

# DEPARTMENT OF PLANNING AND BUILDING

DATE:	3/28/2014	THIS IS A NEW PROJECT	REFERRAL	
TO:				
FROM:	Rob Fitzroy (805-781-5179 or <a href="mailto:ritzroy@co.slo.ca.us">ritzroy@co.slo.ca.us</a> ) Coastal Team / Development Review			
		<b>FION</b> : DRC2013-00044 PORT SAN ne Port San Luis Harbor Terrace Proj	I LUIS HARBOR – This is an updated ect	
yurts (33- beverage serve the Canyon F	67 units); ful retail store a Port. Site lo Rd.	I service RV camp sites (69-125); otl and/or an eating and drinking establis	e-44 sites); tent cabins, bungalows, inns, or her related amenities such as a food and shment; parking; and storage facilities to Drive, at the intersection with Diablo and -021.	
		your comments attached no later the within 60 days. Thank you.	an: 14 days from receipt of this referral.	
PART 1 -	IS THE ATT	ACHED INFORMATION ADEQUAT	E TO COMPLETE YOUR REVIEW?	
	YES NO	(Please go on to PART II.) (Call me ASAP to discuss what else we must obtain comments from outs	you need. We have only 10 days in which side agencies.)	
PART II -	ARE THER REVIE		BLEMS OR IMPACTS IN YOUR AREA OF	
	YES NO		h recommended mitigation measures to nificant levels, and attach to this letter)	
PART III	- INDICATE	YOUR RECOMMENDATION FOR F	FINAL ACTION.	
		any conditions of approval you reco tate reasons for recommending deni	mmend to be incorporated into the project's al.	
IF YOU H	HAVE "NO C	COMMENT," PLEASE SO INDICATE	, OR CALL.	
Date		Name	Phone	
Cou	NTY GOVERNME	ENT CENTER • SAN LUIS OBISPO • CAL	FORNIA 93408 • (805)781-5600	

	DRC2013-00044 PORT SL H CONDITIONAL USE PERMIT/	IARBO
GENERAL APPLICATION FORM San Luis Obispo County Department of Planning and Building	1.11	
A D.D. LO A T.I.O.N. T.V.D.C. OLUE OK. A.I.I. T.I.I.A.T. A.D.D.I.V.	AS CAZ CSC GS LCP P SRA SRV	F
	•	
APPLICANT INFORMATION Check box for contact person as ☐ Landowner Name Port San Luis Harbor District  Mailing Address 3950 Avila Beach Drive PO Box 249 Avila Beach, California	ssigned to this project  Daytime Phone (805) 595-5414  Zip Code 93424	
Email Address: stevem@portsanluis.com		
□ Applicant Name Steve McGrath, Port San Luis Harbor District Manager  Mailing Address 3950 Avila Beach Drive PO Box 249 Avila Beach, California  Email Address: stevem@portsanluis.com	Daytime Phone (805) 595-5414 Zip Code 93424	
□ Agent Name Lisa Wise Consulting  Mailing Address 983 Osos Street San Luis Obispo, CA  Email Address: Iisa@lisawiseconsulting.com menka@lisawiseconsulting.com	Daytime Phone (805) 595-1345 Zip Code 93401	
PROPERTY INFORMATION  Total Size of Site: See Attachment A.	rcel Number(s): See Attachment A. th name of road providing primary access to	
Describe current uses, existing structures, and other improvem	nents and vegetation on the property:	
PROPOSED PROJECT  Describe the proposed project (inc. sq. ft. of all buildings): Se	ee Attachment A.	
LEGAL DECLARATION  I, the owner of record of this property, have completed this form here are true. I do hereby grant official representatives of the property.  Property owner signature	m accurately and declare that all statements county authorization to inspect the subject  Date 126/13	
FOR STAFF USE ONLY  Reason for Land Use Permit:		

# ATTACHMENT A: GENERAL APPLICATION FORM

# PROPERTY INFORMATION

Total Size of Site: Approximately 31.74 acres

# Assessor Parcel Number(s):

076-172-002 & 076-172-010;

The Port San Luis Harbor District acquired from Eureka Energy Company: Portion of APN 076-171-018,-021; & 076-172-019,-022.

Subsequent to recording of public lot, a new APN will be assigned to the property.

# Legal Description:

Designated land use category: Public Facility within Avila Beach Urban Reserve Line.

# Address of the project (if known):

Near terminus of Avila Beach Drive, at the intersection with Diablo Canyon Road

### Directions to the site:

Follow Avila Beach Drive nearly to its terminus. The project site sits along Avila Beach Drive at the intersection with Diablo Canyon Road.

# Current uses, existing structures, and other improvements and vegetation on the property:

The project property is a significantly graded, terraced site with some paved circulation on the lower portion of the site. Current uses and existing structures include a former Port San Luis Harbor District office building and boat, gear and other storage areas serving the Port. Vegetation on the property includes limited ruderal/disturbed, annual grassland, adjacent coastal scrub and oak woodland.

# PROPOSED PROJECT

The Harbor Terrace project complies with the San Luis Bay Coastal Area Plan (LCP) in its entirety so as to not require an amendment to this plan. In compliance with the LCP, the project program includes a mix of tent sites (approximately 56 sites); tent cabins, bungalows, inns, or yurts (approximately 31 units); full service RV camp sites (approximately 80 sites); RV/RV Cabin sites (approximately 15 units); other related amenities such as a food and beverage retail store and/or an eating and drinking establishment; parking; and storage facilities to serve the Port. The project improves upon existing circulation, revegetate significant area with native habitat, and will model innovative solutions that meet or exceed new County stormwater regulations. Please refer to the Land Use Permit drawing set for additional detail.

The Harbor Terrace project is currently applying for a Coastal Development Permit. It is expected that a more detailed architecture review prior to issuance of a building permit would be part of a CDP condition of approval.

# San Luis Bay Coastal Area - Goals & Policies for the Harbor Terrace Planning Sub - Area

The project conforms to the following goals and policies put forth in Chapter 8 (Planning Area Standards) of the San Luis Bay Coastal Area Plan (Adopted/Certified in 1988 and Revised August 2009) for Harbor Terrace Planning Sub-Area (see page 8-20):

**Development Intent**: The Harbor Terrace project will provide a range and mix of uses, with emphasis on coastal related and visitor serving uses, so that the land is financially and physically supportive of Harbor District operations.

**Harbor Users**: The Harbor Terrace project must provide space to accommodate current and future Harbor District and other user needs including gear storage, trailer boat storage, and other harbor uses.

Visitor Uses: The Harbor Terrace project will provide visitor-serving retail uses that are complementary to the harbor so the project may enhance the public's enjoyment in ways that financially and physically support the Harbor District's public functions. The project program must include overnight accommodations and commercial uses according to market demand and feasibility. Overnight accommodations shall include affordable visitor serving facilities.

**Environmental Performance**: The Harbor Terrace project shall integrate site and building design techniques that are environmentally sensitive and energy conserving.

**Pedestrian Access**: New visitor serving developments on Harbor Terrace shall incorporate measures to provide safe pedestrian access onsite and coordinate access to the beach and other Port facilities.

**Prescribed Uses**: The Harbor Terrace project shall allow trailer boat and gear storage, eating and drinking establishments, food and beverage retail sales (e.g., market or commissary),

yachting and rowing clubs, paths, trails, scenic overlooks and sightseeing facilities, public parking, picnicking, accessory storage, hotels and motels (camping, bungalows, tent cabins, inns, casitas, bed and breakfast), recreational vehicle parks, meeting facilities, group camping, passive recreation, communication facilities, specialized programs, outdoor retail sales, Harbor Operations (including offices, storage and maintenance yard), public safety facilities, temporary events, interpretive displays and exhibits, shuttle station, aquaculture and mariculture.

Road, Infrastructure, and Service Restrictions: The San Luis Bay Coastal Area Plan precludes the project from extending roads, infrastructure, services, or other development connections through the Harbor Terrace property to other non-Harbor District properties. This restriction does not preclude trailhead connections, and makes difficult creation of project connection to secondary egress path out of Avila Beach via Wild Cherry Canyon.

# San Luis Bay Coastal Area - Planning Criteria for the Harbor Terrace Planning Sub - Area

The project conforms to the following Planning Criteria put forth in Chapter 8 (Planning Area Standards) of the San Luis Bay Coastal Area Plan (Adopted/Certified in 1988 and Revised August 2009) for Harbor Terrace Planning Sub-Area (see pages 8-22 to 8-25):

**Priority of Uses**: Proposed uses of the project shall include sufficient area for the highest priority coastal-dependent and coastal-related uses. Other uses shall be designed and constructed to avoid interferences with coastal-dependent and coastal-related uses. To ensure the project provides adequate facilities necessary to serve the highest priority uses and does not reduce opportunities for lower cost visitor serving uses and coastal access and recreation, the project program shall provide the following:

- 1. Minimum Required Uses: A minimum of 70 trailer boat storage spaces, 20 marine gear storage spaces, 48,000 square feet of general public parking (which includes public parking for a possible Harbor Office meeting room), and 10,000 square feet of expansion area that will be reserved to accommodate coastal-dependent and coastal-related uses. These uses shall be located in the western and southwestern portions of the site in order to maximize proximity to the coast and other associated harbor facilities, unless another location is equally sufficient.
- 2. <u>Prescribed Use Ratios</u>: A minimum of one (1) lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every one and a half (1.5) unit of hotel/motel (cabin, bungalow, inn, yurt, casita) development. A minimum of one (1) lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every three (3) RV campsites.
- 3. <u>Project Phasing Limitations</u>: Permits necessary to construct the minimum number of lower-cost campsites (car or walk-in/bike-in tent campsites) must be approved prior to or concurrently with any permit approval for hotel/motel and/or commercial retail development on the project site, and the lower-cost campsites must be available for use within one year of the opening of the hotel/motel and/or commercial retail development.
- 4. <u>Purpose of Commercial Uses</u>: All commercial uses must serve coastal dependent uses, coastal-related uses and/or provide visitor-serving uses.

- 5. Intent of Accommodations: With the exception of an on-site campground host or campground facilities manager, all overnight accommodations to be developed on the project site shall be exclusively available to the general public for transient occupancy. The establishment or conversion of overnight accommodations to a private or members only use (e.g. timeshares or condominiums), or the implementation of any program to allow extended and exclusive use or occupancy of the facilities by an individual or limited group or segment of the public is prohibited.
- 6. <u>Special Events</u>: Specialized programs and temporary events are subject to land use approval consistent with the Local Coastal Plan. Outdoor events conducted on the site shall be planned and staged so that noise generated by the event, attendees, and traffic is minimized. Temporary events shall not interfere with harbor operations and boating and fishing activities.

**Building and Site Design Requirements**: New development shall be sited and designed to minimize the visual impacts of the development, including those related to light and glare, in order to preserve the scenic quality of the area as viewed from public viewing areas, adjacent roads, piers, beaches, and the ocean. Special attention shall be given to maintaining character of the Harbor area. This shall be accomplished by:

- 1. <u>Commercial Use Location</u>: Restricting the development of commercial retail facilities and structures (eating and drinking establishments, food and beverage retail sales, commissary, market, meeting rooms, parking, etc.) to the lower previously graded portions of the site, as depicted in Conceptual Harbor Terrace Plan Figure 8.7 of the San Luis Bay Coastal Area Plan.
- 2. <u>Commercial Use Height Limitations</u>: Limiting commercial retail facilities/structures and the harbor office/shop to two-stories with a maximum height of 25 feet.
- 3. <u>Hotel Use Height Limitations</u>: Limiting hotel motel units (yurts, cabins, inns, casitas, bungalows) to single-story with a maximum height of 15 feet.
- 4. <u>Camping Use Location</u>: Limiting the use of APN 076-171-021 to walk-in/bike-in camping. The small, previously disturbed area on the northwest portion of the parcel adjacent to the existing access road may be used for structures necessary to serve the walk-in/bike-in campsites. No new road development or road improvements shall occur on APN076-171-021, and vegetation removal shall be minimized. Each walk-in/bike-in site shall be limited to a level area or platform for a tent, a picnic table, a fire ring, and a water spigot.
- 5. <u>Aesthetics</u>: Requiring that all development be designed, colored, and sited to minimize visibility within the public view shed.
  - <u>Bulk</u>: Project buildings shall avoid large, boxy structures by providing variations in height, articulated roof forms and pitch, and open space view corridors.
  - <u>Materials</u>: Structures shall blend in with the natural surroundings by using earth toned colors and materials. Reflective materials and finishes are prohibited.
  - <u>Lighting</u>: Lighting (particularly overhead street lights should they be necessary) shall be minimized in number and shall be shielded to orient lighting downward.
  - Landscape: The project shall be landscaped with native vegetation appropriate to the

site in order to soften the visual prominence of the new development and to restore the visual qualities of the site. Invasive plant species are prohibited.

- 6. <u>Landscape and Irrigation Plans</u>: Identifying revegetation areas necessary to stabilize slopes and planting areas necessary to minimize visual impacts of grading/terracing and the proposed use of the site. Landscape plans shall utilize native plant species appropriate to the site, and shall be designed to minimize the visual impact of all development on the site as viewed from public viewing areas, piers, beaches, and the ocean. Alteration of natural landforms is to be minimized and any areas of cut/grading shall immediately be re-seeded using a native seed mix.
- 7. <u>Restroom Location</u>: Requiring a restroom building or other structures necessary to serve the campsites to be sited in the least visible portions of previously disturbed areas, and designed and landscaped to prevent its visibility from public view.
- 8. <u>Water Tank Improvements</u>: Requiring that any improvements or additions to the existing water tank to be limited to the minimum necessary to provide approved site development with water storage for domestic supply and fire protection purposes; shall be placed underground to the greatest degree feasible; and shall be sited, colored, and landscaped to minimize visibility from public viewing areas (including roads, piers, beaches, and offshore areas).
- 9. <u>Visual Analysis</u>: Requiring at the time of Coastal Development Permit application, or as part of an environmental review document, a detailed visual analysis which demonstrates that the visual and scenic character of the site will be preserved and improved where possible.

**Biological Resources:** To protect and enhance sensitive biological resources and habitat areas, including water quality, on and adjacent to the project site, the following measures shall include, but are not limited to:

- 1. <u>Revegetation</u>: The revegetation of all cut slopes with native species of local stock appropriate to the site. Invasive plant species are prohibited.
- 2. <u>Tree Replacement</u>: The replacement of all oak trees in areas adjacent to existing oak woodland habitat, if the removal of such oak trees cannot be avoided. The number and replacement of trees shall be adequate to ensure that an equal or greater number of oak trees, in comparison to the number of trees removed, will be successfully established. A tree replacement program, including long-term maintenance measures, shall accompany any development plan that involves the removal of existing oak trees. This program will include strategies for improving natural oak recruitment.
- 3. <u>Habitat Disturbance</u>: Designing grading and construction activities to avoid disturbance of habitat (e.g. coastal scrub habitat) and minimize the removal of oak trees.
- 4. <u>Setback Zones</u>: The establishment, management, and maintenance of setback or buffer zones as habitat areas. The width of such setback/buffer areas shall be determined through a project specific biological analysis that identifies the minimum setback/buffer area necessary to protect the biological productivity of sensitive habitat areas. Setback areas necessary for fire safety shall be identified in the development plan and shall be designed to

avoid the removal or disturbance of habitat areas. The width of the vegetative buffer area provided for the coastal stream adjacent to Diablo Canyon Road shall be no less than 50 feet.

- 5. <u>Guest Education</u>: Providing information to future guests regarding nature-viewing opportunities.
- 6. <u>Designated Habitat Areas</u>: The provision of designated areas for pets so that native habitat areas are avoided.
- 7. <u>Grading</u>: Grading for approved development shall be designed and implemented to minimize sedimentation impacts on adjacent surface water bodies including coastal streams and San Luis Bay. Construction activities such as grading and clearing shall be scheduled to avoid the rainy season.
- 8 <u>Storm Water Management</u>: Minimize impervious surfaces and install post development Best Management Practices (BMP's) to capture, infiltrate, and/or treat storm water runoff. The objective of drainage improvements shall be to avoid any increase in the quantity and intensity of storm water runoff exiting the site. Post construction BMP's shall be designed with adequate capacity to accommodate, at a minimum, the 85th percentile 24-hour runoff event.
- 9. <u>Drainage Facilities</u>: If drainage facilities are proposed to flow into the stream/drainage channel adjacent to Diablo Canyon Road, the stream channel shall be restored to provide both flow capacity and natural habitat.
- 10. <u>Drainage Filtration</u>: Filtering all drainage from parking facilities by using vegetated swales or oil/water separators to limit oil/grease pollution and the intensity of flow commonly associated with parking lots.
- 11. <u>Limit Water Quality Impacts</u>: Use all BMP's possible to limit water quality impacts and eliminate to the greatest degree feasible the need for additional culverts and ocean/beach disposal points.

Cultural Resources: Potential project impacts to cultural resources shall be evaluated, and the protection and/or mitigation for any significant resources identified shall be incorporated into the proposed site design in coordination with SHPO and the local Chumash tribe. Archeological field surveys shall be conducted prior to project construction activities. In accordance with Section 23.05.140 of the Coastal Zoning Land Use Ordinance, all construction activities shall cease should resources be identified during construction. In such an event, construction activities shall not re-commence until measures protecting and/or mitigating impacts to archaeological resources have been developed and approved by Planning Director, Environmental Coordinator, SHPO, and the Chumash tribe. No development shall occur west of Diablo Canyon Road other than restoration of the existing drainage course, and any cultural/archaeological preservation activities that have been coordinated and approved by the State Historic Preservation Officer and representatives of the appropriate Chumash tribe.

**Slope Stability:** To reduce hazards on the project site, new structures designated for human occupation and use (e.g. hotels, motels, campsites, parking lots, offices, commercial areas) must

demonstrate a static factor of safety with respect to slope stability of 1.5 and a pseudostatic factor of safety to 1.1, using a horizontal seismic coefficient of 0.15g. In addition, uses on the project site or slopes above it that would have a significant potential to saturate the soils and add further slope instability, such as drainage detention basins or septic systems, shall be prohibited.

# LAND USE PERMIT APPLICATION

San Luis Obispo County Department of Planning and Building File No X Other □ Industrial ☐ Residential □ Recreational Type of project: ☐ Commercial Describe any modifications/adjustments from ordinance needed and the reason for the request (if applicable): NO modifications to the Coastal Zone Land Use Ordinace, Local Coastal Plan, or General Plan are required Describe existing and future access to the proposed project site: See Attachment B X Yes Surrounding parcel ownership: Do you own adjacent property? ■ No If yes, what is the acreage of all property you own that surrounds the project site? Approximately 100 acres Surrounding land use: What are the uses of the land surrounding your property (when applicable, please specify all agricultural uses): North: Undeveloped/Agriculture/Open Space South: Public Beach, Port San Luis Harbor District Facilities East: Undeveloped/Agriculture/Open Space West: Open Space, Diablo Canyon Road Right of Way For all projects, answer the following: Square footage and percentage of the total site (approximately) that will be used for the following: Buildings: See Attach. B sq. feet See Attach. B % See Attach, B SQ. feet See Attach, B % Landscaping: See Attach. B See Attach. B Sq. feet See Attach. B % Other (specify) Paving: Total area of all paving and structures: See Attach. B acres sq. feet Total area of grading or removal of ground cover: See Attach. B sq. feet acres Number of parking spaces proposed: See Attach. B Height of tallest structure: See Attach. B Type: See Attach. B Number of trees to be removed: See Attach. B Left See Attach. B Back See Attach. B Front See Attach. B Right See Attach. B Setbacks: **Proposed water source:** • On-site well ☐ Shared well □ Other Community System - List the agency or company responsible for provision: SLO County Service Area 12 (Lopez Reservoir) Do you have a valid will-serve letter? ☐ Yes X No (If yes, please submit copy) Proposed sewage disposal: 

Individual on-site system Other Community System - List the agency or company responsible for sewage disposal: Avila Beach CSD ☐ Yes X No Do you have a valid will-serve letter? (If yes, please submit copy) Fire Agency: List the agency responsible for fire protection: Cal Fire For commercial/industrial projects answer the following: Total outdoor use area: NA sa. feet acres Total floor area of all structures including upper stories: NA sq. feet For residential projects, answer the following: Number of residential units: NA Number of bedrooms per unit: NA Total floor area of all structures including upper stories, but not garages and carports: NA Total of area of the lot(s) minus building footprint and parking spaces: NA

# ATTACHMENT B: LAND USE PERMIT APPLICATION

# EXISTING AND FUTURE ACCESS TO THE PROPOSED PROJECT SITE

Access to the site will likely utilize existing vehicular entry from Avila Beach Drive. The site design will incorporate measures to provide safe pedestrian access onsite and coordinate access to the beach and other Port facilities. See Preliminary Site Layout Plan for example land use and circulation.

# FOR ALL PROJECTS, ANSWER THE FOLLOWING

# **Buildings:**

Retail / Commercial: 16,000 SF

Restrooms: 4 Comfort Stations, 2,800 SF Total

Harbor Use Building: 3,000 SF Floorplate, up to two stories

Approximate Total Building Square Footage: 21,000 SF (2.0% of site) plus comfort stations

# Paving and graded areas:

Paved Circulation and Parking: Approximately 320,000(24% of site). This figure includes the Harbor Use Area which may not be paved in its entirety.

Public Parking: 48,000 SF See Site Layout Plan.

Where appropriate, impervious surfaces will be minimized and low impact development strategies implemented to reduce storm water runoff. See Drainage Plan.

# Total landscaped/revegetated area

The project proposes approximately 410,000 SF (9.4 acres, 31% of site) of landscaped/revegetated area (equal to the total extent of grading area less circulation, parking, harbor use areas and graded RV & camping areas and building footprints). Portions of circulation and camping will contain landscaped features and vegetation.

## Camping areas

56 tent campsites (a combination of walk-in and car campsites);

80 RV/full service campsites:

15 RV/RV cabin sites

31 hotels/motel units (cabins, bungalows, inns, yurts, casitas)

Approximate Total: 163,000 SF (12% of site)

Above unit counts are estimates and subject to change based on market conditions, design constraints, and environmental impacts. The project will remain consistent with the San Luis Bay Coastal Area Plan.

# Harbor use area:

Port/Marine Related Storage: 70 trailer boat storage spaces, 20 marine gear storage spaces, & Port material storage area, 95,000 SF (2.2 acres, 7% of site)

Other

Swimming Pool/Hot Tub

Check-in Booth

4 Overlook/picnic/gathering areas

Approximate Total: 18,000 SF (1.0% of site)

# Total area of all paving and structures:

Please see above sections titled "Buildings", "Paving", "Landscaped / Revegetated Camping Area", and "Other." The project aims to implement Low Impact Development strategies that will allow the project to meet or exceed intent and requirements of new county storm water regulations. The project will minimize impervious surfaces and utilize post development Best Management Practices (BMP's) to capture infiltrate, and/or treat storm water runoff.

# Total area of grading or removal of ground cover:

The extent of area to be graded is approximately 16.6 acres (54% of site). Please see Conceptual Grading Plans for additional detail. Grading for approved development shall be designed and implemented to minimize sedimentation impacts on adjacent surface water bodies including coastal streams and San Luis Obispo Bay. Construction activities such as grading and clearing shall be scheduled to avoid the rainy season.

# Number of parking spaces proposed:

The project proposes 148 spaces total (48,000 SF @ 325 SF per stall including circulation)

### Number of trees to be removed:

The number is unknown at this time. The project will include the replacement of all oak trees in areas adjacent to existing oak woodland habitat, if the removal of such oak trees cannot be avoided. The number and replacement of trees shall be adequate to ensure that an equal or greater number of oak trees, in comparison to the number of trees removed, will be successfully established. A tree replacement program, including long-term maintenance measures, shall accompany any development plan that involves the removal of existing oak trees. This program will include strategies for improving natural oak recruitment.

# Height and type of tallest structure:

The commercial retail structures and the harbor use building will not exceed two-stories with a maximum height of 25 feet.

#### Setbacks:

No part of a recreational vehicle is to be located closer than 25 feet to any street property line, and no closer than 30 feet to any interior property line. No RV or tent is to be located closer than 10 feet to any other RV or tent.

### Proposed water source:

The PSL Harbor District is currently allotted 100 acre feet of water per annum from the County Service Area 12, of which it typically uses only 17 acre feet and therefore has adequate supply to serve additional demand from the Harbor Terrace development. .

## Proposed sewage disposal:

The PSL Harbor District has an agreement with the Avila Beach Community Services District for sewage conveyance capacity rights of no less than 70,000 gallons per day, as well as a condition to share costs of new treatment facilities. It is anticipated that this agreement will cover the additional demands resulting from the Harbor Terrace development.