is required to show the existing location of the Sewer Main in the street and location of the sewer lateral, if existing, on the plans. If no lateral exists or existing lateral is in poor condition, then applicant is responsible for all costs, materials and labor for the installation of a new lateral. If existing sewer lateral is to be utilized, the applicant must have a video inspection performed of the sewer lateral to confirm the condition and material of the lateral and provide the Public Works department with a copy of the video for review. Show size and type of all sewer lines.

**37. Water System Requirements**

- a. Applicant is required to show the existing location of the Water Main in the street and location of the existing water lateral, if existing, on the plans. The size of the proposed lateral and proposed water meter shall be shown on the plans. If existing lateral is inadequate for the proposed water meter, then applicant is responsible for all costs, materials and labor for the installation of a new water lateral. Show size and type of all water lines. Minimum water lateral and meter size is 1".

38. All wire utility services to the project shall be located underground.

**B. CONDITIONS TO BE MET DURING CONSTRUCTION:**

**BUILDING DIVISION**

1. SITE MAINTENANCE. During construction, the site shall be maintained so as to not infringe on neighboring property, such as debris and dust.

**PLANNING DIVISION**

2. ARCHAEOLOGICAL MATERIALS. In the event unforeseen archaeological resources are unearthed during any construction activities, all grading and or excavation shall cease in the immediate area and the find left untouched. The Building Official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, Native American, or paleontologist, whichever is appropriate. The qualified professional shall evaluate the find and make recommendations related to the preservation or disposition of artifacts in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the Building Official shall notify to county coroner. If human remains are found to be of ancient age and of archaeological and spiritual significance, the Building Official shall notify the Native American Heritage Commission. The developer shall be liable for costs associated with the professional investigation.

3. Certification of compliance with the soils report shall be submitted to the Building Division prior to foundation approvals. A final report certifying compliance with the soils report or grading plans shall be submitted to the Building Division prior to final approvals.
4. A licensed surveyor or engineer shall verify pad elevations, setbacks, prior to foundation inspection, and roof elevations, prior to roof sheeting inspection, when determined necessary by the Planning Department.

**C. CONDITIONS TO BE MET PRIOR TO REQUEST FOR A FRAMING INSPECTION:**

**PLANNING DIVISION**

1. ROOF HEIGHT. Prior to requesting a framing inspection, a licensed surveyor shall measure and certify the height of the building including anticipated finishing materials. Height to be certified as shown on approved plans.

**D. CONDITIONS TO BE MET PRIOR TO FINAL INSPECTION AND ISSUANCE OF CERTIFICATE OF OCCUPANCY:**

**PLANNING DIVISION**

1. COMPLETION OF LANDSCAPING. All landscaping and irrigation systems shown on the approved plans shall be installed by the applicant and shall be subject to inspection and approval by the Project Planner prior to the issuance of a Certificate of Occupancy.

**BUILDING DIVISION**

2. Prior to Building Division final approval, all required inspections from the other various divisions must have been completed and verified by a city inspector.

**E. CONDITIONS SUBJECT TO ONGOING COMPLIANCE:**

1. ROOF-MOUNTED EQUIPMENT. All roof-mounted air conditioning or heating equipment, vents or ducts shall be screened from view in a manner approved by the Project Planner.
2. COMPLIANCE WITH APPLICABLE LAWS. All applicable requirements of any law or agency of the State, City of Pismo Beach and any other governmental entity at the time of construction shall be met. The duty of inquiry as to such requirements shall be upon the applicant.
3. HOLD HARMLESS. The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees,



from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicant's failure to comply with conditions of approval. This condition shall be binding on all successors and assigns.

4. The property owner and the applicant (if different) shall sign these Conditions of Approval within ten (10) working days of receipt; the permit is not valid until signed by the property owner and applicant.

**F. PLANNING COMMISSION COMMENTS**

1. Any significant architectural changes will be subject to Planning Commission review and approval.

**-END-**



**CITY OF PISMO BEACH**  
**Community Development Department**  
760 Mattie Road, Pismo Beach, California 93449  
(805) 773-4658 / Fax (805) 773-4684

**Project Title & No.: Mitty Family Trust / General Plan Amendment and Coastal Development Permit / CEQA No. 2021-026 (P21-000054 and P21-000015)**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Public Services
<input type="checkbox"/> Agriculture & Forestry Resources	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Recreation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Hydrology & Water Quality	<input type="checkbox"/> Transportation
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Land Use & Planning	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities & Service Systems
<input type="checkbox"/> Energy	<input type="checkbox"/> Noise	<input type="checkbox"/> Wildfire
<input type="checkbox"/> Geology & Soils	<input type="checkbox"/> Population & Housing	<input type="checkbox"/> Mandatory Findings of Significance

**DETERMINATION:**

On the basis of this initial evaluation, the City of Pismo Beach finds that:

- ☒ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Megan Martin, Planning Manager	<i>Megan Martin</i>	12/8/2021
Prepared by (Print)	Signature	Date
Matthew Downing, Community Development Director	<i>Matthew Downing</i>	12/8/2021
Reviewed by (Print)	Signature	Date

## Initial Study – Environmental Checklist

**Project Number:** P21-000054 and P21-000015

### Project Environmental Analysis

The City's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The City's Planning Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the City of Pismo Beach Community Development Department, 760 Mattie Road, Pismo Beach, CA, 93449 or call (805) 773-4658.

### A. Project

**DESCRIPTION:** A General Plan Amendment/Local Coastal Plan Amendment to the City of Pismo Beach Land Use Element Planning Area 'E' (St. Andrews Tract) to eliminate the development restrictions imposed by Policy LU-E-1 a and b on the subject property located at 171 Naomi Avenue (APN 010-501-005); and, a subsequent request for a Coastal Development Permit and Architectural Review Permit to allow for the demolition of an existing single family residence and construction of a new 3,784 square-foot single-family residence, landscaping, decking, and lap pool.

**Assessor Parcel Number(s):** 010-501-005

#### Other Public Agencies Whose Approval is Required

Permit Type / Action	Agency
Local Coastal Plan Amendment	California Coastal Commission (CCC)
Coastal Development Permit	California Coastal Commission (CCC)
Building Permit	City of Pismo Beach – Community Development Dept.

### B. Existing Setting

**General Plan Designation:** Low Density Residential

**Neighborhood Planning Area:** St. Andrews Tract, Planning Area 'E'

**Zoning District:** Single-Family Residential (R-1)

**Overlay Zones:** Coastal Zone, Coastal Appeal Zone, Height Limitations Overlay (HL-1)



## Initial Study – Environmental Checklist

**Project Number:** P21-000054 and P21-000015

**Parcel Size:** 0.16 acres (7,300 square feet)

**Topography:** Generally level

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**Vegetation:** Ornamental landscaping

**Existing Uses:** Single-Family Residence

**Surrounding Land Use Categories and Uses:**

**North:** *Single-Family Residential / Residence*

**South:** *Single-Family Residential / Residence*

**East:** *Single-Family Residential / Residence*

**West:** *Single-Family Residential / Residence*

## Initial Study – Environmental Checklist

Project Number: P21-000054 and P21-000015

### C. Environmental Analysis

The Initial Study Checklist provides detailed information about the environmental impacts of the proposed project and mitigation measures to lessen the impacts.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Except as provided in Public Resources Code Section 21099, would the project:					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Setting

CEQA establishes that it is the policy of the State to take all action necessary to provide people of the State “with...enjoyment of aesthetic, natural, scenic and historic environmental qualities” (Public Resources Code Section 21001(b)).

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. Some scenic vistas are officially or informally designated by public agencies or other organizations. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas. A proposed project’s potential effect on a scenic vista is largely dependent upon the degree to which it would complement or contrast with the natural setting, the degree to which it would be noticeable in the existing environment, and whether it detracts from or complements the scenic vista.

The St. Andrews Planning Area (Planning Area ‘E’), described in the City of Pismo Beach Land Use Element (LUE) is almost completely developed with single-family homes, multi-family homes, and a city fire station. The ocean frontage along Seaciff Drive consists of single-family residences and Memory Park, a public park. These homes are adjacent to highly erodible cliffs, with rocky shoreline and small pocket beaches below. During low tide there are small beaches accessible to the public.

There is a bluff top access from Naomi Avenue dedicated to the City and connected to a City easement south of the planning area in the Spindriff Planning Area. This access leads to a spectacular viewpoint, which is under private ownership. There is a public access easement from Seaciff Drive to Spyglass Park in the adjacent Spyglass Planning area.

In addition to policies set forth in the LUE, the City’s Design Element of the General Plan establishes policies for protection of scenic and visual qualities of the City as required by the Coastal Act of 1976. Most importantly, for both residents and visitors, the aesthetic encounter with the landscape of the Central Coast is presented along the corridors of the principal roadways and is complemented by the sense of scale and ‘fit’ of the townscapes within the

## Initial Study – Environmental Checklist

Project Number: P21-000054 and P21-000015

community.

The proposed project is located at 171 Naomi Avenue, surrounded by similarly developed residences within an urban environment. Naomi Avenue continues toward Seacliff Drive and though lined with single-family residences; offers open views to the ocean toward the culmination of Naomi Avenue into Seacliff Drive. The surrounding visual character of Naomi Avenue consists of single-family homes and ornamental landscaping. Views to the east toward Highway 101 are backdropped by steep hillsides and open space.

### Discussion

a) *Have a substantial adverse effect on a scenic vista?*

The project is not located within an identified scenic vista, visually sensitive area, or scenic corridor; therefore, the project would not have a substantial adverse effect on a scenic vista and ***no impacts would occur.***

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The project is not located within the viewshed of a state scenic highway and the General Plan Amendment and Coastal Development Permit would result in development of a single-family residence that would not result in damage to scenic resources within the viewshed of a state scenic highway, therefore, ***no impacts would occur.***

c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

The project is located within an urbanized area, developed with an existing single-family residence and surrounded by single-family residential development. The proposed project would not interfere with the existing visual character of the area; the General Plan Amendment would allow the property to build a new single-family residence nearer to the front setback, however, it would not encroach or inhibit the ability of pedestrians in the planning area to view the ocean and not result in a noticeable change to public views of the area, therefore, would not result in the degradation of the existing visual character or quality of public views of the site and its surrounding. ***Impacts would be less than significant.***

d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The project site is located on an existing and developed lot within an urbanized area of an established residential neighborhood. The project site is visible from Naomi Avenue and a portion of Seacliff Drive. The project does not propose the use or installation of highly reflective materials that would create a substantial source of glare. All proposed lighting would be downcast and shielded consistent with the Pismo Beach Municipal Code requirements (Section 17.105.150 E). Therefore, ***no impacts would occur.***

### Conclusion

The project is not located within view of a scenic vista and would not result in a substantial change to scenic resources in the area. The project would be consistent with the existing policies and standards in the City's LUE and Design Element related to the protection of scenic resources. ***Impacts to aesthetic resources would be less than significant and no mitigation measures are necessary.***

## Initial Study – Environmental Checklist

Project Number: P21-000054 and P21-000015

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>II. AGRICULTURE AND FORESTRY RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered 'agricultural land'. Other non-agricultural designations include Urban and Built-up Land, Other Land, and Water.

Based on the FMMP, soils at the project site are within the following FMMP designation(s):

- Urban and Built-up Land

Onsite soils include:

- Still; Still gravelly sandy clay loam, 2 – 9 percent slopes

The Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The project site is within the Single-Family Residential (R-1) zoning district and is not within lands subject to a Williamson Act contract.

According to Public Resources Code Section 12220(g), forest land is defined as land that can support 10- percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of



## Initial Study – Environmental Checklist

Project Number: P21-000054 and P21-000015

one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site is entirely developed and surrounded by similarly developed properties. Tree cover consists of ornamental landscaping with intermittent native species.

### Discussion / Conclusion

The project site is not located within or adjacent to an agricultural area, is not zoned for agriculture, will not conflict with existing zoning for agricultural use, is not within or adjacent to land subject to Williamson Act contract, and is not within a forested area; **therefore, no impacts would occur to agricultural or forestry resources and no mitigation measures are necessary.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

The City of Pismo Beach is part of the South Central Coast Air Basin (SCCAB) which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The State Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The California ARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM10 and PM2.5), ozone (O3), nitrogen dioxide (NO2), sulfate, carbon monoxide (CO), sulfur dioxide (SO2), visibility reducing particles, lead (Pb), hydrogen sulfide (H2S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO2, ozone, PM10 and PM2.5, and SO2.

## Initial Study – Environmental Checklist

**Project Number:** P21-000054 and P21-000015

California law continues to mandate compliance with CAAQS, which are often more stringent than national standards. However, California law does not require that CAAQS be met by specified dates as is the case with NAAQS. Rather, it requires incremental progress toward attainment. The SLOAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded, and that air quality conditions within the county are maintained.

### *SLOAPCD Thresholds*

The SLOAPCD has developed and updated their CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies evaluate project specific impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result.

The APCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (NOx), reactive organic gases (ROG), greenhouse gases (GHG) and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators and other heavy equipment. SLOAPCD has established thresholds of significance for each of these contaminants.

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial and industrial development. Certain types of project can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (source emissions).

General screening criteria is used by the SLOAPCD to determine the type and scope of air quality assessment required for a particular project (Table 1-1 in the APCD's CEQA Air Quality Handbook). These criteria are based on project size in an urban setting and are designed to identify those projects with the potential to exceed the APCD's significance thresholds. A more refined analysis of air quality impacts specific to a given project is necessary for projects that exceed the screening criteria below or are within ten percent (10%) of exceeding the screening criteria.

### *San Luis Obispo County Clean Air Plan (CAP)*

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM10. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

### *Sensitive Receptors*

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences. The project is located within an existing residential neighborhood and is surrounded on all sides by similar residential development.

### *Discussion*

- a) *Conflict with or obstruct implementation of the applicable air quality plan?*

#### *Construction Impacts*

The SLOAPCD CEQA Air Quality Handbook provides thresholds of significance for construction related emissions. Table 1-1 lists SLOAPCD's general thresholds for determining whether a potentially significant impact could occur as a result of a project's construction activities. Based on Table 1-1, at least 70 homes

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would need to be constructed to exceed the APCD Annual GHG Bright Line Threshold.

As proposed, the project would result in the disturbance of the entire lot, approximately 7,300 square feet, and include approximately 390 cubic yards of material moved. Only one single-family residence would be constructed as a result of the project.

### *Operational Impacts*

The SLOAPCD's CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds (refer to Table 1-1 of the CEQA Handbook). Based on Table 1-1 of the CEQA Handbook, the project proposes a use that would not have the potential to result in operational emissions that would exceed APCD thresholds. **Therefore, potential operational emissions would be less than significant.**

Based on the volume of proposed grading, area of project site disturbance, estimated duration of the construction period, and the APCD's screening construction emission rates identified above, the project would not result in the emission of criteria pollutants that would exceed construction-related thresholds established by the SLOAPCD. **Therefore, project related emissions impacts are considered less than significant.**

- b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.*

San Luis Obispo County is currently designated as nonattainment status for federal ozone, state ozone, and State PM 10 standards. **Impacts related to cumulatively considerable net increase of a criteria pollutant would be less than significant.**

- c) *Expose sensitive receptors to substantial pollutant concentrations?*

The project is located in a single-family residential zone within an urban environment. It is in close proximity to other similarly developed lots and residences. Project construction activities could result in temporary fugitive dust emissions; however, based on the volume of proposed grading, area of project site disturbance, and estimated duration of the construction period, **impacts to sensitive receptors are considered less than significant.**

- d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Construction could generate odors from heavy diesel machinery, equipment, and/or materials. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with construction, and would dissipate within a short distance from the active work area. No long-term operational odors would be generated by the project. **Therefore, potential odor-related impacts would be less than significant.**

### *Conclusion*

The project would be consistent with the SLOAPCD's Clean Air Plan and thresholds for construction-related and operational emissions. The project would not result in cumulatively considerable emissions of any criteria pollutant for which the County is in non-attainment and would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions adversely affecting a substantial number of people. **Therefore, potential impacts to air quality would be less than significant and no mitigation measures are necessary.**

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Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES.</b> Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernalpool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

Pismo Beach is located in a special environment setting on a narrow marine terrace bordered by the beach and ocean on one side and the hills on the other. It is the only community in Central California where Highway 101, the ocean, and the community converge in proximity. The major physical factors and resources affecting the community's development include soil and landforms, such as sandy beaches, coastal bluffs and surrounding hills, the surface and ground-water resources, climate, air quality, unique biological habitats, and the Pacific Ocean. These resources make up the special essence of Pismo Beach's environment.

### Federal Endangered Species Act

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. The California Endangered Species Act of 1984 (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW has the authority to review projects for their potential to impact special-status species and their habitats.

### Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service (USFWS), and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies and are required to be evaluated under CEQA.

### Clean Water Act and State Porter Cologne Water Quality Control Act

The U.S. Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States. These waters include wetland and non-wetland water bodies that meet specific criteria. USACE jurisdiction



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regulates almost all work in, over, and under waters listed as “navigable waters of the U.S.” that results in a discharge of dredged or fill material within USACE regulatory jurisdiction, pursuant to Section 404 of the Clean Water Act (CWA). Under Section 404, USACE regulates traditional navigable waters, wetlands adjacent to traditional navigable waters, relatively permanent non-navigable tributaries that have a continuous flow at least seasonally (typically 3 months), and wetlands that directly abut relatively permanent tributaries.

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the State. Based on the U.S. Fish and Wildlife Service National Wetlands Inventory, the project site does not support wetlands, riparian or deep-water habitats (USFWS 2019).

### *Conservation and Open Space Element*

The City of Pismo Beach adopted a Conservation and Open Space Element (COSE) with conservation issues focusing on the natural resources of Pismo Beach including air, water, biology, archaeology, and physical geography. The intent of these policies is to guide the management of these resources to enhance the quality of life of residents and visitors and to prevent waste, haphazard exploitation, destruction, or neglect.

The natural resource areas discussed in the COSE host a large number of diverse plant and animal species, from tidepool organisms to shore birds and terrestrial mammals. The COSE discusses the most important habitat areas and state policies for the protection of the unique ecosystems in Pismo Beach and the animal and plant species dependent on the protection of the habitat.

The project site is not within any designated sensitive resource areas, high priority conservation areas, or undeveloped natural lands subject to any local, regional, or state habitat conservation plan. The site is currently developed with an existing single family residence and ornamental landscaping. It is surrounded by similarly sized and developed parcels within an established residential neighborhood.

### *Discussion*

- a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*
- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*
- c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*
- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*
- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The project site is located within an existing urban and residential neighborhood. The site is currently developed with a single family residence and ornamental landscaping. ***It is not anticipated, based on the location and lack of suitable habitat within the project vicinity, that the proposed project would have an adverse effect, directly or indirectly on biological resources; no impacts are anticipated and considered less than significant.***

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### Conclusion

The project site is currently developed with a single family residence within an existing residential neighborhood and does not contain suitable habitat for sensitive wildlife or support any natural communities. ***The project would not conflict with any local plans or policies for protection of biological resources and impacts are considered less than significant, no mitigation measures are necessary.***

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES.</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

The City of Pismo Beach possesses a rich and diverse cultural heritage and therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American inhabitation, Spanish missionaries, and immigrant settlers.

As defined by CEQA, a historical resource includes:

1. A resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR).
2. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant. The architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural records of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence.

The City's Archaeological Overlay Zone is applied to areas of the City to recognize the importance of archaeological and historic sites and/or structures important to local, state, or national history. The Central Coast area, including Pismo Beach, was the home of the Chumash people at the time of early explorations and settlements by Europeans. Evidence of the culture and occupations by the Chumash may be found at numerous sites in the vicinity of Pismo Beach. Most of the City's archaeological data comes from studies conducted as part of the CEQA process. Additionally, a general map showing the status of archaeology within the city has been prepared and is used in the processing of development proposals.

### Discussion

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Based on existing conditions, buried human remains are not expected to be present in the site area. In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 and General Plan Conservation and Open Space Element Policies CO-5 and CO-6

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(Archaeological Resources) require that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. With adherence to State Health and Safety Code Section 7050.5 and City's Zoning Code, impacts related to the unanticipated disturbance of archaeological resources and human remains would be reduced to less than significant; therefore, **potential impacts would be less than significant.**

### Conclusion

No archaeological or historical resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive archaeological resources or human remains are discovered during project construction activities, adherence with the General Plan COSE Policies CO-5 and CO-6 and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, **potential impacts to cultural resources would be less than significant and no mitigation measures are necessary.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. ENERGY.</b> Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within the County of San Luis Obispo. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 2017).

The City's Climate Action Plan (CAP) is a policy document that sets forth policies, programs, and implementation actions that can help reduce greenhouse gas (GHG) emissions from community-wide activities and City government operations in support of the State's efforts. The CAP summarizes the results of the City's GHG Emissions Inventory Update, which identifies the major sources and quantities of GHG emissions produced within Pismo Beach and forecasts how these emissions may change over time. It identifies the quantity of GHG emissions that Pismo Beach will need to reduce to meet its target of 10 percent below 2005 levels by the year 2020, consistent with AB 32. The CAP sets forth City government and community-wide GHG reduction measures, including performance standards which, if implemented, would collectively achieve the specified emission reduction target; and, the CAP identifies proactive adaptation strategies that can be implemented to help Pismo Beach prepare for anticipated climate change impacts. Overall, the CAP sets forth procedures to implement, monitor, and verify the effectiveness of the climate action measures and adapt efforts moving forward.

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the 2019 Building Energy Efficiency Standards. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements.

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### Discussion

- a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Construction of the proposed project is not expected to result in any potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. As for the operation of the project, based on the provided design plans, the project would likely not result in any potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. The project will be required to comply with Title 24, California's building energy efficiency standards. The project would utilize connections to existing nearby power sources. Energy use would be limited to powering the residence. Therefore, **the project's impact on energy resources would be less than significant.**

- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Implementation of the project would not result in a significant new energy demand and there are no project components or operations that would conflict with any state or local plan for renewable energy or energy efficiency. Compliance with State laws and regulations, including the most recent Building Code requirements, will ensure the project continues to reduce energy demands and greenhouse gas emissions, through, for example, increasing state-wide requirements that energy be sourced from renewable resources. Therefore, **no impact would occur.**

### Conclusion

The project would not result in a significant energy demand during short-term construction or long-term operations and would not conflict with state or local renewable energy or energy efficiency plans. **Therefore, potential impacts related to energy would be less than significant and no mitigation measures are necessary.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. GEOLOGY AND SOILS. Would the project:</b>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### Setting

The Alquist-Priolo Earthquake Fault Zoning Act (Act) is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. The City of Pismo Beach is located in a seismically active area. However, no active faults are known to be present within or in the near vicinity of Pismo Beach and surface rupture resulting from fault movement is not considered a significant problem within the City. Additionally, the potential for significant landslides is considered to be negligible in rocks that underlie most of the City and its surrounding hills.

Groundshaking refers to the motion that occurs in response to local and regional earthquakes. Groundshaking can endanger life and safety due to damage or collapse of structures or lifeline facilities. The California Building Code (CBC) currently requires structures to be designed to resist a minimum seismic force resulting from ground motion. Ground shaking could occur in Pismo Beach, primarily from the San Andreas Fault, which runs generally north-south from the Bay Area to southern California. The closest portion of which is roughly 60 miles to the east of the City. The Nacimiento Fault is considered a secondary source of strong ground shaking but would have a negligible effect on Pismo Beach.

Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from groundshaking during an earthquake. Liquefaction potential increases with earthquake magnitude and groundshaking duration. Low-lying areas adjacent to creeks, rivers, beaches, and estuaries underlain by unconsolidated alluvial soil are most likely to be vulnerable to liquefaction. The CBC requires the assessment of liquefaction in the design of all structures. The project will be developed on an existing residential lot that is generally level. Risk of liquefaction due to groundshaking is not anticipated.

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. The City's Safety Element and Conservation and Open Space Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope and structural stability evaluations for development in areas of slopes >20% - 30%, and restrictions on new development in areas with slopes >30% unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. The project is not located in an area with high potential for landslides.

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads, and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. According to the NRCS, Still gravelly sandy clay loam, 2 – 9 percent slopes, underlying the site is characterized as having well drained soils, with slow to medium runoff and moderately slow permeability.

The City's Conservation and Open Space Element (COSE) identifies policies (CO-10 and CO-11) for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils.

### Discussion

- a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

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- a-i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

The project site is not located within an Alquist-Priolo Fault Hazard Zone, and there are no mapped active faults crossing or adjacent to the sites. The closest known fault is approximately 14 miles southwest of the project site. The project has been designed with recommendations for site preparation, grading, and foundations subject to professional engineering and construction standards to ensure the project is constructed in a stable manner. **Therefore, the potential for impacts related to surface ground rupture to occur at the project site is low, and potential impacts would be less than significant.**

- a-ii) *Strong seismic ground shaking?*

The project would be required to comply with the California Building Code (CBC) to ensure the effects of a potential seismic event would be minimized to the greatest extent feasible. The project would not be open to the public. **Therefore, impacts related to the production of strong seismic ground shaking would be less than significant.**

- a-iii) *Seismic-related ground failure, including liquefaction?*

- a-iv) *Landslides?*

The project site is located in an area with low potential for liquefaction and low potential for landslides. The geotechnical reports provide recommendations for site preparation, grading, and foundations. Incorporation of the preliminary geotechnical recommendations as well as professional engineering standards and California Building Code requirements would ensure the project is designed to adequately address potential liquefaction and landslide related impacts. **Therefore potential impacts would be less than significant.**

- b) *Result in substantial soil erosion or the loss of topsoil?*

The project would result in a total disturbance of approximately 7,300 square feet (entire lot), including approximately 390 cubic yards of cut. The greatest potential for onsite erosion to occur would be during the initial site preparation and grading during construction. An erosion control plan outlining best management practices is required for all construction and grading projects to minimize potential impacts related to erosion and sedimentation. Based on the topography of the lot, and the minimal amount of site disturbance associated with implementation of the project, there are no concerns of loss of topsoil as a result of the project. **Therefore, implementation of the best management practices will result in project impacts being less than significant.**

- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Landslides typically occur in areas with steep slopes or in areas containing escarpments. Based on the City's Safety Element, the project site is not located in an area with slopes susceptible to local failure or landslide.

The project would be required to comply with California Building Code seismic requirements to address any potential seismic-related ground failure, including lateral spread. **Therefore, impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse would be less than significant.**

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- d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

Based on the geotechnical report prepared for the project, underlying surface soils consisted of brown silty sands with some clay to a depth of 4 to 5 feet. The near surface silty sands have low expansivity and no free ground water was encountered during our field exploration. **Therefore, there is a low likelihood for project implementation to create substantial direct or indirect risks to life or property; impacts are considered less than significant.**

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The project includes the demolition of an existing home and construction of a new single family residence in its place. The new residence will tie into the existing infrastructure and utilities currently supporting the existing residence; a septic tank or alternative wastewater disposal system is not proposed. **Therefore, there would be no impact.**

- f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

There are no known unique paleontological resources or unique geologic features located within the project site. Based on the urban-built up of the neighborhood, the area has a low potential for encountering important fossils. **Therefore, impacts would be less than significant.**

### Conclusion

Based on compliance with existing regulations and recommendations in the geotechnical report, implementation of best management practices for erosion and sedimentation control, and compliance with the measures outlined in the City's municipal code and California Building Code standards, **impacts to geologic and soil resources would be less than significant.**

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. GREENHOUSE GAS EMISSIONS.</b> Would the project:					
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

Greenhouse gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement).

Carbon dioxide is the most abundant GHG and is estimated to represent approximately 80-90% of the principal GHGs that are currently affecting the earth's climate. According to the ARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

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In October 2008, the CARB published its Climate Change Proposed Scoping Plan, which is the state's plan to achieve GHG reductions in California required by Assembly Bill (AB) 32, which codifies the Statewide goal of reducing emissions to 1990 levels by 2020 (essentially a 15% reduction below 2005 emission levels) and the adoption of regulations to require reporting and verification of statewide GHG emissions. The Scoping Plan included CARB-recommended GHG reductions for each sector of the state's GHG emissions inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard program, implementation of energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extend the state's GHG reduction goals to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40% below 1990 levels by 2030, and 80% below 1990 levels by 2050. Since SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year, a reasonable SB 32-based working threshold would be 40 percent below the 1,150 MTCO<sub>2e</sub> Bright Line threshold, or  $1,150 \times 0.6 = 690$  MTCO<sub>2e</sub>. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, a project estimated to generate 690 MTCO<sub>2e</sub> or more GHG is assumed to have a significant adverse impact that is cumulatively considerable.

According to a 2018 Community-wide Greenhouse Gas Inventory Report, Pismo Beach emitted approximately 34,849 metric tons of carbon dioxide-equivalent (CO<sub>2e</sub>). Based on adjusted numbers of the 2005 Baseline Community Greenhouse Inventory, an approximately 20% reduction is represented in the 2018 Inventory. Emissions were reduced in the residential, commercial, and transportation sectors, and slight increases in both the Wastewater and Solid Waste Sectors were also noted.

### Discussion

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

The California Energy Emissions Model (CalEEMod) was used to determine the approximate GHG emissions per square foot associated with construction and operation of a single-family residence and accessory dwelling unit based on an energy use factors for construction and operation. These emission factors were then multiplied by the total area for the proposed project to estimate the project's construction-related and annual operational carbon dioxide equivalent emissions in metric tons (MTCO<sub>2e</sub>; Table 1).

Project Component	Quantity	Emissions Rate (Annual MTCO2e/sf)		Estimated Projected Annual CO2 Emissions (MT/year)
		Construction	Operation	
Existing / Baseline GHG Emissions				
Single family residence	1 dwelling	N/A	4.2	4.2
Net Change (Increase)				4.2

Notes: 1. Based on 18,000 kWhr/household/year

Source: City of Pismo Beach, 2021, CalEEMod version 2020.4.0

As shown in Table 1, project related GHG emissions will be well below the threshold of 690 MTCO<sub>2e</sub>. ***Therefore, potential impacts associated with GHG emissions for the proposed single-family residence and applicable plans and policies adopted for the purpose of reducing GHG emissions would be less than significant.***



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- b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The project would be required to comply with existing state regulations, which include increased energy conservation measures, reduced potable water use, increased waste diversion, and other actions adopted to achieve the overall GHG emissions reduction goals identified in SB 32 and EO S-3-05. The project would not conflict with the control measures identified in the CAP, or other state and local regulations related to GHG emissions and renewable energy. The project would be consistent with the property's existing land use for residential development and would be designed to comply with the California Green Building Code standards. Therefore, the project would be consistent with applicable plans and programs designed to reduce GHG emissions and ***potential impacts would be less than significant.***

### Conclusion

The project would not generate significant GHG emissions above existing levels and would not exceed any applicable GHG thresholds, contribute considerably to cumulatively significant GHG emissions, or conflict with plans adopted to reduce GHG emissions. ***Therefore, potential impacts related to greenhouse gas emissions would be less than significant and no mitigation measures are necessary.***

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control's

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(DTSC's) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board's (SWRCB's) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: <https://calepa.ca.gov/sitecleanup/cortese/list/>. The project site is not located within close proximity to any site included on the Cortese List, EnviroStor database, or GeoTracker database.

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The Multi-Jurisdictional Local Hazard Mitigation Plan provides a Fire Hazard Zones Map that indicates urban and rural areas throughout the County within moderate, high, and very high fire hazard severity zones. The project is not located within a high fire hazard severity zone, and, based on the San Luis Obispo County's response time map and proximity to the nearest fire station (Station #63), it will take approximately 1 minute (< 5 minutes) to respond to a call regarding fire or life safety. For more information about fire-related hazards and risk assessment, see Section XXI. Wildfire.

The City has also adopted general emergency plans for multiple potential natural disasters, including the County of San Luis Obispo's Multi-Jurisdictional Local Hazard Mitigation Plan (2019), County of San Luis Obispo Tsunami Plan (August, 2016), Tsunami Inundation Map, City of Pismo Beach Multi-hazard Emergency Response Plan (2004), Pismo Beach Pre-Attack Plan.

### Discussion

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The project does not propose the routine transport, use or disposal of hazardous substances. Any commonly used hazardous substances within the project site (e.g., cleaners, solvents, oils, paints, etc.) would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials. **No impacts associated with the routine transport of hazardous materials would occur.**

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. **Therefore, potential impacts would be less than significant.**

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The project site is located approximately 0.5 miles from Shell Beach Elementary School. However, the project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. Construction of the proposed project

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is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills.; **therefore, impacts would be less than significant.**

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Based on a search of the California Department of Toxic Substance Control's EnviroStar database, the State Water Resources Control Board's Geotracker database, and CalEPA's Cortese List website, there are no hazardous waste cleanup sites within the project site. **Therefore, no impacts would occur.**

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The project site is not located within an airport land use plan or within two (2) miles of a public airport or private airstrip; **therefore, no impacts would occur.**

- f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Implementation of the proposed project would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. No breaks in utility service or road closures would occur as a result of project implementation. Any construction related detours would include proper signage and notification and be short-term and limited in nature and duration. **Therefore, potential impacts would be less than significant.**

- g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

The project site is not located within a wildland area and based on the MJLHMP, the project is not within a moderate to very high hazard severity zone. The project is designed in accordance with State adopted fire safety standards and would be required to adhere to a project specific fire safety plan. These measures will ensure that no people or structures are either directly or indirectly exposed to a significant risk of loss, injury, or death involving wildland fires. **Therefore, impacts would be less than significant.**

### Conclusion

The project does not propose the routine transport, use, handling, or disposal of hazardous substances. It is not located within proximity to any known contaminated sites and is not within close proximity to populations that could be substantially affected by upset or release of hazardous substances. With adherence to a fire safety plan, project implementation would not subject people or structures to substantial risks associated with wildland fires and would not impair implementation or interfere with any adopted emergency response or evacuation plan. **Therefore, potential impacts related to hazards and hazardous materials would be less than significant and no mitigation measures are necessary.**

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Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. HYDROLOGY AND WATER QUALITY.</b> Would the project:					
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i)	result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting

The Central Coast Regional Water Quality Control Board (RWQCB) has established Total Maximum Daily Load (TMDL) thresholds for waterbodies within the County. A TMDL establishes the allowable amount of a particular pollutant a waterbody can receive on a regular basis and still remain at levels that protect beneficial uses designated for that waterbody. A TMDL also establishes proportional responsibility for controlling the pollutant, numeric indicators of water quality, and measures to achieve the allowable amount of pollutant loading. Section 303(d) of the Clean Water Act (CWA) requires states to maintain a list of bodies of water that are designated as "impaired". A body of water is considered impaired when a particular water quality objective or standard is not being met.

The RWQCB's Water Quality Control Plan for the Central Coast Basin (Basin Plan; 2017) describes how the quality of surface water and groundwater in the Central Coast Region should be managed to provide the highest water quality reasonably possible. The Basin Plan outlines the beneficial uses of streams, lakes, and other water bodies for humans and other life. There are 24 categories of beneficial uses, including, but not limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of those water resources. The Regional Board implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

The U.S. Army Corps of Engineers (USACE), through Section 404 of the CWA, regulates the discharge of dredged or fill material into waters of the U.S., including wetlands. Waters of the U.S. are typically identified by the presence of an ordinary high water mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. The State Water Resources Control Board (SWRCB) and nine RWQCBs regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the State Porter- Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all



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projects that require a USACE permit, or fall under other federal jurisdiction, or have the potential to impact waters of the State. Waters of the State are defined by the Porter-Cologne Act as any surface water or groundwater, including saline waters, within the boundaries of the state. The project is not located within a groundwater basin.

The City's municipal code dictates which projects are required to prepare a drainage plan, including any project that would, for example, change the runoff volume or velocity leaving any point of the site, alters natural drainage courses, for properties whose slopes are greater than 10%, and for development requiring grading plans by the Grading and Erosion Control Ordinance (Title 18 of the Municipal Code).

Per the City's Stormwater Program, the Public Work's Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The City's Safety Element and the Multi-jurisdictional Local Hazard Mitigation Plan establishes policies to reduce flood hazards and flood damage, including but not limited to prohibition of development in areas of high flood hazard potential. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FEMA) regulations. The City designates flood hazard areas within areas shown on the Flood Insurance Rate Map (FIRM) provided by FEMA. Development within these areas are required to comply with all applicable provisions of Chapter 15.44 of the Municipal Code (Flood Hazard Area Use Control).

### Discussion

- a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The project will result in the disturbance of the entire lot (7,300 square feet) and result in approximately 390 cubic yards of cut materials to be balanced and exported off-site. The project is on a generally level site and will be subject to the standard City requirements for drainage, sedimentation and erosion control for construction and permanent use. Project grading will create exposed soil, however, adherence with the City's standards will adequately address these impacts. Additionally, landscaping and stockpiles will be properly managed during construction to avoid material loss.

Existing regulations within the City's municipal code and building code will adequately address surface water quality impacts during construction and permanent use of the project site as a single family residence. No additional measures above what are required or proposed are needed to protect water quality; ***impacts are considered less than significant.***

- b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The project site is located within an established residential neighborhood on an existing residentially zoned lot. The existing residence on the property will be demolished and replaced with a new single-family home. The project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge; therefore, the project would not interfere with sustainable management of a groundwater basin and ***potential impacts associated with groundwater supplies would be less than significant.***

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

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(c-i) *Result in substantial erosion or siltation on- or off-site?*

The project site is not located in proximity to any surface stream or body of standing water that would be subject to risk associated with erosion or siltation as the result of project construction or operation. The project is required to design best management practices to address and minimize any construction and grading impacts associated with implementation of the project. The project is not expected to result in any substantial erosion or siltation on or off site; **therefore, the impact is considered less than significant.**

(c-ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

The project is not expected to result in substantial increases to the rate or amount of surface runoff which could result in flooding on or off site. **Therefore, the impact is considered less than significant.**

The project would not substantially increase the amount of impervious surface area or the rate and volume of surface runoff in a manner that could result in flooding on- or off-site. Based on the nature and size of the project, changes in surface hydrology would be negligible. **Therefore, potential impacts related to increased surface runoff resulting in flooding would be less than significant.**

(c-iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

The proposed location of the single-family dwelling would be outside of the 100-year flood hazard area. The project would be at a great enough distance from the potential flood area to not be considered at risk of hazards associated with periodic flooding, including the possible release of pollutants. Therefore, impacts would be less than significant.

The project would not substantially increase the amount of impervious surface area or the rate and volume of surface runoff in a manner that could exceed the capacity of existing stormwater or drainage systems. Based on the nature and size of the project, changes in surface hydrology would be negligible. **Therefore, potential impacts related to increased surface runoff exceeding stormwater capacity would be less than significant.**

(c-iv) *Impede or redirect flood flows?*

Based on the County of San Luis Obispo Flood Hazard Maps, the City's Safety Element, and Multi-jurisdictional Hazard Mitigation Plan, the project site is not located within a 100-year flood zone. The project would be subject to standard requirements for drainage, sedimentation, and erosion control for construction and operation; **therefore, no impacts would occur.**

d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Based on the City's Safety Element and reference in the Multi-jurisdictional Local Hazard Mitigation Plan, the project site is not located within a 100-year flood zone or within an area that would be inundated if dam failure were to occur. Based on the San Luis Obispo County Tsunami Inundation Maps, the project site is not located in an area with potential for inundation by a tsunami. The project site is not located within close proximity to a standing body of water with potential for seiche to occur; **therefore, the project site has no potential to release pollutants due to project inundation and no impacts would occur.**

e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Development such as construction of a single family residence will not require special attention

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to water use beyond what is required in the City's Building Ordinance and Zoning Code requirements. **The project will not conflict or obstruct implementation of a water quality control plan or sustainable management plan. No impacts are anticipated to occur.**

### Conclusion

The project site is not within the 100-year flood zone and does not include existing drainages or other surface waters. The project does not propose alterations to existing water courses or other significant alterations to existing on-site drainage patterns. **Therefore, potential impacts related to hydrology and water quality would be less than significant and no mitigation measures are necessary.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. LAND USE AND PLANNING.</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting

The City's Zoning Code was established to guide and manage the future growth in the City in accordance with the General Plan, to regulate land use in a manner that will encourage and support orderly development and beneficial use of lands, to minimize adverse effects on the public resulting from inappropriate creation, location, use or design of buildings or land uses, and to protect and enhance significant natural, historic, archaeological, and scenic resources within the City.

The City's Municipal Code Chapter 17.127 establishes the procedures for amendment procedures for the City's Local Coastal Program (LCP). The LCP may be amended (general plan amendment, GPA) by the Planning Commission and City Council and is considered effected once certified by the California Coastal Commission (Section 17.127.070). The review authority is responsible for taking action on a GPA when it first determines that the GPA satisfies the following:

- Internally consistent with the adopted General Plan and LCP;
- Would not be detrimental to the public interest, health, safety, convenience, or welfare of the city;
- Physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested/anticipated land use development(s); and,
- In compliance with the provisions of the California Environmental Quality Act (CEQA).

The City's Land Use Element of the General Plan contains planning areas that establish policies and programs for the general distribution, location, and extent of the uses of the land for housing, business, industry, open space, recreation, natural resources and other uses of public and private lands. The project site is located within the Planning Area 'E' – St. Andrews Tract. The St. Andrews Planning Area is almost completely developed with single-family homes. the ocean frontage consists of single-family residences and Memory Park. Policy LU-E-1 focuses on conserving the existing housing stock and assuring that home additions and replacements are compatible with the scale and character of existing development.

### Discussion

- a) *Physically divide an established community?*

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The project does not propose project elements or components that would physically divide the site from surrounding areas and uses. The project would be consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. **Therefore, the proposed project would not physically divide an established community and no impacts would occur.**

- b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Single-family residences are considered an allowed use within the single family residential (R-1) zoning district. The project is consistent with existing surrounding developments and does not contain sensitive on-site resources; therefore, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects. the project would be consistent with existing land uses and designations for the proposed site and, therefore, would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating environmental effects. **No impacts would occur.**

### Conclusion

The project would be consistent with local and regional land use designations, plans, and policies and would not divide an established community. **Therefore, there would be no impacts to land use and planning and no mitigation measures are necessary.**

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. MINERAL RESOURCES.</b> Would the project:					
a)	Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Geologist classify land into mineral resource zones (MRZ) according to the known or inferred mineral potential of the land (Public Resources Code Sections 2710–2796).

The three MRZs used in the SMARA classification-designation process in the San Luis Obispo-Santa Barbara Production-Consumption Region are defined below (California Geological Survey 2011a):

- MRZ-1: Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.
- MRZ-2: Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists. This zone shall be applied to known mineral deposits or where well-developed lines of reasoning, based upon economic-geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high.
- MRZ-3: Areas containing known or inferred aggregate resources of undetermined significance.

There are no known mineral resources that fall into the three MRZ categories as defined by the SMARA classification within the vicinity of the project site.

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### Discussion

- a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan

There are no known mineral resources within the vicinity of the project site. Result of the project would not result in the loss of any mineral resources. **No impacts would result from project implementation.**

### Conclusion

There are no known mineral resources within the vicinity of the project site. Result of the project would not result in the loss of any mineral resources. **No impacts would result from project implementation and no mitigation measures are necessary.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIII. NOISE.</b> Would the project:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting

The City of Pismo Beach Noise Element of the General Plan provides a policy framework for addressing potential noise impacts in the planning process. The purpose of the Noise Element is to minimize future noise conflicts. The Noise Element identifies the major noise sources in the City (highways, primary and major local streets, railroad operations, aircraft and airport operations, local industrial facilities, and other stationary sources) and includes goals, policies, and implementation programs to reduce future noise impacts. Among the most significant policies of the Noise Element are numerical noise standards that limit noise exposure within noise-sensitive land uses, and performance standards for new commercial and industrial uses that might adversely impact noise-sensitive land uses.

In order to determine the existing noise environment in Pismo Beach, a community noise survey was conducted during August 1990 by Brown-Buntin Associates, Inc. under contract to the County of San Luis Obispo. Maximum noise levels ranged from 63-70 dB and generally were due to traffic. Minimum levels were from traffic and wind and ranged from 25 to 40 dB. Based on these measurements, background noise levels in terms of Ldn were estimated to range from 41 to 57 dB. Noise sensitive uses that have been identified by the City include the following: residences, churches, and schools. Uses that are noise-producing have been identified as well and include the following: highways, and certain forms of industry.

Brown-Buntin Associates developed existing and projected noise contour data for the major transportation routes in the county. Traffic data was provided by CALTRANS, the county and the cities. Estimates for future traffic volumes



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for certain county and city roadway segments are based on growth rates of comparable roadways since these data were not available from the jurisdictions. The noise contours affecting Pismo Beach are presented on Table N-1 and are displayed in Figures N-1 and N-2 of the Noise Element.

The measurement of noise, and particularly the measurement of potential noise from, or affecting, a proposed project requires the use of sophisticated equipment and considerable technical expertise. To assist the City in making preliminary assessments of potential problems as well as potential solutions, the County of San Luis Obispo has provided all cities in the county with a Technical Reference Manual that supplies specific technical information for individual jurisdictions and an Acoustical Design Manual that can be used as an aid to site design review.

The existing ambient noise environment of the project site (residential neighborhood) is characterized by light traffic along Naomi Avenue and Seaciff Drive, as well as wave noise from the cliffs below Seaciff Drive. The nearest sensitive receptors to the project site are those residences in the immediate vicinity and adjacent to the project site. The project site is not within close proximity to an Airport or subject to airport operational noise.

### Discussion

- a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Project construction would result in a temporary increase in noise levels associated with construction activities, equipment, and vehicle trips. construction noise would be variable, temporary, and limited in nature and duration. The City requires that construction activities be conducted during daytime hours to utilize City construction noise exception standards and that construction equipment be equipped with appropriate mufflers recommended by the manufacturer. ***Compliance with these standards would ensure short-term construction noise would be less than significant.***

The project does not propose any uses or features that would generate a significant permanent source of mobile or stationary noise sources. Ambient noise levels in the residential neighborhood and at the project site after project implementation would not be significantly different than existing levels. Therefore, potential operational noise impacts would be less than significant.

Based on the limited nature of construction and operation activities, ***impacts associated with the generation of a substantial temporary or permanent increase in ambient noise levels would be less than significant.***

- b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

The project does not propose substantial grading/earthmoving activities, pile driving, or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Construction equipment has the potential to generate minor groundborne noise and/or vibration, but these activities would be limited in duration and are not likely to be perceptible from adjacent areas. The project does not propose a use that would generate long-term operational groundborne noise or vibration. ***Therefore, impacts related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels would be less than significant.***

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The project site is not located within or adjacent to an airport land use plan or within two (2) miles of a public airport or private airstrip; therefore, ***no impact would occur.***

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## Conclusion

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per City standards. No long-term operational noise or ground vibration would occur as a result of the project. the project is located adjacent to residential uses, identified as noise sensitive receptors, however, ***potential impacts related to noise during construction are anticipated and would be less than significant as they are short-term in nature. No mitigation measures are necessary.***

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. POPULATION AND HOUSING.</b> Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

The City of Pismo Beach General Plan 2020-2028 Housing Element addresses the city's plans to meet its housing needs, particularly the availability, affordability, and adequacy of housing supply. The Housing Element defines strategies and programs that will serve all socioeconomic groups.

The City faces many challenges related to establishing housing within the community: balancing employment and housing opportunities, matching the supply and demand for housing, enhancing the affordability of housing for all segments of the population, ensuring that adequate water and public services are available, and conserving natural resources that distinguish Pismo Beach. The 2020-2028 Housing Element sets forth strategies to address these issues and provide guidance for local government decision making.

The City's inclusionary housing requirements are in Chapter 17.26 of the municipal code and require the provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions. In its efforts to provide for affordable housing, the City currently participates in the Community Development Block Grant (CDBG) program, administered by the County of San Luis Obispo, which provides limited financial assistance to projects relating to affordable housing throughout the community.

The project site is located within an established residential neighborhood and is developed with an existing single-family residence. The proposed project will allow the lot to be redeveloped with a new single-family residence.

## Discussion

- a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The project is not expected to cause any substantial population growth as it would involve reconstruction and remodel of an existing single-family residence. The project does not include the construction of businesses or extension or establishment of roads, utilities, or other infrastructure that would induce substantial development and population growth in new areas. The project would not generate a substantial number of new employment opportunities that would encourage population growth in the area. ***Therefore,***

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*the project would not directly or indirectly induce substantial growth and no impacts would occur.*

- b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The project would not displace existing housing or necessitate the construction of replacement housing elsewhere; **therefore, no impacts would occur.**

### Conclusion

**No impacts to population and housing would occur and no mitigation measures are necessary.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. PUBLIC SERVICES.</b> Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

Fire protection services in the City of Pismo Beach (City) are provided by the California Department of Forestry and Fire Protection (CAL Fire), which has been under contract with the City to provide full-service fire protection. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates citywide and regional response efforts, and provides public education and training in the community. The project would be served by Station #63, located approximately 4/10<sup>th</sup> of a mile to the east-northeast of the project site. Based on the County of San Luis Obispo response time map, it will take approximately 1 minute to respond to a call regarding fire or life safety at this location.

Police protection and emergency services in the City are provided by the City Police Department. The Police Department responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from the City's Police Station located at 1000 Bello Street in Pismo Beach.

Pismo Beach is within the Lucia Mar School District and includes one elementary school and one middle school.

### Discussion

- a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service*

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*ratios, response times or other performance objectives for any of the public services:*

### *Fire protection?*

The project would be required to comply with all fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of a building permit. Based on the limited nature of the proposed development, the project would not result in a significant increase in demand for fire protection services. The project would be served by existing fire protection services and would not result in the need for new or altered fire protection services or facilities; therefore, **impacts would be less than significant.**

### *Police protection?*

The project does not propose a new use or activity that would require additional police services above what is normally provided for within an established residential neighborhood with similar surrounding land uses; therefore, **impacts related to police services would be less than significant.**

### *Schools?*

The project would not induce a substantial increase in population growth and would not result in the need for additional parks or recreational services or facilities to serve new populations. Therefore, **potential impacts would be less than significant.**

### *Parks?*

The project would not induce a substantial increase in population growth and would not result in the need for additional parks or recreational services or facilities to serve new populations. **Therefore, potential impacts would be less than significant.**

### *Other public facilities?*

As discussed above, the proposed project would be subject to applicable fees to offset negligible increased demands on public facilities; **therefore, impacts related to other public facilities would be less than significant.**

### *Conclusion*

The project does not propose development that would substantially increase demands on public services and would not induce population growth that would substantially increase demands on public services; **therefore, potential impacts related to public services would be less than significant and no mitigation measures are necessary.**

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. RECREATION</b> Would the project:					
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### *Setting*

The City of Pismo Beach Parks, Recreation, and Access Element of the General Plan is viewed in the context of the background, principles, and policies found in the Conservation and Open Space Element, much of which is integral

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to recreation and access concerns.

Pismo Beach has always relied on the Pacific Ocean and the beach to be its chief recreational resource. In addition to this natural resource, the city contains both state and local parks and recreational areas. Pismo State Beach, under the direction of the State Department of Parks and Recreation, comprises 1.5 miles of the city's only major sandy beach (approximately 60 acres) and is the major recreational area of the city. The city has approximately 315 acres of additional public park area either developed or proposed. Forty percent of the park area is within the Coastal Zone.

The project site is located within an existing residential neighborhood adjacent to ocean frontage along Seacliff Drive. The ocean frontage consists of single-family residences and Memory Park. These homes are adjacent to highly erodible cliffs, with rocky shoreline and small pocket beaches below. During low tide there are small beaches accessible to the public. There is also bluff top access from Naomi Avenue dedicated to the City and connected to a city easement south of St. Andrews Tract in the Spindrift Planning Area. This access leads to a spectacular viewpoint, which is under private ownership. There is a public access easement from Seacliff Drive to Spyglass Park in the adjacent Spyglass Planning Area. The proposed project will be located entirely within the existing lot and will not obstruct access or increase use of the existing neighborhood, otherwise triggering the need to replace access or add recreational facilities to the area.

### Discussion

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The project would not result in a substantial growth within the area and would not substantially increase demand on any proximate existing neighborhood or regional park or other recreational facility(ies). ***Payment of standard development impact fees would ensure any incremental use of existing parks and recreational facilities would be reduced to less than significant.***

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The project does not include the construction of new recreational facilities and would not result in a substantial increase in demand or use of parks and recreational facilities. Implementation of the project would not require the construction or expansion of recreational facilities; therefore, ***no impacts would occur.***

### Conclusion

The project would not result in the significant increase in use, construction, or expansion of parks or recreational facilities. Therefore, ***potential impacts related to recreation would be less than significant and no mitigation measures are necessary.***

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. TRANSPORTATION</b> Would the project:					
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in inadequate emergency access?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

### Setting

The City of Pismo Beach maintains traffic data for all City-maintained roadways. The California Department of Transportation (Caltrans) maintains annual traffic data on state highways and interchanges within the county and urban areas. The project site is located within an existing residential neighborhood, accessed from Shell Beach Road, a minor arterial (Circulation Element).

In 2013, Senate Bill 743 was signed into law with the intent to “more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions” and required the Governor’s Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of Senate Bill 743 and identified vehicle miles traveled (VMT) per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3 [b]). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

The City’s Land Use and Circulation Elements of the City’s General Plan establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use and zoning districts.

The project includes construction of a new single-family residence on an existing residential lot. The lot is currently developed with a single-family residence. Access to the lot is from Naomi Avenue, which is developed with curb, gutter, and sidewalks. There is a bus stop located approximately 0.4 miles from the project site (Shell Beach Road and Seaclyff Drive); there are bicycle and pedestrian facilities along Shell Beach Road, within 1 mile of the project site.

### Discussion

- a) *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

The project does not propose the substantial temporary or long-term alteration of any proximate transportation facilities. Marginal increases in traffic can be accommodated by existing local streets and the project would not result in any long-term changes in traffic or circulation. The project does not propose uses that would interfere or conflict with applicable policies related to circulation, transit, roadway, bicycle, or pedestrian systems or facilities. The project would be consistent with the Circulation Element of the City’s General Plan. **Therefore, potential impacts would be less than significant.**

- b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Based on the nature and location of the project, the project would not generate a significant increase in construction-related or operational traffic trips or vehicle miles traveled. The project would not substantially change existing land uses and would not result in the need for additional new or expanded transportation facilities and is below the trip threshold identified by the State and would not be considered significant. The project would be subject to standard development impact fees to offset the relative impacts on surrounding roadways. **Therefore, potential impacts would be less than significant.**

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- c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The project proposes the construction of a single-family residence with attached garage. Though the unique configuration of the lot is cause for the request for a General Plan Amendment, there are no identified hazards (e.g. sharp curves, dangerous intersections) or incompatible uses at the site or within the immediate area. The residence and driveway will be constructed to meet all standards of the City's Zoning Codes, including the California Building Code. **Therefore, there would be no impacts.**

- d) *Result in inadequate emergency access?*

The project would not result in road closures during short-term construction activities or long-term operations. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area and sufficient alternative access exists to accommodate regional trips. **Therefore, the project would not adversely affect existing emergency access and no impacts would occur.**

### Conclusion

The project would not alter existing transportation facilities or result in the generation of additional trips or vehicle miles traveled. Payment of standard development fees, if applicable, and compliance with existing regulations would ensure potential impacts were reduced to less than significant. **Therefore, potential impacts related to transportation would be less than significant and no mitigation measures are necessary.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVIII. TRIBAL CULTURAL RESOURCES</b> Would the project:				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

AB 52 was approved in 2014, adding tribal cultural resources to the categories of resources that must be evaluated under CEQA. Tribal cultural resources are defined as either of the following:

- 1) Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
  - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources;

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or

- b. Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.
- 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of California Public Resources Code Section 5024.1. In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Recognizing that tribes have expertise with regard to their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If the tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe regarding the potential for adverse impacts on tribal cultural resources as a result of a project. Consultation may include discussing the type of environmental review necessary, the presence and/or significance of tribal cultural resources, the level of significance of a project's impacts on the tribal cultural resources, and available project alternatives and mitigation measures recommended by the tribe to avoid or lessen potential impacts on tribal cultural resources.

### Discussion

- a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
  - i. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

The City has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52. Correspondence requesting consultation was received from a representative from the Santa Ynez Band of Chumash Indians and a representative from the Salinan tribe. Following email correspondence and exchange of project information between the City and the Santa Ynez Band of Chumash, no further action was needed; consultation ended on December 7, 2021. An email was received from the Salinan Tribe of Monterey and San Luis Obispo Counties, requesting the project site be monitored during ground disturbance activities. However, following multiple attempts to discuss this request further related to the existing disturbed site conditions, no supplemental information was provided that would necessitate the need for monitoring during ground disturbing activities. Furthermore, the project will be conditioned that in the event unanticipated sensitive resources are discovered during project activities, adherence with City standards and State Health and Safety Code procedures would any reduce potential impacts to less than significant. The City sent an email to the Salinan Tribe representative on December 8, 2021, informing them that the consultation period had ended.

The project site is fully developed with a single-family residence, attached garage, and ornamental landscaping in both the front and rear yards. The project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to the City's Municipal Code and General Plan Policies related to protection of Archaeological Resources, which requires that in the event resources are encountered during project construction, construction activities shall cease, and the City shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. ***Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be less than significant.***

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- ii. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

The project site does not contain any resources determined by the City to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (COSE Policies CO-5 and CO-6). **Therefore, potential impacts would be less than significant.**

### Conclusion

No tribal cultural resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, adherence with City standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, **potential impacts to tribal cultural resources would be less than significant and no mitigation measures are necessary.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIX. UTILITIES AND SERVICE SYSTEMS</b> Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting

The proposed project includes development of a new single-family residence, replacing an existing residence, on an existing single-family residential lot within an established residential neighborhood. The neighborhood, and its residences, are served by the City's Public Works Department related to water and wastewater. Regulations for City services is provided for in Chapter 13 of the City's Municipal Code. The project's solid waste needs would continue to be served by South County Sanitation.

### Discussion

- a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?*

The project includes the development of a new single-family residence within an existing residential

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neighborhood. The new residence will connect to the existing infrastructure and will not require the expansion of existing community facilities. **Therefore, no impacts will occur.**

- b) *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The project site is currently served by City services related to water and wastewater. The proposed project will continue to use these same services at the same capacity as the original single-family residence. Additionally, to conserve water, the project will be subject to the City's General Plan Design Element (Policy D-17) and Building Code (Title 15), which requires specific native and drought tolerant plant species for use in landscaping and water-conserving fixtures for domestic use. **Therefore, no impacts would occur.**

- c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

The project site is currently served by the City's wastewater system and as a result of development will continue to utilize this service. Development of the single-family residence would not substantially increase demands on existing wastewater collection, treatment, and disposal facilities. The project does not include new connections to wastewater treatment facilities; **therefore, no impact would occur.**

- d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Construction would result in the generation of minimal solid waste materials. The proposed project is a single-family residence with attached garage, which is expected to generate a limited amount of solid waste and will likely not result in the impairment of solid waste reduction goals. **Therefore, potential impacts would be less than significant.**

- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The project is required to abide by federal, state, and local management reduction statutes and regulations related to solid waste. **Therefore, the project will comply with all statutes and regulations related to solid waste, and impacts will be less than significant.**

### Conclusion

The property is currently connected to the City's utilities and service systems related to water and wastewater. The project includes the development of a new single-family residence and will utilize existing services. **Therefore, there are no impacts to the utilities and service systems and no mitigation measures are necessary.**

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XX. WILDFIRE</b> Would the project:					
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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wildfire?

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Setting

In central California, the fire season usually extends from roughly May through October, however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) are defined by the California Department of Forestry and Fire Protection (CALFIRE) based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency's ability to provide service to the area (CALFIRE 2007). FHSZs throughout the County have been designated as "Very High," "High," or "Moderate."

The project site is located in an established residential neighborhood on an existing residential lot and is not in proximity to areas at high risk of wildfire events and not within a designated FHSZs. Fire protection services, as mentioned in the 'Public Services' resource in the City of Pismo Beach (City) are provided by CALFIRE, which has been under contract with the City to provide full-service fire protection. Based on the project's location and the County of San Luis Obispo response time maps, it will take CALFIRE less than 5 minutes to respond to a call regarding fire or life safety.

The City's Safety Element and County of San Luis Obispo Multi-Jurisdictional Hazard Mitigation Plan establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-2 identifies that new development should be designed to withstand natural and manmade hazards to acceptable levels of risk. Implementation strategies include adoption of the most recent safety requirements in the California Building and Fire Codes, using the planning and technical criteria presented in the Safety Element, and avoiding portions of sites with high hazard areas.

The California Fire Code provides minimum standards for many aspects of fire prevention and suppression activities. These standards include provisions for emergency vehicle access, water supply, fire protection systems, and the use of fire-resistant building materials.

### Discussion

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

Implementation of the proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. Temporary construction activities and staging would not substantially alter existing circulation patterns or trips. Access to adjacent areas would be maintained throughout the duration of the project. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. **Potential impacts would be less than significant.**

- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

The project site is located within an established residential neighborhood adjacent to the ocean. It is not in close proximity to areas subject to wildfire risks, is generally level, and therefore would not expose project occupants to pollutant concentrations from a wildfire or an uncontrolled spread of a wildfire. **Potential impacts would be less than significant.**

## Initial Study – Environmental Checklist

Project Number: P21-000054 and P21-000015

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

The proposed project includes a request to demolish portions of an existing residence on an existing residential lot and construct a new single-family residence. Redesign of the residence will include a new driveway; all other utilities are existing and would continue to serve the property. **Impacts would be less than significant.**

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The project site is located in a residential zone on an existing single-family residential lot. The lot is generally level and does not pose a risk to people or structures related to downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, **impact would be less than significant.**

### Conclusion

The project site is located within an existing residential neighborhood and is not adjacent or within close proximity to areas at high risk of wildfire or similar events. Development of the proposed residence will comply with California Building and Fire Code standards; **the project would result in less than significant impacts related to wildfire and no mitigation measures are required.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

## Initial Study – Environmental Checklist

Project Number: P21-000054 and P21-000015

The project is located in an urban area within an existing single-family residential neighborhood, surrounded by similarly developed residential lots. The project site is not located within or adjacent to an area known to support sensitive fish or wildlife species. Development of a residence on an existing single-family lot does not have the potential to substantially degrade the quality of the environment, or impact the habitat, population, or community of a fish or wildlife species. ***There are no anticipated project-related impacts.***

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Potential cumulative impacts of the proposed project have been analyzed within the discussion of each environmental topical/resource area above. ***Cumulative impacts associated with the proposed project would be less than significant.***

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Environmental impacts that may have an adverse effect on human beings, either directly or indirectly, are analyzed in each environmental topical/resource section above. ***Impacts would be considered less than significant.***

### Conclusion

In light of the whole record, as discussed and analyzed in each environmental topical/resource section, implementation of the General Plan Amendment and subsequent development of a new single-family residence on an existing residential lot in an urban area, would not meet or exceed the identified thresholds and therefore, ***impacts are considered less than significant.***

## Initial Study – Environmental Checklist

**Project Number:** P21-000054 and P21-000015

### References

CAL FIRE. 2007. "Draft Fire Hazard Severity Zones in Local Responsibility Areas." Available at [http://frap.fire.ca.gov/webdata/maps/san\\_luis\\_obispo/fhszl06\\_1\\_map.40.pdf](http://frap.fire.ca.gov/webdata/maps/san_luis_obispo/fhszl06_1_map.40.pdf)

California Department of Toxic Substances Control (DTSC). 2019. EnviroStor. Available at: <https://www.envirostor.dtsc.ca.gov/public/>

United States Geological Survey (USGS). 2019. Areas of Land Subsidence in California. Available at: [https://ca.water.usgs.gov/land\\_subsidence/california-subsidence-areas.html](https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html)

U.S. Fish and Wildlife Service (USFWS). 2019. National Wetlands Inventory Surface Waters and Wetlands. May 5, 2019. Available at: <https://www.fws.gov/wetlands/data/Mapper.html>

Flood Emergency Management Agency, Flood Map Service Center (2017).

Pacific Coast Testing, 2021. Geotechnical Investigation Report.

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The following checked ( ☒ ) reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the City of Pismo Beach Community Development Department.

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Project File for the Subject Application               | <input checked="" type="checkbox"/> 1983 Zoning Code   |
| <input type="checkbox"/> General Plan, includes all maps/elements, more pertinent elements | <input type="checkbox"/> 1998 Zoning Code  |
| <input checked="" type="checkbox"/> Circulation  | <input checked="" type="checkbox"/> Building and Construction Ordinance                                |
| <input checked="" type="checkbox"/> Conservation & Open Space                              | <input checked="" type="checkbox"/> Public Facilities Fee Ordinance                                    |
| <input checked="" type="checkbox"/> Design   | <input checked="" type="checkbox"/> Climate Action Plan  |
| <input type="checkbox"/> Facilities  | <input checked="" type="checkbox"/> Multi-Jurisdictional Local Hazard Mitigation Plan                  |
| <input type="checkbox"/> Growth Management   | <input checked="" type="checkbox"/> Clean Air Plan / APCD Handbook                                     |
| <input checked="" type="checkbox"/> Housing  | <input checked="" type="checkbox"/> Uniform Fire Code  |
| <input checked="" type="checkbox"/> Land Use   | <input type="checkbox"/> Natural Resources Conservation Service Soil Survey for San Luis Obispo County |
| <input checked="" type="checkbox"/> Noise  | <input type="checkbox"/> Stormwater Management Program   |
| <input checked="" type="checkbox"/> Parks, Recreation, and Access                          | <input checked="" type="checkbox"/> Water Quality Control Plan (Region 3)                              |
| <input checked="" type="checkbox"/> Safety   | <input checked="" type="checkbox"/> Fire Hazard Severity Map   |
|  | <input checked="" type="checkbox"/> Flood Hazard Maps  |

E-Copy

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
725 FRONT ST., SUITE 300  
SANTA CRUZ, CA 95060-4506  
(831) 427-4853  
CENTRALCOAST@COASTAL.CA.GOV



### APPEAL FORM

#### Appeal of Local Government Coastal Development Permit

#### Filing Information (STAFF ONLY)

District Office: Central Coast

Appeal Number: A-3-PSB-22-0064

Date Filed: November 7, 2022

Appellant Name(s): Terren Collins and Erik Howell

#### APPELLANTS

**IMPORTANT.** Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at <https://coastal.ca.gov/contact/#/>).

**Note regarding emailed appeals.** Please note that emailed appeals are accepted ONLY at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the Central Coast district office, the email address is CentralCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at <https://coastal.ca.gov/contact/#/>.

**RECEIVED**

**NOV -7 2022**

**CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA**



**Appeal of local CDP decision**  
**Page 2**

**1. Appellant information<sup>1</sup>**

Name: Tarren Collins and Erik Howell  
Mailing address: P.O. Box 3063, Shell Beach, CA 93448  
Phone number: (805)773-0233 / (805)720-2961  
Email address: coastlaw@gmail.com / erik@erikhowell.com

How did you participate in the local CDP application and decision-making process?

☐ Did not participate    ☒ Submitted comment    ☒ Testified at hearing    ☐ Other

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: We appealed the decision of the Pismo Beach Planning Commission for  
approval to the Pismo Beach City Council and articulated during the  
appeal hearing why this project is inconsistent with the LCP and  
Coastal Act Policies and Procedures.

<sup>1</sup> If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

## Appeal of local CDP decision

### Page 3

#### 2. Local CDP decision being appealed<sup>2</sup>

Local government name: City of Pismo Beach  
Local government approval body: City of Pismo Beach  
Local government CDP application number: P21-000015  
Local government CDP decision: ☒ CDP approval ☐ CDP denial<sup>3</sup>  
Date of local government CDP decision: April 19, 2022

Please identify the location and description of the development that was approved or denied by the local government.

Describe: A CDP permit was approved for the demolition of a single story  
1340 square foot home located at 171 Naomi Avenue, Pismo Beach,  
California 93449 and its replacement with a multi-story home nearly three  
times the size.

<sup>2</sup> Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

<sup>3</sup> Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the [appeal information sheet](#) for more information.

**Appeal of local CDP decision**  
**Page 4**

**3. Applicant information**

Applicant name(s):

Mittry Family Trust/Pismo Beach Councilmember Scott Newton

171 Naomi Avenue, Pismo Beach, CA 93449

Applicant Address:

760 Mattie Road, Pismo Beach, CA 93449

**4. Grounds for this appeal<sup>4</sup>**

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe: **1. Procedural Irregularities.**

This CDP was brought in conjunction with an LCP amendment resulting in not only an exception to current regulations, but also in fact a CHANGE of the regulations for the benefit of a single, current application. In violation of the Coastal Act, Coastal Commission procedures, and long standing precedence, this project was approved despite the fact that it failed to comply with the LCP, specifically restrictions placed on development in the Saint Andrews Tract.

**2. LCP Conformance issues.**

The mass, scale, and narrow setbacks of the proposed project are inconsistent with the Community Character of this special coastal community neighborhood, and they are inconsistent with the Neighborhood Compatibility requirement of the General Plan.

Please see attached pages and Exhibit immediately following

<sup>4</sup> Attach additional sheets as necessary to fully describe the grounds for appeal.

## Appeal of CDP for 171 Naomi, Pismo Beach

### Addition to Paragraph 4

Evidence of this project's lack of conformity is undeniable, and it is embedded in the City of Pismo Beach's staff report on the CDP and LCP Amendment. Please find relevant pages of the staff report attached as Exhibit A.

In summary, in 2012 our LCP Update added Policy LU-E-1 which states: "The St. Andrews Tract Planning Area shall be retained as a residential neighborhood...The focus is on conserving the existing housing stock and **assuring that home additions and replacements are compatible with the scale and character of the existing development. This will be achieved by: a. Limiting the front yard setback** for additions and reconstruction of existing homes.... b. ... **A front elevation minimum 10' building setback from the first floor to the second floor.**" (Emphasis added.)

The recently approved LCP Amendment, which was brought in conjunction with the CDP application, gutted these community character protections.

The approval of the LCP Amendment does not remove the requirement that a project must conform to the community character of the neighborhood, which is codified in both the Coastal Act, Coastal Act Policies, and the Neighborhood Compatibility requirement in the General Plan.

The CDP clearly is not compatible with the community character protections of this neighborhood. The applicant admits this fact by virtue of his efforts to gut the community character protections in his LCP Amendment.

The community character was clearly defined in LCP Policy LU-E-1 prior to its recent amendment. The amendment to the LCP did NOT change the existing community character of this neighborhood.

Rarely do we have such a clearly defined and demonstrable community character, having been codified in the 2012 LCP Update. The fact that the applicant secured an LCP Amendment allowing him to "check the boxes" of the LCP does not alter the fact that the CDP is not in conformity with the protected community character of this neighborhood. In fact, the LCP Amendment highlighted how the applicant's CDP is not compatible with the surrounding community.

# EXHIBIT A



## **CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
FAX: (831) 427-4877  
WEB: WWW.COASTAL.CA.GOV



# **Th13c**

### **LCP-3-PSB-22-0018-2 (ST. ANDREWS TRACT SETBACK CHANGES) JULY 14, 2022 HEARING EXHIBITS**

**Exhibit 1: City resolution and proposed amendment text**

**RESOLUTION NO. R-2022-027**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH,  
CALIFORNIA APPROVING A GENERAL PLAN/LOCAL COASTAL PROGRAM  
AMENDMENT TO THE CITY OF PISMO BEACH LAND USE ELEMENT PLANNING  
AREA 'E' (ST. ANDREWS TRACT) TO ELIMINATE DEVELOPMENT RESTRICTIONS  
IMPOSED BY POLICIES LU-E-1 'A' AND 'B'; AND ADOPTING A NEGATIVE  
DECLARATION**

**WHEREAS**, on March 22, 2022, the Planning Commission duly considered the application of Richard E. Mittry, Mittry Family Trust, for a General Plan/Local Coastal Program Amendment (Project P21-000054) to modify the St. Andrews Tract Policies LU-E-1 'a' and 'b' to allow a new single-family residence to be constructed at 171 Naomi Avenue; and

**WHEREAS**, following consideration of staff analysis and testimony by the applicant and members of the public, the Planning Commission recommended the City Council approve a General Plan/Local Coastal Program Amendment to eliminate Land Use Element Planning Area 'E' Policies LU-E-1 'a' and 'b'; and

**WHEREAS**, the City Council held a duly-noticed public hearing on April 19, 2022 on the General Plan/Local Coastal Program Amendment, at which all interested persons were given the opportunity to be heard; and

**WHEREAS**, the City Council finds, after due study, deliberation, and public hearing, that the following circumstances exist:

**A. FINDINGS FOR AMENDMENTS TO THE GENERAL PLAN/LOCAL COASTAL PROGRAM:**

- 1 Policy LU-E-1 'a' and 'b' of the General Plan/Local Coastal Program Land Use Element, Planning Area 'E' (St. Andrews Tract) were adopted in 2012 with limited public dialogue and resulted in several existing two-story single-family residences within the tract becoming legal non-conforming with the second-story stepback requirements of Policy LU-E-1 'b'
2. The proposed amendments are internally consistent with the remainder of the General Plan and Local Coastal Program. The modifications will allow for single-family residences to be developed in conformance with the implementing ordinance (Section 17.102.020 of the 1983 Zoning Code) which implements the goals and policies of the General Plan and Land Use Element. The modifications will also allow for the two-story single-family residences to be developed with second-story stepbacks consistent with the implementing ordinance and existing pattern of development in the St. Andrews Tract. As such, the language change will not alter the residential character of the St. Andrews Tract, and the Tract will

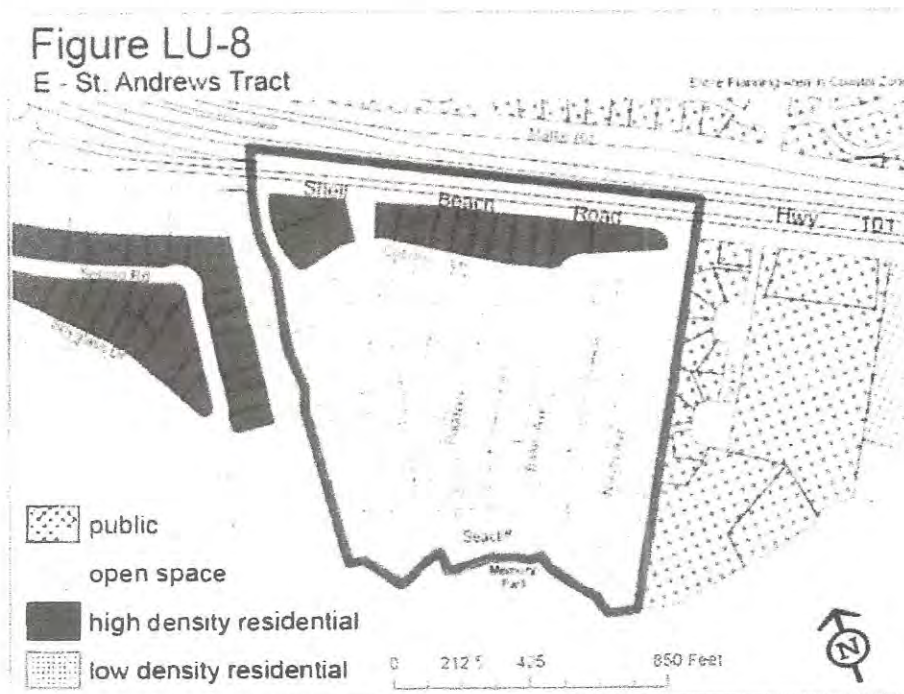
## St. Andrews Tract Planning Area E

### Background

The St. Andrews Planning Area is almost completely developed with single-family homes, apartments and a city fire station.

The ocean frontage consists of single family residences and Memory Park. These homes are adjacent to highly erodible cliffs, with rocky shoreline and small pocket beaches below. During low tide there are small beaches accessible to the public.

There is a bluff top access from Naomi Avenue dedicated to the city and connected to a city easement south of the planning area in the Spindrift Planning Area. This access leads to a spectacular viewpoint, which is under private ownership. There is a public access easement from Seacliff to Spyglass Park in the adjacent Spyglass Planning area.



### Policies

**LU-E-1 Concept:** The St. Andrews Tract Planning Area shall be retained as a residential neighborhood with Low and High Density residential uses. The focus is on conserving the existing housing stock and assuring that home additions and replacements are compatible with the scale and character of the existing development. This will be achieved by:

~~a. Limiting the front yard setback for additions and reconstruction of existing homes or construction of a new home to the front yard setback in place on the existing home as of January 1, 2012. The front yard setback for the single undeveloped lot in this area, APN 040-500-003, shall comply with the implementing ordinance;~~

~~b. For additions or reconstruction of existing homes and the construction of new homes. A front elevation minimum 10' building setback from the first floor to the second floor.~~





CITY OF PISMO BEACH  
Community Development Department  
760 Mattie Road, Pismo Beach, California 93449  
(805) 773-4658 / Fax (805) 773-4684

**Project Title & No.: Mittry Family Trust / General Plan Amendment and Coastal Development Permit / CEQA No. 2021-026 (P21-000054 and P21-000015)**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Public Services
<input type="checkbox"/> Agriculture & Forestry Resources	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Recreation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Hydrology & Water Quality	<input type="checkbox"/> Transportation
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Land Use & Planning	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities & Service Systems
<input type="checkbox"/> Energy	<input type="checkbox"/> Noise	<input type="checkbox"/> Wildfire
<input type="checkbox"/> Geology & Soils	<input type="checkbox"/> Population & Housing	<input type="checkbox"/> Mandatory Findings of Significance

**DETERMINATION:**

On the basis of this initial evaluation, the City of Pismo Beach finds that:

- ☒ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Megan Martin, Planning Manager

*Megan Martin*

12/8/2021

Prepared by (Print)

Signature

Date

Matthew Downing, Community Development Director

*Matthew Downing*

12/8/2021

Reviewed by (Print)

Signature

Date

## Initial Study – Environmental Checklist

Project Number: P21-000054 and P21-000015

### Project Environmental Analysis

The City's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The City's Planning Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the City of Pismo Beach Community Development Department, 760 Mattie Road, Pismo Beach, CA, 93449 or call (805) 773-4658.

### A. Project

**DESCRIPTION:** A General Plan Amendment/Local Coastal Plan Amendment to the City of Pismo Beach Land Use Element Planning Area 'E' (St. Andrews Tract) to eliminate the development restrictions imposed by Policy LU-E-1 a and b on the subject property located at 171 Naomi Avenue (APN 010-501-005); and, a subsequent request for a Coastal Development Permit and Architectural Review Permit to allow for the demolition of an existing single family residence and construction of a new 3,784 square-foot single-family residence, landscaping, decking, and lap pool.

**Assessor Parcel Number(s):** 010-501-005

#### Other Public Agencies Whose Approval is Required

Permit Type / Action	Agency
Local Coastal Plan Amendment	California Coastal Commission (CCC)
Coastal Development Permit	California Coastal Commission (CCC)
Building Permit	City of Pismo Beach – Community Development Dept.

### B. Existing Setting

**General Plan Designation:** Low Density Residential

**Neighborhood Planning Area:** St. Andrews Tract, Planning Area 'E'

**Zoning District:** Single-Family Residential (R-1)

**Overlay Zones:** Coastal Zone, Coastal Appeal Zone, Height Limitations Overlay (HL-1)



**Appeal of local CDP decision**  
**Page 5**

**5. Identification of interested persons**


On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☒ Interested persons identified and provided on a separate attached sheet

**6. Appellant certifications**

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Tarren Collins

  
Signature \_\_\_\_\_

Date of Signature 11-7-22

**7. Representative authorizations**

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☐ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

<sup>5</sup> If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

<sup>6</sup> If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

**Appeal of local CDP decision**  
**Page 5**

**5. Identification of interested persons**

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☒ Interested persons identified and provided on a separate attached sheet

**6. Appellant certifications**

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Erik Howell



Signature

Date of Signature 11-7-22

**7. Representative authorization**

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

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<sup>6</sup> If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

Stacy Inman  
308 Castaic Avenue  
Pismo Beach, California 93449  
StacyInmanBeach@gmail.com

Adam Warner  
Pismo Beach, California