

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST AREA OFFICE  
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*DKL*  
*7/30/96*

*TH 4C*

July 30, 1996

**TO:** Commissioners and Interested Parties

**FROM:** Tami Grove, District Director  
Diane Landry, Legal Counsel  
Steve Guiney, Coastal Planner

**RE:** COUNTY OF SAN LUIS OBISPO: LOCAL COASTAL PROGRAM  
MINOR AMENDMENT NO. 2-96

The County of San Luis Obispo is requesting that its certified Local Coastal Program be amended to remove a prohibition on development and institute design standards on an 8.4 acre site, on the north side of Los Osos Valley Road between South Bay Boulevard and Fairchild Way, in the community of Los Osos. This amendment request was filed on June 26, 1996, pursuant to Section 30510(b) of the Coastal Act and Section 13553 of the Commission's Regulations.

The purpose of this notice is to advise interested parties of the determination by the Executive Director pursuant to Section 13555 of Commission Regulations that the filed amendment is "minor" as defined in Section 13554. Minor amendments include several types of changes which do not affect permitted land uses. This proposed minor amendment would not change the kind, location, intensity, or density of land use on the subject site. Currently, the site is designated for commercial retail uses; there is no change proposed to that designation. The change proposed by the County is to delete the language that states that a permit ". . . for this property shall not be approved until a downtown design and infrastructure plan is approved by the Board of Supervisors for inclusion in the Land Use Element and Local Coastal Plan" and to establish interim design standards for the site. The proposed standards would require pedestrian-oriented site design and building design that has a human scale and that is compatible with the existing scale of development in downtown Los Osos. The proposed standards are consistent with the Los Osos Community Advisory Council's "Vision Statement" and received approval from the Los Osos Community Advisory Council.

The existing prohibition on permit approval for this site prior to adoption of a downtown design and infrastructure plan stems from an LCP amendment approved by the County in 1990 and certified by the Commission in 1991 (SLO LCPA No. 1-91), which changed the land use designation from Office/Professional and Residential Multiple Family to commercial Retail. Review of the SLO LCPA No. 1-91 files reveals that there were ". . . numerous public comments and letters at the County Board of Supervisor hearings. . . ." that addressed

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various issues including that the future development plan should conform to the community's aesthetic/structural standards, that the amendment should not be approved because there was ample Commercial Retail property available to satisfy the needs of Los Osos, that the amendment should be approved provided that the development plan include a downtown design infrastructure plan, and that the location should be closer to the center of the population. In response to these concerns, the Board of Supervisors added the language requiring the development of a downtown design and infrastructure plan prior to approval of any further development of this parcel, which was developed with two office complexes.

Upon its review of the proposed amendment, the Commission found *"...that the change in land use designations will result in the siting and location of new development in a manner which ensures such development is located in an area able to accommodate it, consistent with Section 30250 of the Coastal Act."* Coastal Act Section 30250 requires the siting and location of new development in a manner which ensures such development is located in areas able to accommodate it. The Commission's findings did not discuss design issues but only water supply and sewage disposal - infrastructure - issues. The Commission found that although the groundwater basin was overdrafted, commercial retail uses would likely use less water than office and multiple family dwellings and that, being infill, development on the site would have a high priority for water service. The Commission also found that although the site was located in an area where new on-site sewage disposal systems were prohibited, it was likely that commercial uses would generate less sewage than office or multiple family uses. The Commission findings did not address design issues, but were exclusively oriented toward infrastructure issues. The Commission found that *"Thus, the proposed change in land use designation will likely result in less demand for water and sewage discharge than the current land use designations. As established in the County Coastal Plan development may not proceed until these issues are resolved."*

Those same infrastructure issues exist today, except that now the County is actively working on design and permitting of a community sewage disposal system under order from the Regional Water Quality Control Board, which carries financial penalties if the County does not put such a system in place. Regardless of design issues, no development could take place on this site without there being water and sewage disposal available, issues which remain the same today as in 1991. When the community sewage disposal system becomes operational, the water supply issue will be alleviated because there will be no more nitrate contamination of the groundwater from on-site sewage disposal systems and treated, reclaimed water will be allowed to percolate through the soil back into the groundwater, increasing the water supply. In any event, the County is not proposing to change the existing language in the LCP which requires proposed development on this site to undergo environmental review. Nor is the County proposing to remove or diminish any other requirement for approval of development on this site; rather, the County proposes to add interim design regulations which have been reviewed and approved by the Los Osos Community Advisory Council and, according to the County's record, objected to by no one during the period of public review or at the public hearings before the Planning Commission and Board of Supervisors.

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In effect, the County is proposing interim standards that would allow development to go forward on this site and not be delayed pending development of a downtown design and infrastructure plan, which, when developed, adopted and certified sometime in the future, would allow the same type of development as is allowed now.

Pursuant to Section 13555, the Executive Director will report in writing this determination to the Coastal Commission at its August 15, 1996 meeting at the Crowne Plaza - Holiday Inn, 5985 West Century Boulevard, Los Angeles. He will also report any objections to the determination received within 10 days of posting of this notice. This proposed minor amendment will be deemed approved unless one-third of the appointed members of the Commission requires that it be processed as a major amendment (pursuant to Section 13555(b)).

If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Steve Guiney or Diane Landry at the Central Coast District Office in Santa Cruz. If you wish to register an objection to the proposed "minor" amendment determination contact either of the above staff in writing by March 12, 1996.

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IN THE BOARD OF SUPERVISORS  
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tues day April 23, 19 96

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

ABSENT: Supervisor Harry L. Ovitt

RESOLUTION NO. 96-166

RESOLUTION TO AMEND THE SAN LUIS OBISPO COUNTY GENERAL PLAN, LAND USE  
ELEMENT AND LOCAL COASTAL PLAN, TO ADOPT AN ORDINANCE ENTITLED "AN  
ORDINANCE AMENDING SPECIFIC SECTIONS OF THE SAN LUIS OBISPO COUNTY LAND USE  
ORDINANCE, TITLE 22 OF THE COUNTY CODE AND COASTAL ZONE LAND USE ORDINANCE,  
TITLE 23 OF THE COUNTY CODE", AND APPROVE AND CERTIFY ENVIRONMENTAL  
DOCUMENTS

The following resolution is now hereby offered and read:

WHEREAS, state law requires that a general plan be adopted; and

WHEREAS, the Land Use Element of the San Luis Obispo County General Plan was adopted by  
the Board of Supervisors on September 22, 1980, and is a proper element of the General Plan; and

WHEREAS, on March 1, 1988, the San Luis Obispo County Board of Supervisors adopted the  
Local Coastal Program as amendments and additions to the Land Use Element of the San Luis Obispo  
County General Plan, specifically incorporating the Land Use Plan of the Local Coastal Program into  
the Land Use Element of the General Plan hereinafter referred to as the "Land Use Element and Local  
Coastal Plan", and to the San Luis Obispo County Code Titles 19, 21, and 23; and

WHEREAS, the Local Coastal Program is intended to be carried out in a manner fully consistent  
with the California Coastal Act of 1976, California Public Resources Code, Section 30000 et seq.; and

WHEREAS, state law, public necessity, convenience and general welfare requires that general  
plans be amended from time to time; and

WHEREAS, the Planning Commission of the County of San Luis Obispo after public hearings  
on March 14, 1996, March 18, 1996 and March 28, 1996, did recommend amendments to the Land Use  
Element and Local Coastal Plan and the San Luis Obispo County Coastal Zone Land Use Ordinance,  
Title 23 of the County Code, and adopted resolutions recommending said amendments;

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 twenty-third day  
of April, 1996, that the Land Use Element and Local Coastal Plan, Land Use Ordinance, Title 22 of  
the County Code and the Coastal Zone Land Use Ordinance, Title 23 of the County Code be amended  
as follows:

1. Amend the San Luis Obispo County General Plan, Land Use Element, San Luis Bay Area Plan,  
official maps, as such amendment appears on Exhibit G940011M:A, attached hereto and incorporated  
herein as though fully set forth. [This map does not apply to the Coastal Zone and was not certified  
as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the  
California Coastal Commission.]

2. Amend the San Luis Obispo County General Plan, Land Use Element, San Luis Area Plan, Chapter  
8 "Planning Area Standards," Pages 8-5 and 8-12, Rural Area Standards as appears on Exhibit  
G940011M:B (Revised 4/14/96) which is attached hereto and incorporated herein as though fully set  
forth. [This language does not apply to the Coastal Zone and was not certified as part of the Local  
Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal  
Commission.]

3. Adopt the Rocky Canyon Specific Plan as appears on Exhibit G920010S:A which is attached hereto and incorporated herein as though fully set forth. [This language does not apply to the Coastal Zone and was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

4. Amend the San Luis Obispo County General Plan, Land Use Element, El Pomar-Estrella Area Plan, Chapter 7 "Planning Area Standards," Page 7-1, Rural Area Standards as appears on Exhibit G920010S:B which is attached hereto and incorporated herein as though fully set forth. [This language does not apply to the Coastal Zone and was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

5. Amend the San Luis Obispo County General Plan, Land Use Element, El Pomar-Estrella Area Plan, official maps, as such amendment appears on Exhibit G920010S:C, attached hereto and incorporated herein as though fully set forth. [This map does not apply to the Coastal Zone and was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

6. Amend the San Luis Obispo County General Plan, Coastal Zone Land Use Element/Local Coastal Plan, Estero Area Plan, Chapter 8 "Planning Area Standards," Pages 8-32, South Bay Urban Area Standards as appears on Exhibit G940016N:1 which is attached hereto and incorporated herein as though fully set forth; and pursuant to Public Resources Code, section 30514, authorize its submittal to the California Coastal Commission for consideration and certification.

7. Adopt, enact and instruct the Chairman of the Board of Supervisors to sign "An Ordinance Amending Specific Sections of the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code and Coastal Zone Land Use Ordinance, Title 23 of the County Code" which is attached hereto and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED AND ORDERED that this resolution with respect to Exhibit G940016N:1 shall become operative automatically, pursuant to 14 California Code of Regulations §13551(b)(1), upon the certification without any modifications or amendments to said amendments by the California Coastal Commission and upon acknowledgement by the San Luis Obispo County Board of Supervisors of receipt of the Commission's resolution of certification pursuant to 14 California Code of Regulations §13544. In the event that the California Coastal Commission recommends modifications to said amendments, the amendments with modification shall be processed in accordance with Government Code § 65350 et seq., before final local government adoption of the amendments with the modifications suggested by Coastal Commission pursuant to 14 California Code of Regulations §13551(b)(2), or before the Board of Supervisors resubmits, pursuant to Public Resources Code Section 30512 and 30513, any additional amendments to satisfy the Commission's recommended changes.

BE IT FURTHER RESOLVED AND ORDERED that the environmental documents for the above enacted amendments be approved and certified as follows:

1. Regarding the amendments which were processed on the basis of proposed negative declarations, the Board of Supervisors considered those proposed negative declarations together with any comments received during the public review process prior to approving the project. Further, on the basis of the initial study and comments received for each negative declaration, there is no substantial evidence that any of the projects will have a significant effect on the environment, therefore the Board of Supervisors hereby approves those negative declarations.

2. Regarding the Final Program Environmental Impact Report (FPEIR) issued for the Rocky Canyon Specific Plan (G920010S:A), the Board of Supervisors hereby certifies that the FPEIR has been prepared and completed in compliance with the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. and the Board of Supervisors reviewed and considered the information contained in the FPEIR prior to approving the project. Further, the Board of Supervisors hereby adopts the recommended findings of the County Environmental Coordinator which are attached hereto and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED AND ORDERED that in accordance with Government Code Section 25131, after reading of the title of the ordinance, further reading of the ordinance in full is waived.

BE IT FURTHER RESOLVED AND ORDERED that this resolution shall be effective on the same date as Ordinance 2760, said date being 4/23/, 1996.

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

AYES: Supervisors Delany, Blakely, Brackett, and Chairperson Laurent

NOES: None

ABSENT: Supervisor Ovitt

ABSTAINING: None

The foregoing resolution is hereby adopted.

LAURENCE L LAURENT

Chairman of the Board of Supervisors  
of the County of San Luis Obispo,  
State of California

ATTEST

Julie L. Rodewald

County Clerk and Ex-Officio Clerk  
of the Board of Supervisors,  
County of San Luis Obispo,  
State of California

BY: Cherie Aguirre Deputy Clerk

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.  
County Counsel

By: [Signature]  
Deputy County Counsel

Dated: 4.9.96

STATE OF CALIFORNIA )  
COUNTY OF SAN LUIS OBISPO ) SS  
I, JULIE L. RODEWALD, County Clerk of the above  
entitled County, and Ex-Officio Clerk of the Board of  
Supervisors thereof, do hereby certify the foregoing to  
be a true and correct copy of an order entered in the  
office of said Board of Supervisors, and now remain-  
ing of record on my office  
Witness, my hand and seal of said Board of Supervi-  
sors this 30 day of April  
19 96  
JULIE L. RODEWALD  
County Clerk and Ex-Officio Clerk  
of the Board of Supervisors  
By Cherie Aguirre  
Deputy Clerk

EXHIBIT G940016N:1

Amend the Estero Area Plan of the Coastal Zone Land Use Element of the San Luis Obispo County General Plan as follows:

- A. Page 8-32, South Bay Urban Area Standards: Revise **COMMERCIAL RETAIL Standard No. 4**, add **COMMERCIAL RETAIL Standards 5, 6 and 7**, and renumber existing **COMMERCIAL RETAIL Standards 5 and 6** as follows:

**North Side of Los Osos Valley Road between South Bay Blvd. and Fairchild Way.** The following standards apply only to the 8.4 acres located on the north side of Los Osos Valley Road between South Bay Boulevard and Fairchild Way, corresponding to 199589 Assessor Parcel Numbers 74-302-16, 17, 19, 20, 21, 22, and 23 (see Figure 8-116).

4. **Permit Requirement.** Development Plan approval ~~is~~ shall be required for ~~construction of new buildings and associated site improvements;~~ all new uses, except the Development Plan for this property shall not be approved until a downtown design and infrastructure plan is approved by the Board of Supervisors for inclusion in the Land Use Element and Local Coastal Plan.

5. **Mixed Uses.** A mixture of commercial and residential uses is encouraged.

6. **Site Design.** New development shall facilitate pedestrian movement and activities through design of buildings, parking areas, landscaping, and streetscapes. Design measures shall include the following and are illustrated in Figure 8-11:

a. Locate the building entry facades of buildings primarily adjacent to the sidewalk along Los Osos Valley Road or to interior pedestrian spaces with access to Los Osos Valley Road.

b. Landscape all pedestrian spaces. Provide public gathering spaces with benches on the site. Provide conveniently located bicycle racks throughout the site.

c. Encourage shared parking among businesses.

d. Locate landscaped parking areas to the rear or side of commercial buildings and design the parking areas to be integral with (not dominating) the buildings.

e. Provide convenient connections between parking areas, businesses and adjoining properties through pedestrian-oriented and scaled spaces.

f. The number, location and design of driveways shall function in accordance with the planned center median on Los Osos Valley Road as recommended in the approved South Bay Circulation Study.

g. No building service facades shall face Los Osos Valley Road.

**7. Building Design Guidelines.** The design of new construction shall be pedestrian-oriented and have a human scale that is compatible with the scale of existing development in the central business district. Preferred design measures include the following:

a. Provide articulation of building facades to create relief and visual interest by using architectural elements such as awnings and projections, trellises, detailed parapets, and arcades.

b. Locate building entries within recessed entry bays to create transitional spaces between the street and buildings.

c. Use of overhangs and awnings. Use balconies over transitional spaces.

d. Use of transparent glass windows or doors that together comprise more than 50 percent of the entry facade at ground level in order to allow pedestrians to see inside.

**8. 5. Limitation on Use.** In order to reduce air quality impacts, all allowable uses are permitted in accordance with Coastal Table O of the Land Use Element and Local Coastal Plan, except for eating and drinking places with drive-through service. [Amended 1991, Ord. 2443]

**9. 6. Environmental Review.** Development shall provide for mitigation of potential impacts involving traffic, air quality, archaeological resources, and noise levels/compatibility adjacent to residential land use categories. [Amended 1991, Ord. 2443]

B. After the preceding South Bay Urban Area Standards, add the following new FIGURE 8-11, and renumber the existing figures that follow.

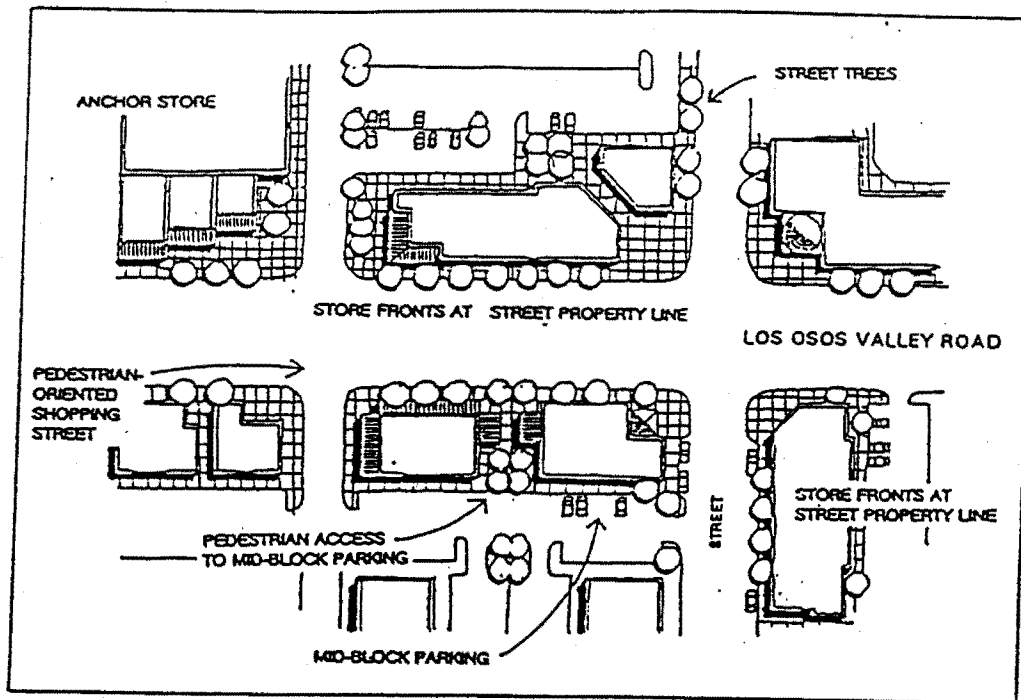


Figure 8-11, Pedestrian-Oriented Design Concept