

CALIFORNIA COASTAL COMMISSION
Central Coast
725 Front Street Ste 300
Santa Cruz, CA 95060
(408) 427-4863

W10a

DATE: December 21, 1995

TO: Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director
Tami Grove, District Director

SUBJECT: County of San Luis Obispo, Local Coastal Program Amendment # 2-95 Concurrence with the Executive Director's determination that the action by the County of San Luis Obispo accepting certification of Amendment # 2-95 to the County's Local Coastal Program is legally adequate.

EXECUTIVE DIRECTOR'S DETERMINATION AND REPORT FOR
COMMISSION REVIEW AT THE MEETING OF JANUARY 10, 1996

Background

Amendment # 2-95 consisted of two parts, which were both certified by the Commission on October 13, 1995. Part 1 was certified with modifications and Part 2 was certified as submitted. On November 7, 1995, the Board of Supervisors considered the Commission's action, acknowledged receipt of the resolutions of certification from the Commission, and agreed to the modifications suggested by the Commission for Part 1 of the amendment.

As provided for in Section 13544 of the Commission's Administrative Regulations, the Executive Director must determine that the action of San Luis Obispo County is legally adequate and report that determination to the Commission.

Recommendation

It is recommended that the Commission concur with the determination of the Executive Director that the action of the Board of Supervisors of San Luis Obispo County accepting the certification of LCP Amendment #2-95, Part 1 as modified, and accepting the certification of LCP Amendment # 2-95, Part 2 as submitted, is legally adequate.

Attachments

- o Draft letter to Chairperson Blakely
- o Copy of Board Resolution 95-439

January 11, 1996

David Blakely, Chairperson
San Luis Obispo County Board of Supervisors
County Government Center
San Luis Obispo, CA 93408

Re: County of San Luis Obispo, Local Coastal Program
Amendment #2-95

Dear Chairperson Blakely:

This office has reviewed San Luis Obispo County's Resolution 95-439, adopted by the Board on November 7, 1995. By that action the County acknowledged the receipt of the Commission's certification and has incorporated the suggested modifications into the County's Local Coastal Program. I have determined, and the Commission has concurred, that the County's action with respect to Amendment #2-95 is legally adequate to satisfy the requirements of Section 13544 of the Commission's Administrative Regulations. This determination was reported to the Commission at the January 10, 1996 meeting in Los Angeles.

Very truly yours,

PETER M. DOUGLAS
Executive Director

LES STRNAD
Deputy District Director

PMD/LS/sg

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IN THE BOARD OF SUPERVISORS
CALIFORNIA COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Tues day November 7, 1995

PRESENT: Supervisors Harry L. Ovitt, Laurence L. Laurent, Evelyn Delany, Ruth E. Brackett, and Chairperson David Blakely

ABSENT: None

RESOLUTION NO. 95-439

RESOLUTION ACKNOWLEDGING RECEIPT AND AGREEING TO CALIFORNIA COASTAL COMMISSION'S MODIFIED LANGUAGE PERTAINING TO LOCAL COASTAL PLAN - MAJOR AMENDMENT NUMBER 2-95, PART 1 AND ACKNOWLEDGING RECEIPT AND CERTIFICATION OF LOCAL COASTAL PLAN - MAJOR AMENDMENT NUMBER 2-95, PART 2 AS SUBMITTED

The following resolution is now offered and read:

WHEREAS, the County of San Luis Obispo Board of Supervisors conducted public hearings on March 21, 1995, April 18, and April, 25, 1995 and approved amendments to the County's General Plan, Local Coastal Program and Coastal Zone Land Use Ordinance; and

WHEREAS, the County submitted Local Coastal Plan - Major Amendment Number 2-95, Parts 1 and 2 to the California Coastal Commission for certification on May 31, 1995; and

WHEREAS, on October 13, 1995, the California Coastal Commission certified the County's amendments to the Local Coastal Plan - Major Amendment Number 2-95, Part 2, but recommended modified language in Local Coastal Plan - Major Amendment Number 2-95, Part 1, pertaining to small scale neighborhoods; and

WHEREAS, on October 13, 1995, the California Coastal Commission certified Local Coastal Plan - Major Amendment Number 2-95, Part 1, provided certain modified language suggested by the California Coastal Commission was adopted by the County, said language is contained on pages 7 and 8 of the California Coastal Commission staff report, dated September 29, 1995 attached hereto and incorporated by reference herein; and

WHEREAS, pursuant to the California Code of Regulations, title 14, sections 13544(a), 13544.5(a), 13547(a) and 13551(b), the San Luis Obispo County Board of Supervisors may now accept and agree to the terms and modifications suggested by the California Coastal Commission on Local Coastal Plan - Major Amendment Number 2-95, Part 1, and take formal action to satisfy the terms and modifications.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, in a regular meeting assembled on the seventh day of November, 1995, that the Board of Supervisors of San Luis Obispo County, acknowledges receipt and hereby agrees to the modified language, as suggested by the California Coastal Commission, without further changes, pertaining to Local Coastal Plan Major Amendment Number 2-95, Part 1 and acknowledges receipt of the Coastal Commission's action to certify without changes Local Coastal Plan Major Amendment Number 2-95, Part 2 as set forth in Exhibit "C" attached hereto and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED AND ORDERED that the Land Use Element and Local Coastal Plan, and the Coastal Zone Land Use Ordinance, Title 23 of the County Code, be amended and adopted as follows:

1. As to the language not affected by the California Coastal Commission suggested modification, the Board of Supervisors confirms the action of the Board on April 25, 1995, pertaining to Local Coastal Plan - Major Amendment 2-95, Part 2.

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2. As to California Coastal Commission's suggested modification language, the Board of Supervisors takes the following action:

a. The Board of Supervisors accepts the modified language suggested by the California Coastal Commission pertaining to Land Use Element - Coastal Plan Policies, Chapter 10; Land Use Element - Estero Area Plan, Chapter 8; Coastal Zone Land Use Ordinance - Definitions, Chapter 11 as it implements the California Coastal Commission's recommendation by amending and adding the language as it appears on Exhibits G930003N:B (Revised September, 1995), G930003N:C (Revised September, 1995) and G930003N:C, (Revised September, 1995) attached hereto and incorporated herein as though fully set forth. (BIC should read

BE IT FURTHER RESOLVED AND ORDERED that pursuant to California Code of Regulations, title 14, sections 13544.5(b) and 13547(b), the Board of Supervisors directs staff to submit this resolution to the Executive Director of the California Coastal Commission for a determination, in writing, that the County's action is legally adequate to satisfy the conditions of certification set forth in the California Coastal Commission's certification order.

Upon motion of Supervisor Delany, seconded by Supervisor Laurent, and on the following roll call vote, to wit:

AYES: Supervisors Delany, Laurent, Ovitt, Brackatt, Chairperson Blakely

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted.

DAVID BLAKELY

Chairman of the Board of Supervisors

ATTEST:

Julie L. Rodewald
Clerk of the Board of Supervisors
BY: CHRIS ANEPURG Deputy Clerk
(SEAL)

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: [Signature]
Deputy County Counsel

Date: 10.19.95

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO) SS
I, JULIE L. RODEWALD, County Clerk of the above
recited County, and Ex-Officio Clerk of the Board of
Supervisors thereof, do hereby certify the foregoing to
be a full, true and correct copy of an order entered in the
minutes of said Board of Supervisors, and now remain-
ing of record at my office
Witness, my hand and seal of said Board of Supervi-
sors this 12 day of Nov
19 95
JULIE L. RODEWALD
County Clerk and Ex-Officio Clerk
of the Board of Supervisors
By: [Signature]
Deputy Clerk

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