

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE  
725 FRONT STREET, SUITE 300  
MARTINA CRUZ, CA 95060  
427-4883  
HEARING IMPAIRED: (415) 904-5200



M 15a
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May 20, 1998

TO: Commissioners and Other Interested Parties

FROM: Tami Grove, Central Coast Deputy Director

RE: North Coast Area Plan Extension Request by San Luis Obispo County (LCP  
Major Amendment 1-97)

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## SUMMARY

The County of San Luis Obispo has requested that the Commission extend the expiration deadline for the Commission's January 15, 1998 approval with modifications of the North Coast Area Plan LCP amendment 1-97. The San Luis Obispo County Board of Supervisors is not prepared to accept the proposed modifications at this time. Nor has it decided whether to complete the certification process by accepting the modifications and following up with focused amendments, or reject the modifications and resubmit a revised plan. If the County has not accepted the Commission's certification of the amendment with modifications by July 15, 1998, the Commission's action will expire, unless an extension is granted by the Commission. Under Coastal Act section 30517, the Commission may extend the time limits for local acceptance of the modifications by up to one year, if they determine that there is good cause to do so.

As discussed below, in light of the limited progress by the County to date, **staff is recommending that the Commission extend the deadline for the its North Coast amendment action for only three months**, until October 15, 1998. This extension will give the County an opportunity to pursue the more focused consideration of the Commission's modifications that has only recently begun, in order to develop specific alternatives to the Commission's modifications. It will also provide an opportunity for feedback from the Commission concerning such alternatives prior to their actual submittal to the Commission for review, either as amendments or as part of a resubmittal of the North Coast Area Plan. Finally, a limited three month extension will provide the County with an additional opportunity to make more substantial progress towards completing the update of the North Coast Area Plan, such as scheduling and conducting required public hearings about alternative plan language. Such progress might then form the basis for an a second good cause extension to complete the planning process.

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## **Exhibits**

1. San Luis Obispo County Resolution 98-155, Requesting Time Extension.
2. Correspondence, San Luis Obispo County Department of Planning and Building, Time Extension Request.
3. Correspondence, May 6, 1998, Tami Grove to San Luis Obispo County Board of Supervisors.
4. San Luis Obispo County Staff Report, March 24, 1998.
5. San Luis Obispo County Staff Report, April 7, 1998.
6. Correspondence, The Cambria Forum to Rusty Areias, May 20, 1998.
7. Press Clippings.
8. Correspondence, Charles Lester to San Luis Obispo County Board of Supervisors.
9. Correspondence, Steve Guiney to San Luis Obispo County Department of Planning and Building.

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## **I. STAFF RECOMMENDATION**

Staff recommends that the Commission adopt the following resolution:

### **Granting of 3 Month Extension**

The Commission hereby grants, under Coastal Act Section 30517, a three month extension of the July 15, 1998 expiration date of its certification with modifications of San Luis Obispo County LCP Amendment 1-97, on the grounds that good cause exists for a limited time extension.

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## **II. FINDINGS**

### **1. Background**

On January 15, 1998, the Commission unanimously denied the San Luis Obispo County LCP Major Amendment 1-97 (North Coast Area Plan Update) as submitted. The Commission found that the amendment was not consistent with the Development, Agriculture, Recreation, Visual Resource, Environmentally Sensitive Habitat, Public Access, Hazards, and Archeological policies of Chapter Three of the Coastal Act. The Commission then adopted, by a 9-3 vote, the staff recommendation with associated modifications that would bring the LCP amendment submittal into compliance with the Coastal Act.

Under the Commission's administrative regulations, the North Coast Area Plan amendment submittal will not be effectively certified until the County acknowledges receipt of the Commission's January 15 action, agrees to the modifications, and takes

whatever formal action is necessary to effect the suggested modifications. If this is the County's preferred course of action, this must occur within six months of the Commission's decision, July 15, 1998 in this case, or the Commission's certification with suggested modifications expires pursuant to section 13537 of the California Code of Regulations (CCR). In the event that the County does not agree with the Commission's adopted modifications, the County may resubmit an entire new amendment (i.e., the full North Coast Area Plan including any changes), pursuant to CCR section 13541. At the time of such resubmittal, the Commission's prior certification with suggested modifications expires and the resubmittal becomes the vehicle for pursuing amendments to the North Coast Area Plan. This must include adequate public processes of notice, review, and comment, as provided for by County and Commission administrative regulations.

The County of San Luis Obispo recently requested that the Commission extend the July 15, 1998 expiration deadline for acceptance of the Commission's modifications for six months to January 15, 1999 (see Exhibit 1). In resolution 98-155, adopted on May 19, 1998, the Board of Supervisors state that good cause exists for such an extension "because of the large number and complexity of the modifications, the progress of the county in evaluating the modifications and alternatives, and the substantial public participation at each step of the process . . . ." The County Planning Director has summarized other reasons in support of the Board's extension request, including the Board's budgeting for supplemental environmental work on the North Coast plan, and on-going work of a committee established by the Board. The Planning Director has also provided the following description of the County's intentions for continuing work on the North Coast Update:

The extension would provide additional time to work with interested stakeholders and help resolve the many complex issues surrounding the North Coast Area Plan Update. The committee wishes to complete their initial review by mid June, 1998, and has directed the staff to return with alternative language in July. The committee has further indicated its intention to provide final recommendations to the San Luis Obispo County Board of Supervisors in July, with public hearings to be held in the summer and fall. Finally, it is the goal of the committee that Board action on the North Coast Area Plan will be completed by winter 1998 (see Exhibit 2).

## **2. Good Cause Finding**

Under Coastal Act section 30517, the Commission may extend, for a period of not to exceed one year, any time limitation established by the implementation chapter of the Coastal Act, for good cause. As mentioned above, the County has requested a six month extension and has stated that good cause exists "because of the large number and complexity of the modifications, the progress of the county in evaluating the

modifications and alternatives, and the substantial public participation at each step of the process..." (see Exhibits 1 and 2). The following discussion provides a summary of the progress made to date by the County, and whether good cause exists for the Commission to extend the deadline as requested by the Board of Supervisors.

Since January 15, the following activity has taken place with respect to the North Coast Update:

- Soon after the Commission's action, Commission staff clarified in correspondence and oral communications to the County planning staff, the various options that the County might pursue under the Coastal Act regulations (see, for example, Exhibits 8 and 9).
- Central Coast District staff had several meetings with the County's planning staff concerning the Commission's modifications, including clarifications of the LCP amendment process and areas of possible County agreement and disagreement with the modifications.
- As stated by the County Planning Director, the County has held three public hearings on the North Coast Area Plan since the Commission's action in January (see Exhibit 2). The first hearing in response to the Commission's decision occurred on March 24, followed by hearings on April 7<sup>th</sup> and 14<sup>th</sup>. Although these hearings initiated a public dialogue about the Commission's action and possible responses by the County, no decisions concerning either possible acceptance of the Commission's modifications or a strategy for pursuing alternative plan submittals has been articulated by the Board of Supervisors. A motion to accept the Commission's modifications was defeated 3-2 on March 24. Commission staff attended the public hearings on April 7<sup>th</sup> and 14<sup>th</sup>, and provided both procedural and substantive clarifications about the Commission's modification process directly to the Board. Limited discussion of the County's possible areas of agreement with modification (green modifications), contested (red), and possible agreement (yellow) occurred on the 7<sup>th</sup> and 14<sup>th</sup> (see Exhibit 5).

One procedural option discussed was the possibility of the Board accepting the modifications with the understanding that follow-up LCP amendments would then be submitted for the areas where the County did not fully agree with the Commission. The Commission staff expressed its support for this option as the most cost-effective strategy for both putting in place elements of the plan as modified by the Commission that were agreeable to the County, and for pursuing alternative plan language without going back to square one of the planning process. At the April 14<sup>th</sup> meeting, the Board established a committee of Supervisors Ruth Brackett and Laurence Laurent and County planning staff to work on

alternative plan language. Commission staff committed to offering advice to the committee on plan alternatives that would then be submitted to the County's local planning process and the Commission, either as follow-up LCP amendments, or as a complete plan resubmittal.

- Commission staff has had three meetings with the committee. Discussions have concerned possible strategies for continuing the North Coast Update process, and some initial discussion of one issue raised by the suggested modifications. The discussions among the committee members reveal that many of the suggested modifications are acceptable as written, others will be acceptable with mutually agreeable revisions and, finally, a relatively small group of modifications will remain in dispute. It can thus be anticipated that the committee's work could result in alternative language for some of the modifications and spotlight those which remain unresolved. To complete the committee's task in the time suggested by the County will, however, require more focused worktasks. It is also important to remember that any Committee recommendation must be subject to full Board and public scrutiny as part of the hearing process.

Based on the foregoing, it is difficult to say that substantial progress had been made by the County towards accepting the Commission's modifications or otherwise pursuing alternative strategies for bringing the North Coast Area Plan Update process to fruition. Considerable time was lost between the Commission's action and the Board of Supervisors first public hearing, and in the meantime, few tangible results have been realized. Nonetheless, Commission staff has participated in several encouraging sessions with the County's committee in late April and early May. Subcommittee meetings are also tentatively scheduled to continue into June, and the County has expressed its intention to use this subcommittee process to develop alternative plan language by the middle of June. This language would then be submitted to the County's public review processes in late summer, with an anticipated Board action by "winter 1998".

Because of the limited progress that has been made, and because of the considerable effort that has been put into the North Coast Area Plan update process by both the County and the Commission, it is worthwhile to consider extending the process for County response to the Commission's modifications. The County's update submittal, and the Commission's findings and modifications of January 15, represent a large investment on the part of the County and Commission staffs, decisionmakers, and the public. It would be unfortunate to lose such investment. Still, given the uncertain progress made by the County thus far, and the lack of clear direction from the Board of Supervisors concerning a strategy for completing the North Coast Update process, good cause does not exist for the requested six month extension. Rather, it would be more prudent to extend the deadline for acceptance of the Commission's modifications

for only three months, to October 15, 1998. This is a preferable extension option for an additional three reasons:

1. More than four months would actually remain between the Commission's extension action (June 8, 1998) and expiration (October 15, 1998). This is ample time to make significant concrete progress toward, if not substantially complete, the process of developing alternative plan language to the Commission's adopted modifications, particularly in light of the County's expressed intention to continue with the committee process, followed by public hearings in late summer.
2. Related to (1), the October 15 date is a logical point to reconsider whether adequate, concrete progress has been made to constitute good cause for further extension.
3. If the County has made additional progress and wishes to further extend the deadline for response to the Commission's action, the October 15 date would be a useful opportunity for feedback from the Commission to the Board of Supervisors and other County actors about the alternative plan language being developed and its consistency with the Coastal Act and the Commission's January 15<sup>th</sup> action.

### **Procedural Observations**

There has been considerable confusion and disagreement about what administrative processes are available, necessary, and/or appropriate to complete the North Coast Area Plan update. If the Commission extends the deadline for expiration of its January 15 decision, it will be important to have a clear understanding of the administrative process so that substantial progress may be made within the extension period.

Under the Coastal Act administrative regulations, the County has two options. It may accept the modifications as written, or cause them to expire, either through inaction or resubmittal of a new amendment. As suggested above, though, the County may pursue alternatives to the Commission's plan modifications in either scenario. If the County accepts the modifications as written, it may then submit targeted follow-up amendments for those areas where there is disagreement. Under this strategy, the Commission would then need to consider only those parts of the plan covered by the amendments. If the County opts to include alternatives in a resubmittal, the Commission would consider the whole plan again. Both strategies also require public process.

Advantages of the acceptance/follow-up amendment strategy are that the new North Coast Area Plan would be in place and review time would be shortened because the Commission and County focus would be only on the areas or issues truly in dispute. The disadvantage would be that the amendments may not be certified exactly as submitted. There are no particular advantages to a resubmittal. A resubmittal places

the entire plan before the Commission and, like the amendment scenario, there is no guarantee that the County proposed alternatives will be certified. Preparation and review time would also take longer because the entire plan would have to be addressed.

### Conclusion

In light of the foregoing, staff recommends that the July 15, 1998 expiration date be extended to October 15, 1998. To make this extension as productive as possible though, staff also recommends that the Commission give direction to the County as to what would constitute "good cause" for extending the North Coast Plan update process beyond the October 15th date. In particular, the County should pursue the following strategy, *prior to October 15, 1998*, for submittal of follow-up amendments or resubmittal:

1. As described in the Planning Department's letter, the committee should prepare alternatives and modification language by the end of June, 1998. Staff is committed to working with the committee on a weekly basis.
2. Planning staff should package the proposed committee alternatives as proposed plan language (either as individual LCP amendments or as a resubmittal) by July 15, 1998, and submit this package to the North Coast Advisory Council for review.
3. Proposed plan amendments/resubmittal should be scheduled for an initial Planning Commission hearing by August 31, 1998.
4. At least one Planning Commission hearing should be completed by September 30, 1998.
5. Additional Planning Commission hearings if needed and Board of Supervisor hearings of the proposed plan changes should be scheduled for October and November as necessary.

Whether the County chooses the acceptance/follow-up amendment option, or the resubmittal option, these proposed steps for moving forward with the North Coast Area Plan update process are achievable through focused deliberations. They also may be accomplished consistent with the Commission's administrative regulations concerning LCP amendments and resubmittals.

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

...June... day May 19... 1998...

**PRESENT:** Supervisors Harry L. Ovitt, Laurence L. Laurent, Ruth E. Brackett, and  
Chairperson Michael P. Ryan

**ABSENT:** Supervisor Peg Finard

RESOLUTION NO. 98-155

**RESOLUTION REQUESTING AN EXTENSION OF TIME FOR ACCEPTANCE OF THE  
CALIFORNIA COASTAL COMMISSION'S MODIFIED LANGUAGE PERTAINING TO  
LOCAL COASTAL PROGRAM - MAJOR AMENDMENT NUMBER # 1-97,  
NORTH COAST AREA PLAN UPDATE**

The following resolution is now offered and read:

**WHEREAS**, the County of San Luis Obispo Board of Supervisors conducted public hearings on December 10, 1996, June 3, 1997, June 17, 1997, and August 5, 1997 and approved amendments to the County's General Plan and Local Coastal Program, as follows:

San Luis Obispo County, Local Coastal Program, North Coast Area Plan Update, Major Amendment Number 1-97,

**WHEREAS**, the County submitted Local Coastal Plan - Major Amendment Number 1-97 to the California Coastal Commission for certification on March 11, 1997; and

**WHEREAS**, on January 15, 1998, the California Coastal Commission rejected the County's amendments to the Local Coastal Plan as submitted - Major Amendment Number 1-97; and

**WHEREAS**, on January 15, 1998, the California Coastal Commission conditionally certified the County's amendments to the Local Coastal Plan - Major Amendment Number 1-97, if it is modified; and

**WHEREAS**, California Code of Regulations, title 14, Section 13537 (b) causes the Commission's certification with suggested modifications to expire on July 15, 1998; and

**WHEREAS**, Public Resources Code Section 30517 allows the California Coastal Commission to extend the modifications up to one year for good cause; and

**WHEREAS**, good cause exists because of the large number and complexity of the modifications, the progress of the county in evaluating the modifications and alternatives, and the substantial public participation at each step of the process; and

**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 May 19, 1998, the Board of Supervisors of San Luis Obispo County, requests that the time limit to accept the modified language, as suggested by the California Coastal Commission, be extended for 6 months, as provided for in Public Resources Code Section 30517.

CD-4

EXHIBIT NO. <b>1</b>
APPLICATION NO. <b>LCP AMEND 1-9</b>
<b>S.L.O. COUNTY</b>
<b>BOARD OF SUPV RESOLUTION</b>



Upon motion of Supervisor Laurent, seconded by Supervisor

Brackett, and on the following roll call vote, to wit:

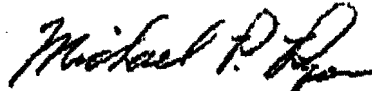
AYES: Supervisors Laurent, Brackett, Oviatt

NOES: Supervisor Ryan

ABSENT: Supervisor Pinard

ABSTAINING: None

the foregoing resolution is hereby adopted.



Chairman of the Board of Supervisors

ATTEST:

Julie L. Rodewald

Clerk of the Board of Supervisors

BY: Cheri Ayres Deputy Clerk

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.  
County Counsel

By: R. B. [Signature]  
Deputy County Counsel

Date: 5/15/98

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STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO )  
I, JULIE L. RODEWALD, County Clerk of the Board of Supervisors, do hereby certify that the foregoing is a true and correct copy of the resolution adopted in the Board of Supervisors, and that the same is on file in my office.

Witness my hand and the seal of said Board of Supervisors this 20 day of May 1998.

Julie L. Rodewald  
County Clerk of the Board of Supervisors  
of the County of San Diego

By: Cheri Ayres  
Deputy Clerk



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

ALEX HINDS  
DIRECTOR

BRYCE TINGLE  
ASSISTANT DIRECTOR

EILEEN CARROLL  
ENVIRONMENTAL COORDINATOR

BARNEY MCCAY  
CHIEF BUILDING OFFICIAL

May 20, 1998

Mr. Rusty Areias, Chairman  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105-2219

**SUBJECT: TIME EXTENSION REQUEST FOR COUNTY OF SAN LUIS OBISPO  
COASTAL COMMISSION SUGGESTED MODIFICATIONS  
LCP AMENDMENT # 1-97: NORTH COAST AREA PLAN UPDATE**

Dear Chairman Areias:

On January 15, 1998, your Commission voted to deny San Luis Obispo County's request for the North Coast Area Plan, but to certify it if the County will accept the modifications suggested by the Commission. The modifications will expire on July 15, 1998, unless extended by your Commission.

This letter is to request a time extension allowed by California Coastal Act Section 30517. We believe that 'good cause' exists because of the very large number of modifications to be reviewed and considered along with a high degree of public concern for this very important subject.

Since the Coastal Commission's action, the County has held three public hearings, had a series of conference calls with your staff, formed a committee consisting of County Supervisors Laurence Laurent and Ruth Brackett to continue to review and propose alternatives to the modifications, and County staff has met with a variety of stakeholders including small and large landowners, as well as a group of community and environmental organizations. In addition, the Board of Supervisors encumbered substantial funding for supplemental environmental work on the North Coast Area Plan Update, if needed.

The extension would provide additional time to work with interested stakeholders and help resolve the many complex issues surrounding the North Coast Area Plan Update. The committee wishes to complete their initial review by mid June, 1998, and has directed staff to return with alternative language in July. The committee has further indicated its intention to provide final recommendations to the San Luis Obispo County Board of Supervisors in July, with public hearings to be held in the summer and fall. Finally, it is the goal of the committee that Board action on the North Coast Area Plan will be completed by winter 1998.

Please contact us if there are any questions.

Sincerely,

*Alex Hinds*

ALEX HINDS, Director

cc: Charles Lester, District Manager  
Peter Douglas, Executive Director

EXHIBIT NO. 2
APPLICATION NO. LCP Amend 1-97 SLO County
TIME EXTENSION REQUEST

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

427-4863

HEARING IMPAIRED: (415) 904-5200



May 6, 1998

San Luis Obispo County Board of Supervisors  
County Government Center, Room 370  
San Luis Obispo, CA 93408

**RE: North Coast Area Plan Update**

Dear Chairman Ryan and Supervisors:

I am writing to advise you of our plans for the June update to the Coastal Commission on the status of the North Coast Area Plan. It is our intention to prepare a brief staff report on the County's action to date in response to the Commission's denial and suggested modifications to the North Coast Area Plan. This would also be the last Commission hearing close to San Luis Obispo for the Commission to consider an extension of the July 15, 1998 expiration date for the plan modifications. If that is your wish, the County must request an extension by May 20, 1998 so that a staff recommendation can be prepared. The Commission may, at their sole discretion, extend the time limits for local acceptance of the modifications by up to one year, if they determine that there is good cause to do so (Public Resources Code Section 30517). The staff recommendation on the issue of extension of the deadline will focus on whether there is good cause to extend the time, and for what period, if an extension is recommended.

The County has been holding public hearings to consider the North Coast Area Plan as approved by the Commission but it does not appear that a definite strategy nor schedule for addressing the plan has been articulated. I understand that while the Board has had some discussion of the Commission's action, and has established a subcommittee to begin more focused discussion, it has not yet decided whether to accept or reject the modifications. The purpose of the subcommittee, as I understand it, would be to work more closely with the Commission staff on alternative modifications that are consistent with the Commission's January 15 findings; these alternatives would then be resubmitted to the Commission for review as either individual followup LCP amendments (if the Board were to accept the modifications), or as an entire resubmittal of the North Coast Area Plan (if the Board rejects the Commission's action).

As the Central Coast District Manager, Charles Lester, stated at the Board's April 14 hearing, the staff is willing to participate in the subcommittee process in the interest of moving the North Coast Area Plan update process forward as expeditiously as possible. We do not want to lose the momentum of the significant effort put into this item by both the County and the Commission and would like to see the plan certified in a timely fashion. As Commission staff, one scenario that we know we could support relevant to a request for a time extension would be if it was clear that there was a commitment on

San Luis Obispo County  
Board of Supervisors  
May 6, 1998  
Page 2

the part of the County to pursue the strategy of acceptance of the Modifications with follow-up amendments. Obviously, there are also other alternatives that would garner a staff recommendation for approval. A schedule for the local process -- negotiations, amendment development, local hearings on amendments, acceptance of modifications, submittal of any amendments to the Commission would also bolster the case for "good cause" to extending the deadline as well as provide some needed structure for the County's deliberations.

In conclusion, if your Board wishes the Coastal Commission to consider extending the six month time limit for the acceptance of Suggested Modifications, a request, from the Board, must be received by May 20, 1998. Any information relevant to a strategy and schedule for certification to support the extension request would be very helpful and should be included if possible to aid in the preparation of our staff recommendation. If our staff can be of assistance in developing such a strategy and schedule, please do not hesitate to call upon them.

Sincerely,

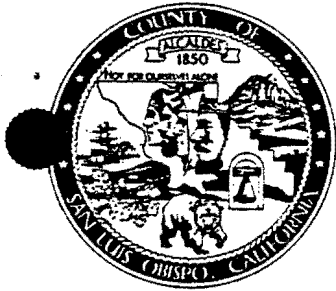
*Tami Grove BY DSK*

Tami Grove  
Deputy Director

TG/cm

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CALIFORNIA COASTAL COMMISSION  
EXHIBIT 3 - p 2 of 2



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING  
**RECEIVED**

ALEX HINDS  
DIRECTOR

BRYCE TINGLE  
ASSISTANT DIRECTOR

ELLEN CARROLL  
COORDINATOR

BARNEY MCCAY  
CHIEF BUILDING OFFICIAL

MAR 20 1998

CALIFORNIA ENVIRONMENTAL  
COASTAL COMMISSION  
CENTRAL COAST AREA

DATE: March 24, 1998

TO: Members of the Board of Supervisors

FROM: John Hofschroer, Senior Planner, North Coast Update

VIA: Alex Hinds, Director of Planning and Building

SUBJECT: *Public Hearing to consider the actions and suggested modifications of the California Coastal Commission regarding the update of the North Coast Area Plan (G870008X) (District 2)*

**SUMMARY**

On January 15, 1998, the California Coastal Commission rejected the North Coast Area Plan as submitted by San Luis Obispo County and approved certification if the plan is modified as recommended. The purpose of today's meeting is to consider the actions of the Coastal Commission, take public testimony and determine the appropriate process to follow. Once the appropriate process is determined, additional analysis and public hearings should be scheduled to complete certification in a timely manner. Until the County and the Coastal Commission reach agreement, the existing plan certified in 1984 remains in effect.

**RECOMMENDATIONS**

1. Review the actions of the California Coastal Commission;
2. Take public testimony & provide direction on the available alternatives:
  - a. *Acceptance of the modifications, allowing the plan to go into effect (this could also include authorizing follow-up amendments of contested items).*
  - b. *Resubmittal of a revised plan.*
  - c. *Rejection of the modifications.*
  - d. *Continuance.*

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EXHIBIT NO. **4**

APPLICATION NO.  
*SLO LCP AMEND 1-97*

County STAFF REPORT

*P 1 of 7*

## DISCUSSION

### *Background.*

The Board of Supervisors approved the North Coast Area Plan Update in December of 1996 after 15 Planning Commission and 10 Board of Supervisor hearings. After submittal to the Coastal Commission, the County reconsidered three areas of the plan and amended the 1996 submittal between January and August of 1997. The Coastal Commission provided public notice and prepared a staff report that was released on December 31, 1997. On January 15, 1998, the Coastal Commission held a public hearing in San Luis Obispo, and certified the update, subject to the County agreeing to 138 suggested modifications.

Commission staff forwarded a copy of the action and suggested modifications to the County on January 26, 1998. On February 11 & 27, 1998, letters of clarification and omitted exhibits were provided to the County. The certification with suggested modifications will expire on July 15, 1998, unless an extension of up to one year is granted. The next local Coastal Commission hearing will be in Santa Barbara on June 9-12, 1998.

### *What was Coastal Commission's action ?*

On January 15, 1998, the Coastal Commission rejected the North Coast Area Plan Update as submitted and adopted their staff's recommendation to certify the North Coast Area Plan Update subject to 138 suggested modifications. (Details of the action are contained in the January 22, 1998 transmittal from the Coastal Commission to the County.)

The purpose of the suggested modifications, according to the Coastal Commission staff report, was to bring the proposed North Coast Area Plan update into conformance with the Coastal Act. Specifically, the staff report indicated that the plan as submitted was not consistent with policies in the Coastal Act regarding development, agriculture, recreation, visual resources, environmentally sensitive habitats, public access, hazards and archeology.

County staff has reviewed and is in agreement with most of the suggested modifications, either as written or subject to minor revisions. Examples of these modifications include the addition of general goals, a new chapter on coastal access, programs addressing elephant seal breeding colonies and the Monterey Bay National Marine Sanctuary, clarifications that Highway One must remain a two lane scenic road in rural areas, improved critical viewshed protection standards, and many more. There are also several modifications that we do not recommend such as deleting our acknowledgment of Supreme Court decisions requiring documentation of "nexus" and "rough proportionality" for dedications, the timing

(not the content) of required water and flood studies, concentrating all Hearst Resort development on the west side of Highway One near historic "old" San Simeon Village and deleting the less environmentally sensitive phase one site next to the existing Hearst Castle Visitor's Center parking lot, retention (rather than the requested deletion) of the visitor serving overlay for the Mid-state Bank and Hume/East Ranch sites, etc.

The modifications also revised several of the amendments reconsidered by your Board between January and August 1977 involving the Hearst, East-West Ranch and several North Cambria properties.

***Steps required to complete the currently submitted plan.***

The following is a summary of the process remaining for the North Coast Area Plan Update according to Section 13544.5 of the California Code of Regulations.

- a. The County, by action and resolution of the Board of Supervisors, must acknowledge receipt of the Commission's certification, including suggested modifications, and accept and agree to the terms and conditions. The resolution is forwarded by the County to the Coastal Commission.
- b. After receipt and review of the resolution, the executive director of the Coastal Commission must determine in writing that the County's resolution is legally adequate.
- c. The executive director of the Commission must then report the determination to the members of the California Coastal Commission at the next regular meeting.
- d. The final step involves a Notice of Certification of the North Coast Area Plan Update to be filed with Secretary of the Resource Agency by Coastal Commission staff.

***Public Involvement.***

There has been substantial public involvement at all stages of the draft North Coast Area Plan Update including over 25 public hearings before the Planning Commission and Board of Supervisors. The County's submittal of the draft plan update and the suggested modifications were the focus of the January 1998 California Coastal Commission hearings. More than 1,000 persons attended, which were televised on local cable television.

The County mailed a progress report to approximately 600 persons on the North Coast & Local Coastal Program mailing lists on February 20, 1998. In addition, today's hearing has been noticed as a public hearing. Staff expects public involvement to continue to be substantial.

## ALTERNATIVES

The Coastal Commission made a decision on the County's submittal, and has transmitted it to your Board for your consideration. The process is governed by applicable sections of state law. While the details are discussed later in this report, the alternatives are outlined as follows:

1. Accept the modifications unchanged, allowing the plan to be certified, and go into effect.
  - 1a. A variation of the above alternative is to accept the modifications and *also* initiate a **comprehensive follow-up amendment** for the purpose of resolving outstanding issues.
2. Resubmit a revised version of the draft North Coast Area Plan, reflecting the modifications which the Board agrees with the Coastal Commission on, as well as proposing alternative language in an effort to resolve differences.
3. Reject the modifications.
4. Continue the matter.

## DISCUSSION OF ALTERNATIVES

### ***Alternative 1 - Accept the modifications, allowing the plan to be certified, and go into effect:***

***Effect of this alternative.*** If the Board of Supervisors agrees with this alternative, it will result in full certification of the plan. Prior to the update becoming final, the County must acknowledge the action of the Commission, and agree to accept **all** of the suggested modifications. These modifications expire on July 15, 1998 unless an up to one year extension is approved by the Coastal Commission. Any potential amendments authorized to achieve further objectives by the County are independent from completion of the updated plan. The estimated time for the plan to go into effect is approximately 2-3 months from now.

***Steps to implement this alternative.*** Adopt the attached resolution to acknowledge receipt of the Commissions certification, agree to the suggested modifications, and accept and agree to the terms and conditions. The resolution will be forwarded by the County to the Coastal Commission.



**Alternative 1a - Comprehensive follow-up amendment.** A variation of the above alternative is to accept the modifications and *also* initiate a **comprehensive follow-up amendment** as the method to resolve any issues that are still outstanding.

**Effect of this alternative.** This alternative provides a method for the County to continue to pursue unresolved issues in the North Coast Area Plan through the amendment process. The amendment process by definition, is more focused, less bulky and may move through the required processes faster than other alternatives, although it is unknown whether future amendments would be approved or not. If successful it would achieve the same objectives as alternative 2.

**Steps to implement this alternative.** The Board may authorize specific amendments during future hearings, starting with any contested modifications as an outline to define the scope of the amendment. Subsequent amendments would generally involve the following steps:

1. Continued communication with Coastal Commission staff, the public, applicants and others on unresolved issues;
2. Board of Supervisors authorization;
3. Preparation of revisions and review for CEQA compliance;
4. Public Review, Planning Commission, and Board of Supervisors hearings;
5. Formal submittal to the Coastal Commission;
6. Coastal Commission hearings;
7. Consideration by the Board of Supervisors of Coastal Commission actions and any new suggested modifications.

**Alternative 2 - Resubmit the North Coast Area Plan, including alternative language contained within the larger draft plan:**

**Effect of this alternative.** This alternative involves revising the draft North Coast Area Plan Update and formal resubmittal to the Coastal Commission. This process requires extensive repackaging of the draft plan and leaves the existing plan certified in 1984 in place until agreement is reached with the Coastal Commission. Upon resubmittal, the prior certification by the Coastal Commission with suggested modifications **shall expire** automatically according to Section 13541 of the California Code of Regulations.

**Steps to implement this alternative.** The previous certification with suggested modifications will expire automatically if the County chooses to submit a revised version of the North Coast Area Plan Update.

EXHIBIT 4

P. 5 of 7

The exact process is dependent upon the scope and extent of changes that the Board wishes, but would generally follow the following steps:

1. Continued communication with Coastal Commission staff, the public, applicants and others on unresolved issues;
2. Board of Supervisors authorization;
3. Preparation of revisions and review for CEQA compliance;
4. Public Review, Planning Commission, and Board of Supervisors hearings;
5. Formal submittal to the Coastal Commission;
6. Coastal Commission hearings;
7. Consideration by the Board of Supervisors of Coastal Commission actions and any new suggested modifications.

***Alternative 3 - Reject the modifications:***

***Effect of this alternative.*** This alternative would reject the suggested modifications by resolution, and abandon the Coastal Commission review process (without approval) for the North Coast Area Plan Update. The value of this alternative is questionable, since the modifications expire in 6 months, or if the County submits a revised plan.

***Steps to implement this alternative.*** Adopt the attached resolution rejecting the suggested modifications.

***Alternative 4 - Continue the matter:***

***Effect of this alternative.*** This alternative would allow the Board additional time for public testimony, review of modifications, and deliberations.

***Steps to implement this alternative.*** Adopt a motion to continue to a future date. (Time has been reserved on April 7, 1998). Any board actions should consider the Coastal Commission's meeting schedule, in order that they be accessible to local residents. Remaining dates and locations of nearby meetings this year are:

June 9-12, 1998, Santa Barbara

November 3-6, 1998, Agoura Hills

### OTHER AGENCY INVOLVEMENT

The Coastal Commission, Planning Commission, North Coast Advisory Council and several other County departments and State agencies.

### FINANCIAL CONSIDERATIONS

There is a substantial county and community investment in the draft plan which would be lost if the update is not certified by the Coastal Commission. The Coastal Commission does not charge a fee for processing amendments to Local Coastal Programs. However, pursuing subsequent amendments or a resubmittal will require additional costs possibly including analysis of new issues not studied in the previous EIR.

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ATTACHMENTS





SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

APR 03 1998

ALEX HINDS  
DIRECTOR

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ASSISTANT DIRECTOR

ELLEN CARROLL  
ENVIRONMENTAL COORDINATOR

BARNEY MCCAY  
CHIEF BUILDING OFFICIAL

GALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

DATE: April 7, 1998

TO: Members of the Board of Supervisors

FROM: Alex Hinds, Director of Planning and Building  
John Hofschroer, Senior Planner  
Whitney McIlvaine, Associate Planner  
John McKenzie, Environmental Specialist

SUBJECT: *Continued Public Hearing to consider the actions and suggested modifications of the California Coastal Commission regarding the update of the North Coast Area Plan (G870008X) (District 2)*

**SUMMARY**

On March 24, 1998 your Board directed staff to return with an analysis of the suggested modifications to the California Coastal Commission on the North Coast Update. The purpose of today's hearing is to review the issues, take public testimony, and consider the alternatives.

**RECOMMENDATION**

1. Review the key issues, staff recommendations and the Coastal Commission's suggested modifications;
2. Take public testimony and provide Board direction on the preferred content and process.

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EXHIBIT NO. 5

APPLICATION NO.  
*SLO CCP Amend 1-9*

*SLO County 4/7*

STAFF REPORT

## DISCUSSION

### ***Background.***

On March 24, 1998, your Board considered several alternatives for processing the North Coast Area Plan Update, took public testimony, and voted 3:2 against a motion to accept the Coastal Commission's suggested modifications. Your Board then directed staff to categorize and provide an analysis of the modifications.

### ***Process Alternatives.***

As previously noted, under the State Coastal Commission regulations, your Board has the following options:

1. **Accept all of the modifications suggested by the Coastal Commission.** Modifications must be accepted prior to July 15, 1998, unless extended up to an additional year. Under this option, the wording of the modifications may not be revised by the County. After reporting the acceptance of the modifications by the County to the Commission, the certification of the Update as modified will be effective. (This is the fastest option).  
  
1a - **Accept with follow up amendments.** A variation of the above Alternative 1 is to accept all of the modifications and *also* initiate a **follow-up amendment** for the purpose of resolving outstanding issues. This option would result in certification **thereby enacting the updated plan** - while subsequent amendments were being processed for an undetermined and possibly lengthy period.
2. **Resubmittal of a Revised Plan.** Resubmittal of a revised plan enables the County to propose alternatives to the propose modifications. Resubmittal causes the certification with suggested modifications to expire, and leaves the existing North Coast Area Plan approved in 1984 in effect during the indeterminate and possibly lengthy period while the resubmitted plan is being processed.
3. **Reject the modifications.** The rejection of the modifications, either by Board action or through expiration, leaves the current Plan certified in 1984 in effect.
4. **Continue the matter.** This option allows continued discussion and testimony to resolve these issues.

***Key issues' from the suggested modifications.***

According to the Coastal Commission staff report, the purpose of the suggested modifications was to bring the proposed North Coast Area Plan update into conformance with the Coastal Act. Specifically, the staff report indicated that the plan as submitted was not consistent with policies in the Coastal Act.

County staff has reviewed and is in agreement with most (but not all) of the suggested modifications, either as written or subject to changes. The purpose of the following analysis and recommendations is to try to **identify** issues and alternative **language** which **both the County and the Coastal Commission can agree upon**. As directed by your Board, Attachment 'A', groups the suggested modifications into 3 separate categories.

The following summarizes the key issues:

- A. Public Access    B. Scenic Resources    C. Env Sensitive Habitats**  
**D. Agriculture      E. Circulation            F. Water/Public Services**  
**G. Property Specific Issues: *North Cambria, E/W Ranch, Hearst Resorts***

***Summary Issues Analysis & Recommendation.***

**A.      Public Access**

1.    **Issue:**      *Should there be a separate chapter for comprehensively addressing coastal access?*
2.    **Issue:**      *Should there be a goal of achieving a continuous coastal trail along with other recommendations maximizing public access to the shoreline?*
3.    **Issue:**      *Should nexus and rough proportionality requirements for dedications be described in a planning area standard?*
  - a.    **Alternatives:** Accept, reject, or accept with changes the modifications related to coastal access.
  - b.    **Policy analysis:**
    1.    **Coastal Act Policies.** Provision of maximum coastal access is a fundamental goal of the Coastal Act. Coastal Act Section 30500 requires each local coastal program to "contain a specific public

access component to assure that maximum public access to the coast and public recreation areas is provided." Section 30001.5© states a basic goal of "maximizing" public access...consistent with sound resources conservation principles and constitutionally protected rights of private property owners." Section 30210 requires the provision of maximum public access in carrying out the provisions of Article X of the California Constitution. Section 30211 prohibits new development from interfering with existing access. Section 30214© requires public agencies to consider and encourage innovative access management techniques when implementing the public access policies of the Coastal Act.

2. **Nexus and Proportionality.** The North Coast Area Plan acknowledges U.S. Supreme Court decisions in the Nollan, Dolan, and Tigard cases and the importance of constitutionally protected private property rights through the inclusion of Goal 12 Property Rights and language in the second paragraph on page 7-2. The Coastal Commission recommends deletion of this paragraph and subsection D of Goal 12.

**c. Recommendation:**

Issues 1 and 2 - Accept Coastal Commission recommended modifications.

Issue 3 - Reject the Coastal Commission recommended deletion and attempt to draft compromise language regarding nexus and proportionality acceptable to the County and the Coastal Commission.

**B. Scenic Resources**

1. **Issue:** *Should the plan include a critical viewshed policy similar to that adopted by Monterey County which strictly limits visibility of new development from rural Highway One north of Cambria?*

**a. Alternatives:**

Accept or reject recommended modifications

Accept with changes to provide relief for existing legal lots and lot line adjustments where no feasible alternative exists, and establish design standards for these cases.



b. **Policy analysis:**

1. **Coastal Act Policies.** Coastal Act Section 30251 requires protection of the scenic and visual qualities of coastal areas. New development in highly scenic areas must be subordinate to its surroundings. The North Coast is known to be highly scenic. The suggested modification for a critical viewshed will require that new development be subordinate to the surroundings, but may be too broad in its application. The critical viewshed should apply to potentially unsightly grading and structural development, and not to other minor or non-structural proposals. Development which is partly visible may still be consistent with the Coastal Act if it is subordinate to its surroundings. Section 30253(5) also requires that new development be protective of special coastal communities which, because of their unique characteristics, are popular destination points for tourists.

- c. **Recommendation:** Accept with changes the Coastal Commission's recommendations for critical viewshed protection along this stretch of Highway One, which serves as the southern gateway to the Big Sur coastline. Special circumstances associated with lot line adjustments and existing lots of record where there are no feasible alternatives to completely hiding building sites should also be addressed through design standards.

C. **Environmentally Sensitive Habitats Areas (ESHA's)**

1. **Issue:** *Should protective standards apply to environmentally sensitive habitats whether or not they are identified on official plan maps?*
2. **Issue:** *Should projects in or near ESHA's be required to submit a biologic assessment report?*
3. **Issue:** *Should new ESHA's such as the Elephant Seal Habitat be designated?*

a. **Alternatives:**

Accept or reject all recommendations.  
Accept recommendations pertaining to Issues 1 and 3, but amend Issue 2.

**b. Policy analysis:**

1. **Coastal Act Policies.** Many County and Coastal Act policies address the importance of protecting environmentally sensitive land and marine habitat areas from disturbance or degradation as a result of human activities or development. Under the county's LCP, significant environmental resources are considered for designation as an ESH. Of special significance are coastal streams, wetlands, forests and marine resources. Section 30231 specifically addresses the importance of minimizing adverse impacts on and alteration of coastal streams and wetlands. Section 30230 addresses the need to maintain healthy populations of marine organisms. The County LCP contains an entire chapter and ordinance addressing ESHA's, including the requirement for biological reports.
2. **Local Coastal Program.** Issue #3 regarding mapping an ESH for the Northern Elephant Seal and other similar habitats. Issue #2 regarding bio-reports with new development restates existing CEQA and Coastal Zone Land Use Ordinance requirements.

Issue #1 regarding mapping is consistent with the purpose and intent of both county and state policies.

- c. **Recommendation:** Accept recommendations pertaining to Issues 1 and 3, but on Issue 2, enable projects which use agency-approved standard mitigations (that effectively protect the resource) to not have to always prepare a separate biological report.

**D. Agriculture**

1. **Issue:** *Should the plan include limited conversion of agriculturally designated parcels to other designations, such as Commercial Retail (CR)?*

**a. Alternatives:**

Accept all Coastal Commission recommendations (denied were Soto, Rhodes, and Hearst Resorts areas).

COASTAL COMMISSION  
EXHIBIT 5

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Accept some but not all of Coastal Commission recommendations.

**b. Policy analysis:**

1. **Coastal Act Policies.** The Coastal Act sets a high standard for conversion of agricultural lands to other uses. Section 30242 states that lands suitable for AG uses shall not be converted to nonagricultural uses unless AG use is not feasible or it would preserve prime soils. Both prime and non-prime lands are protected. Any conversion requests must be accompanied by a report of agricultural viability. Agricultural lands may be converted where continued or renewed agricultural use is not feasible or such conversion would preserve prime agricultural lands or concentrate development consistent with Section 30250. Conversion must be compatible with continued agricultural use on surrounding lands.
  
2. **Local Coastal Program.** The County proposed redesignating several parcels of less than 3 acres in size (Soto/Harmony), and (Rhodes/Cambria), that were denied by the Coastal Commission based on Ag conversion issues. The category changes are generally consistent with county policies, since on balance the plan increases land area with an agricultural designation by 1,500 acres.

Several of these parcels are very small and adjacent to existing development. The Hearst Resorts proposed category changes from AG to CR are larger, but close to "existing isolated developments", ie Old San Simeon and the existing Castle Visitor Center.

- c. Recommendation:** Continue discussions with Coastal Commission staff. If staff consensus cannot be reached, accept the modifications for Soto/Harmony and Rhodes/ Cambria. Hearst Resorts issues will be discussed in Section G of this report..

**E. Circulation**

1. **Issue:** *Should rural portions of Highway One be maintained as a 2-lane road with passing lanes limited to 10% of the length of the highway?*

2. **Issue:** *Should planned roads that the County determined to be long-term/low priority such as Creekside Drive, Piney Way, and Tipton Street be deleted?*
3. **Issue:** *Should the plan include a program to work with the State to designate Highway One as a scenic highway?*

a. **Alternatives:**

Accept, modify or reject Coastal Commission modifications.

Accept modifications with the following changes:

Issue 1 - Establish a maximum passing lane length based on minimum distance necessary to enable passing (typically 1 mile per passing lane) with the maximum % of highway length to be determined using a different %, following more analysis and consultation with Caltrans, County Engineering and the Coastal Commission.

Issue 2 - Delete Tipton Street and revise the long-term/low priority road improvements for Creekside Drive and Piney Way to allow improvements limited to emergency access ways and pedestrian and bicycle trails.

b. **Policy analysis:**

1. **Coastal Act Policies.** The Coastal Act section 30254 requires that Highway One remain a scenic 2-lane road in rural areas. For some time, Cal Trans and the County have acknowledged that passing lanes and other safety improvements are needed. The issue raised by the Coastal Commission is about how long the passing lanes can be without violating the 2-lane requirement. The proposed program to support designation of Highway One as a scenic highway is consistent with a number of Coastal Act sections about Highway One, scenic resources, and location of development.

Sections 30240 and 30231 require development to avoid hazard areas. The second issue regards several proposed roads in Cambria recommended for deletion because they are in Flood Hazard areas or Environmentally Sensitive Habitats, and also not necessary for many years.

2. **Local Coastal Program.** The County's LCP also envisions Highway One remaining a 2-lane road in rural areas, and anticipates improvements for safety and convenience, such as turnouts, passing lanes, and stop lights.

**c. Recommendation:**

Accept modifications with the following changes:

Issue 1 - Establish a maximum passing lane length based on minimum distance necessary to enable passing (typically 1 mile per passing lane plus transitions) with the maximum highway passing lane length to be determined following more analysis and consultation.

Issue 2 - Delete long-term/low priority road improvements except that Creekside Drive and Piney Way may be improved as emergency access ways and pedestrian and bicycle trails. It may also be appropriate to reconsider these long term priorities in future plan revisions. Further discussions with Engineering and the Coastal Commission should occur prior to finalizing this recommendation.

Issue 3 - Accept.

**F. Public Services**

1. **Issue:** *Should in-stream flow monitoring and water management plans for Cambria and San Simeon Acres be required?*
2. **Issue:** *Should a West Village flooding study be developed?*
3. **Issue:** *Should a building moratorium result unless the West Village flooding studies are completed and certified as part of the LCP?*
4. **Issue:** *Should desalinization plants be the responsibility of the Cambria Community Service District rather than permitting private (or new community) systems in Cambria?*

**a. Alternatives:**

Accept, modify or reject Coastal Commission modifications.

- b. **Policy analysis:** Both the Coastal Act and the County's LCP contain broad policies and ordinances regulating protection of coastal watersheds, coastal streams, and wetlands. Previous comments in the Environmentally Sensitive Habitat discussion also apply to these issues. The de-watering of creeks and the resulting damage to sensitive (and protected) habitats is not consistent with the policies cited. The in-stream studies may produce a beneficial effect for both the community and the environment, and avoid possible future conflicts. However the time frame cited may not be realistic, and inclusion in the LCP by amendment may be unnecessary.

With regards to West Village flooding, while the Coastal Act and County LCP discourage development in hazard areas, an immediate building moratorium may not be the most effective method to solve the problem. Again inclusion in the LCP by amendment may also be unnecessary.

1. **Coastal Act Policies.** See Staff Report section on ESHA's. The Coastal Act discourages development in hazard areas. It is staff's understanding that the Coastal Commission has been discouraging private desalination plants.
2. **Local Coastal Program.** See Staff Report section on ESHA's. County LCP policies also discourage new development in flood hazard areas, and requires new development to be one foot above flood levels.

c. **Recommendation:**

Issues 1 & 2 - Yes, but allow until 2003 to complete the water monitoring and management study.

Issue 3 - Revise to require that any new development which could have significant, cumulative, adverse off-site flooding impacts would not be allowed prior to completion of a comprehensive flood analysis and management plan, rather than enacting a moratorium on practically all new development. Furthermore, requiring that the study be included in an LCP amendment appears to be unnecessary.

Issue 4 - New water systems ( including desalinization plants) within the community of Cambria should be the responsibility of the CCSD.

In addition, work cooperatively with the CCSD to resolve other issues such as build out and population projections .

**G. Property Specific Issues:**

1. **Issue:** *Should property specific requests initiated by owners (which were denied by the Coastal Commission) be resubmitted as part of the update?*

2. **Issue:** *Should the County assume the costs for further processing of these amendments?*

a. **Alternatives:** Allow denied requests to be resubmitted, or require that they be processed separately at the applicant's expense.

b. **Policy analysis:** County fee ordinances require full cost recovery for county services. Property requests filed as part of the Update Program are subject to a reduced fee, generally about half the cost for a separate general plan amendment. Whether previously denied requests should be re-considered, depends on Board direction.

1. **Coastal Act Policies.** There are no applicable policies regarding cost recovery for local agencies.

2. **Local Coastal Program.** Coastal Zone Framework for Planning determines when an amendment may be part of the update, or processed separately.

**c. Recommendation:**

Issues 1 & 2 - Whether or not to resubmit property owner requests (which have been denied by the Coastal Commission) is at your Board's discretion. Generally speaking, staff recommends that these individual property owner requests be considered separately (if authorized by your Board) and subject to normal processing fees.

**G-1. North Cambria Property changes:**

1. **Issue:** *Should the minimum parcel size be 160 acres?*
2. **Issue:** *Should land area beyond the footprint for allowable development be limited to open space through an agreement, such as a conservation easement?*

**a. Alternatives:**

Accept, modify or reject Coastal Commission modifications.

**b. Policy analysis:**

**1. Coastal Act Policies/2. Local Coastal Program**

Both the Coastal Act and County LCP call for a hard urban edge around communities and protection of environmentally sensitive habitat areas including the Monterey pine forest. North Cambria is located on the edge of the community and includes a significant stand of Monterey pine forest. Consequently, both the Coastal Act and the LCP require that the countryside and Monterey forest just outside of Cambria to not be fragmented. Several standards in the existing and proposed N. Coast Area Plan address these issues. The Plan currently in effect allows residential units at a density equivalent to a minimum of one dwelling unit per 80 acres or in some cases per the CZLUO density table. While what is the appropriate residential density is subject to much debate, it is staff's belief that the Plan currently in effect intended to restrict residential densities to a maximum of one dwelling per 80 acres.

**c. Recommendation:**

Issue 1- Modify the Coastal Commission's suggested modifications from a density of one dwelling unit per 160 acres to one dwelling unit per 80 acres consistent with the intent of the existing plan.

Issue 2 - Modify to acknowledge existing Coastal Zone Land Use Ordinance



open space dedication requirements and constitutional requirements regarding nexus and rough proportionality.

**G-2. East/West Ranch Property changes:**

1. **Issue:** *Should the E/W Ranch be required to annex to the Cambria Community Services District prior to development?*
2. **Issue:** *Should the lot retirement requirement be amended and applied to the entire community when a new subdivision is proposed?*

a. **Alternatives:** Accept, modify or reject.

b. **Policy analysis:**

1. **Coastal Act Policies.** Coastal Act Sections 30260 and 30250 call for the consolidation not the proliferation of public utility services and the limitation of growth to communities with the necessary resources to support such growth. Both of these polices support the requirement that the E/W Ranch annex to the Cambria Community Services District and that a community-wide solution to current water shortages be pursued.
2. **Local Coastal Program.** Similarly, Coastal Framework for Planning as well as the standard recommendations of County and regional environmental health professionals also promote consolidation rather than fragmentation of public services.

c. **Recommendation:**

Issue 1- The E/West Ranch should be required to annex to the CCSD if it develops at more than rural densities.

Issue 2 - Lot retirement requirements should apply to other new subdivisions rather than just the E/West Ranch, however some additional revisions appear warranted.

**G-3. Hearst Resorts Property changes:**

1. **Issue:** *Should Phase I - Staging Area be deleted, and rooms concentrated at the Phase II - Old San Simeon Village/Cove Area?*
2. **Issue:** *Should San Simeon Point be designated Open Space?*
3. **Issue:** *Should the number of hotel rooms be reduced from 650 to 375, the resort locations changed from 4 to 1 and the golf course deleted?*

**a. Alternatives:**

Accept, modify or reject these Coastal Commission's modifications.

Issue 1- Consider alternatives such as reinstating phase 1, below the visitor's center east of Hwy 1 and reducing the concentration of development at the more environmentally sensitive and historic Old San Simeon Village; consider approving a more historic "re-creation" of old San Simeon Village which would include shops and lodging rather than a massive development .

Issue 2- Consider supporting efforts by non-profit or public agencies to purchase (easements or in fee) San Simeon Point as a passive recreational area, if agreeable to the Hearst Corporation.

Issue 3- Consider allowing a small "dude" ranch accessory to the working cattle ranch as allowed by the CZLUO and in lieu of the Pine Resort; consider authorizing a separate and subsequent amendment to, for example, address the golf course either east of Hwy 1 near the Hearst Castle staging area or by the existing motels at San Simeon Acres.

**b. Policy analysis:**

1. **Coastal Act Policies.** There are a number of Coastal Act Policies that address these issues ranging from agriculture, environmentally sensitive habitats, coastal hazards, scenic resources, development and public services to briefly name some of the major ones. Of these the Coastal Commission staff report cites Sections 30242, 30250 & 30251 as being critical policies to consider. Section 30250 limits distant, visitor serving development such as the Hearst Resorts to " existing

isolated developments or at selected points of attraction for visitors." Thus it is important to note that the Hearst Castle staging area, which was deleted by the Coastal Commission occupies 34 acres and serves almost one million visitors per year. Considering that the old San Simeon Village area is a more scenic, archaeologically, historically, geologically, biologically and agriculturally sensitive location and does not currently approach the level of development and visitor activity that the staging area site does, then there appears to be little if any justification from Coastal Act Policies for deleting phase 1 east of Hwy 1 and concentrating all development west of Hwy 1. Coastal Act issues pertaining to reinstating phase 1 at the Hearst Castle staging area and applicable agricultural and scenic resource protection, may be resolved by adding back 18 acres of agricultural zoning west of Highway 1 and berming and planting vegetation to screen the expanded phase 1 development.

2. **Local Coastal Program.** The LCP contains many policies similar to those cited in the Coastal Act, but nevertheless would allow resort development at all four phases and at higher levels, provided that sensitive resources were avoided or protected to the maximum extent feasible and there were adequate public services and infrastructure to accommodate the project.

c. **Recommendation:**

Issue 1 - Reinstate phase 1 near the visitor's center east of Hwy 1, for example to allow 225 resort units on 28 acres while reducing the concentration of development at or near the more environmentally sensitive and historic Old San Simeon Village to 150 lodging units, accessory uses and a more historic "*recreation*" of old San Simeon Village which would include shops, restaurants and lodging rather than a more massive development.

Issue 2- Agree to place San Simeon Point in an Open Space designation which is more consistent with the existing Sensitive Resource Area designation currently applied to the site.

Issue 3- Agree to the 375 resort unit limitation at this time, but reserve the right to reconsider this matter in a future plan amendment. Submit alternative

language which would allow a small "dude" ranch not to exceed 50 guest rooms accessory to the working cattle ranch as allowed by the CZLUO and in lieu of the Pine Resort. Work with the Hearst Corporation, the Coastal Commission and the public and consider authorizing a separate (privately initiated) and subsequent amendment to, address the golf course either east of Hwy 1 near the Hearst Castle staging area or by the existing motels at San Simeon Acres.

### **OTHER AGENCY INVOLVEMENT**

The Coastal Commission, Planning Commission, North Coast Advisory Council and several other County departments and State agencies. Any revisions to the plan must be approved by the Coastal Commission before it may go into effect.

### **FINANCIAL CONSIDERATIONS**

There is a substantial County and community investment in the draft plan which would be lost if the update is not certified by the Coastal Commission. The Coastal Commission does not charge a fee for processing amendments to Local Coastal Programs. However, pursuing subsequent amendments or a resubmittal will require additional costs possibly including analysis of new issues not studied in the previous EIR.

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ATTACHMENTS

CALIFORNIA COASTAL COMMISSION  
**EXHIBIT 5**

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## ATTACHMENT 'A' - MODIFICATION CATEGORIES

### *Modifications by Categories*

The following is an **initial** staff evaluation of the acceptability of the modifications based on the goal of identifying alternatives acceptable to both the Coastal Commission and the County.

#### **Group A - Accept as written ("greens"):**

##### **MOD..TOPIC**

- 1 Public Access component
- 2 General Goals for North Coast
- 6 Goals-Add new goal #15(Public Access to Coast)
- 9a See addendum, Rural Lands discussion, location
- 17a See addendum, Corrects error regarding South Cambria URL
- 23 Rural Area Programs, Areas of Special Biological Significance
- 23a See addendum, Rural Area Program #2, Public Lands
- 25 Principal Arterials-Highway One 2-lane discussion
- 26 Highway One Scenic Route
  
- 31 Circulation Program # 1 - Directional Signing
- 32 Circulation Program # 2 - Trails
- 35 Circulation Program #3C, Cambria, Bridge over SR Creek, re: flooding
- 37 Circulation Program #3E, N. of Hearst Castle, (inland realignment & scenic)
- 38 Scenic highway designation, adds program
- 39 Circulation Program #6, Bicycle Improvements
- 43 Combining Designation Program #6-SSIM Point (SRA), refs archaeology
- 43a See addendum, Comb Des Program #2-Area Creeks (FH), Ellysy Creek
- 44 See addendum, Comb Des Program #12-San Simeon Fault(GSA),  
Adds req to limit structures for humans on fault
- 45 Comb Des Program, LCP #1 - Vista Points, other agencies may accept OTDS
- 47 Comb Des Program, LCP #3 - Vista Points, avoiding bluff erosion
- 48 Comb Des Program, LCP #8 - County owned surplus lots (Cambria)
- 48a See addendum, new Comb Des Program, (LCP #10) Access Implementation Plan
- 48b See addendum, new Comb Des Program, (LCP #11) - Historic Use documents
- 49 SR Creek Comb Des Program, #10 - water dev consistent with habitats
- 50 Table 6-1-Schedule, adds Cal Trans to Vista Point agencies
- 52 Area Standards #5 - Traffic Mitigation - Highway One - Sets acceptable LOS
- 57 Area Std #14-A - Rural Viewshed Protection - first public road
- 58 Area Std #14 - Rural Viewshed Protection - Signs/Billboards on Highway One
- 61 Areawide Standard #19 C - Coastal Bluff string line setback
- 62 Areawide Standard #22, Land Divisions, AG feasibility report

- 63 Areawide Standard #24, Development Plan projects,  
Water studies to include impacts on other habitats
- 66 Areawide Standards/Combining Designation-LCP #2,"Maximum access"..required
- 68 Areawide Stds/Comb Des (LCP) - Marine Environment  
point-source discharges, prohibits discharges into marine environment
- 70 Areawide Stds/Comb Des, SRA, #4 Site Design Standards,  
site consistent with access policies
- 71 Areawide Standards/Combining Designation, LCP Sensitive Resource Area #5 -  
Habitat Protection, for Piedras Blancas dunes, adds Arroyo Laguna
- 72 Areawide Standards/Combining Designation - Arroyo de la Cruz (SRA) #9,  
Limit on Use, limits diversions to high-flow period
- 74 Rural Area Std/Agriculture #1, exception for Hwy One related land divisions
- 75 See addendum, Rural Standard/Agriculture-Ragged Point Area-limitation on use
- 82 Hearst Resorts Standard #2 - Timing/Phases, revise to add coastal resources
- 83 Hearst Resorts Plan - Timing/Phases - #2-C Utilities, package plant provision
- 85 Hearst Resorts Plan Standard #3-A, Water Monitoring Program,  
consultation, flow vol to protect habitat
- 86 Hearst Resorts Plan Standard #3-B, Biological Assessment,  
conform to flow study to protect habitat
- 87 Hearst Resorts Plan Standard #3-C, Qualified Biologist Required,  
Bio study for 5 years
- 88 Hearst Resorts Plan Standard #3-E, Low cost visitor serving facilities,  
Hostel req within 1 yr of Phase One
- 90 Hearst Resorts Plan Standard #3-I, Shoreline Access Requirements,  
"maximum access", examples
- 91 Hearst Resorts Plan Standard #3-J, Coastal Access Master Plan,  
"maximum access"
- 100 Rural Area Standards/Recreation #8 - Piedras Blancas Motel Area,  
limits intensity to existing use
- 101 State Department of Parks and Recreation #14-B, adds protection  
of habitat
- 104a See addendum, Ragged Point Inn Standard #17, adds limitation of use section per  
existing development intensity
- 111 Figure 7-13: Santa Rosa Creek in Cambria, Show all FH area
- 112 East/West Ranch Standard #9-D - Recreation, add ref to public access
- 117 East/West Ranch Standard #13 - C-2 - Avoiding Sensitive Areas  
The Ranch, adds std regarding archaeological remains discovery
- 120 East/West Ranch Standard #13 -K- Lot retirement-delete entire standard
- 121 East/West Ranch Standard #14 Shoreline Access, new master plan  
for access required
- 122 East/West Ranch Standard #14-A- Access for the road/bluff, trails

- to reflect historic use
- 124 Santa Rosa Creek/East Ranch Standard #17 - revise to delete reference to RSF, corrects error
  - 125 Pg 7-72, Combining Designations/Monterey Pine Forest Standard #4, minor re-wording, use of disease free stock, limit non-natives
  - 126 Pg 7-72, Combining Designations/Monterey Pine Forest(TH) Standard #5, location requirements, tree ID info required
  - 127 Pg 7-74, Combining Designations/Monterey Pine Forest(TH) Standard #6, location requirements, avoiding overcrowding
  - 128 Pg 7-77, Commercial Retail Category, Standard # 1 - Permit Requirement, no new residential on 2 parcels
  - 130 Recreation, Moonstone Beach, Standard #3, conditions on caretakers dwellings added
  - 135 San Simeon Acres CR Standard #4, Setbacks from Bluff, Add 75-Yr blufftop erosion setback requirement
  - 136 San Simeon Acres RMF Standard #4, Setbacks from Bluff, Add 75-Yr erosion requirement

**Group B - Accept with change ("yellows"):**

**MOD TOPIC**

- 3 General Goals for North Coast-location
- 3a Public Recreation Priority
- 4 General Goals for North Coast-golf
- 8 Sewage Disposal-(uses allowed for treatment @ SSIM AC)
- 9 Sewage Disposal-(within Urban Service Line @ SSIM AC)
- 27 Collector Roads, discussion reference re: 3rd road to Highway One
- 28 Collector Roads, deletes ref to road extensions deleted from maps
- 29 Collector Roads, removes discussion about deleted Cambria roads
- 30 Collector Roads, deletes discussion about Piney Way/Patterson Link
- 33 Areawide Program #3-A, Further Study & Imp Funding, Highway One
- 34 Circulation Program #3B, Cayucos to Cambria, Highway One 2-lane (10%)issue
- 36 Circulation Program #3D, Cambria to Hearst Castle Highway One 2-lane(10%)
- 41 Circulation Cambria Program #5, delete Creekside Drive discussion
- 42 Circulation Cambria Program #7, The Ranch-Circulation, discussion of 3-way
- 46 Comb Des Program, LCP #2 - Piedras Blancas Point,  
Adds ref to acquisition, signage, Elephant Seal management, daytime use
- 53 Area Std #7 - Hwy One Viewshed Protection - Standards for siting development
- 54 Area Std #8-B - Ridgeline Development - Standards for siting development
- 55 Area Std #8-D - Varied Terrain - Sets standards
- 56 Area Std #8-F - Visual Impact Analysis - story-pole methods
- 59 Area Std #14 - Viewshed Protection - Critical Viewshed,  
No development where it may be seen from the Highway One
- 64 Areawide Standard #25, Proof of water availability
- 65 Areawide Standard #26, Archaeological Site Survey, site survey
- 67 Areawide Standards/Com Des (LCP) - Sensitive Resource Areas,  
Adds new sections for ESHA's
- 69 Areawide Stds/Comb Des (LCP) - section on preventing polluted runoff
- 73 Areawide Standards/Combining Designation - new program,  
Elephant Seal Habitat Protection, rec program, access, shoreline  
structures - non-point sources, adds several drainage standards
- 76 Commercial Service Standard for Van Gordon Creek - Limitation on Use 81
- Hearst Resorts Standard #2 - Timing , LOS std & % passing lane for Hwy 1
- 81 Hearst Resorts Standard #2 - Timing , LOS std & % passing lane for Hwy 1
- 89 Hearst Resorts Plan Standard #3-F, Employee Housing required,  
limit of 100 units @ Old SSIM CR
- 93 Hearst Resorts Standard # 3-L, Height Limits,  
delete exception to non-habitable structures
- 94 Hearst Resorts Standard - Add new Standard # 3-N,  
Remaining Portions of the Ranch limited...Ag & Benefit Uses, Limitation on  
use added



- 99 Rural Area Standards/Recreation #4 - Camping Facilities-  
Location, restores low-impact camping w of Highway One
- 102 State Department of Parks and Recreation #14-H,  
delete standard that limits park uses W of Highway One
- 103 Hearst San Simeon Historical Monument Standard #15,  
delete standard that requires the state to coordinate with Hearst Resorts regarding  
Highway One
- 104 Former Cambria Air Force station Std #16, adds visitor priority, deletes uses
- 105 Rural Area Standard/Public Facility #1- Piedras Blancas Lighthouse Limitation on  
Use, limits to lighthouse, public access, habitat support 109 Cambria  
Urban Area Communitywide Standard #3 - Growth Management  
and allocation of permits, adds two new sections requiring lot retirement  
with new subdivisions, no private desal
- 108 Cambria Urban Area Communitywide Standard #3-C-2, Growth Management  
and allocation of permits, regarding provisions for CCSD extensions outside  
Urban, changes date focus to 'site', critical viewshed
- 110 Pg 7-50, Cambria Urban Area Communitywide Standard #6 - Santa Rosa Creek,  
no new dev in flood plain until study
- 118 East/West Ranch Standard #13 - D - The Ranch, Environmental  
Protection, 100' SR Creek setback, FM Plan required, forest easement
- 123 Santa Rosa Creek/East Ranch Standard #16 - Limitation on Use,  
uses specified inside and outside of the FH area
- 132 Tract 226, Cambria, RSF Standard, new standard #18 - Resubdivision Encouraged
- 134 San Simeon Acres Communitywide Standard #11, no Mixed Use Projects

**Group C - Contested ("reds"):**

- 5 Goals - Delete Goals 10c(better access) & 12d(Nexus)
- 40 Circulation Cambria Program #3, delete Piney Way discussion
- 51 Pg 7-2, Introductory Text, delete Nexus paragraph
- 77 See addendum, Pg 7-14, Revised Heading, defines areas
- 78 Pg 7-14, Hearst Resorts Phasing Plan, Table 7-1
- 79 See addendum, Pg 7-14, Hearst Resorts Plan, Standard #1,  
defines new dev envelope for Phasing Plan chart
- 80 Figure 7-3, Phasing and Location Map, REC to OS for San Simeon Point
- 84 See addendum, Pg 7-16, Hearst Resorts Plan Standard #3 - Review Requirements  
for each Phase, restores traffic signal limit
- 95 Hearst Resorts Standard - Phase #1 Staging Area Standards 1-5, & Fig 7-5,  
deletes provisions for Phase 1 Area
- 97 See addendum also, major reorganization of Hearst Resorts,  
adds ag buffer & size limit for hostel
- 98 Hearst Resorts Standards for Phase 4 - delete Pine Resort
- 106 Rural Area Standard/Rural Lands #1 & #2, Category near Cambria,  
require 160 ac min, delete subareas, adds habitat std, no building site  
visible from Hwy One
- 107 Cambria Urban Area Standard #3-B, In-stream flow study,  
water strategy, & lot reduction measure required prior to Yr2001
- 113 East/West Ranch Standard #9-F - Lot Retirement, delete standard
- 114 East/West Ranch Standard #9-K - New Technology, desal plant prohibited
- 115 East/West Ranch Standard #10 -B, C & D - Permit requirements - The Ranch,  
amend USL and Annex to CCSD required
- 116 East/West Ranch Standard #11 - Additional application contents -  
The Ranch, delete TDC reference, req LCP amendment to add to USL
- 119 East/West Ranch Standard #G -Table- The Ranch, revise to show  
"if Annexed" to CCSD, delete lot retirement
- 129 See addendum, Pg 7-79, Mid State Bank Site, East Village CR Category,  
delete Standards 2-9
- 133 San Simeon Acres, Communitywide Standard # 1-C, Study Required  
Instream flow management study required-Related to Mod 107 for CCSD

**Minor Mods that depend on outcome of above decisions:**

- 10-17 Hearst Resorts discussion depends upon resolution on Ch 7\*
- 19-20 Tract 226, Cambria, depends upon Prop request outcome\*
- 21 West Village - adds desc of flooding & requirements\*
- 22 West Village description-depends on Mid-State Property\*
- 23b See addendum, Program #5-Hearst-Employee Housing-deletes ref to golf\*
- 24 Tract 226, Cambria, depends on map change\*
- 26a See addendum, Highway One, deletes reference to golf\*

- 92 Figure 7-4, Hearst Resorts, delete Pine Resort,  
consistent with Fig 7-3 & Ex 15 of CCC staff report\*
- 96 Hearst Resorts Standard - Figure 7-6 (North Access) revision per Ex 16\*
- 131 Tract 226, Cambria, CR Category, delete Standards # 5 - A -D, (moved to RSF)\*

**ATTACHMENT 'B' - CCC ACTION ON PROPERTY REQUESTS**

**COASTAL COMMISSION ACTION**  
Property Owner and other Land Use Category Requests

COASTAL COMMISSION LAND USE CATEGORY ACTIONS January 15, 1998 - (26 WERE SUBMITTED)			
AREA	APPROVED	APPROVED W CHANGE	DENIED
RURAL	3	1	3
CAMBRIA	12	2	4
SAN SIMEON ACRES	1		
<b>TOTAL</b>	<b>16</b>	<b>3</b>	<b>7</b>
# PROP OWNERS REQUESTS APPROVED, BUT WAITING	9		

**DETAIL**

1. LEVEL ONE CHANGES                      APPROVED
  - A. County Line - RL to Ag
  - B. East Ranch Floodplain - RMF & CR to REC
  - C. South Cambria - RS to RL & OUT OF URL

2. PROPERTY OWNER REQUESTS & AMENDMENTS

A. North Coast Rural Area

Soto - AG to CR, DENIED

Warren - AG and REC to CS, APPROVED W CONDITION

PG&E Substation - AG to PF), Santa Rosa Creek Road, APPROVED

B. Cambria Urban Area

CCSD Request #3 - Main St. Parcel  
change from RSF to CR, DENIED

CCSD Request #4 - Rodeo Grounds Road treatment plant  
change from CR and PF to PF), APPROVED

CALIFORNIA COASTAL COMMISSION  
**EXHIBIT 5**

Connelly/Childs - RMF and OP to CR), Main Street (neighboring Childs parcel added),  
**APPROVED W STD**

Kauffman - RS to CS, Village Lane, **APPROVED**

**Cambria Community Steering Committee (Mid State Bank Property) change from REC  
to CR remove "V" overlay) DENIED**

Kreps/Meltzer - (Tract 226, change from CR to RMF) **APPROVED FOR RSF**

**Historic Combining Designations - Cambria, APPROVED**

**Rhoades/Crawford - Ag to CR (limited to 1 ac), DENIED**

Lynch/ Strong "J. Patrick House" - RMF to REC, **APPROVED**

Newman/Londonerry - (initiated by PC) RMF to RSF, **APPROVED**

### **3. COUNTY INITIATED REQUESTS**

#### **A. North Coast Rural Area**

**Hearst State Historical Monument Staging Area - AG and REC to REC, APPROVED**

**San Simeon Point Retain REC (not OS), DENIED**

**Secondary Hearst Resorts changes (enlarge phase I, golf course area), DENIED**

#### **B. Cambria Urban Area**

**Cambria Terrestrial Habitat Adjustment - Pine  
Forest Location - Park Hill and Happy Hill, APPROVED**

**State Parks @ Moonstone - REC to OS, APPROVED**

School District - E/W Schoolsite - OS and RSF to PF, **APPROVED**

**East Ranch former Hume property - Remove "V", DENIED**

**Combining Designations - Update "School" & "Park" locations, APPROVED**

#### **C. San Simeon Village Area**

**San Simeon Acres Sewage Treatment Plant - RMF to PF, Balboa Ave, APPROVED**

### **4. COASTAL COMMISSION PROPOSED/APPROVED MAP CHANGES**

(NOT SHOWN ON TOTALS)

San Carpoforo Area - REC to AG, APPROVED

Ragged Point Inn - Add "V", APPROVED

Ellysy Creek - Add "FH", APPROVED

San Simeon Point - Show fault zone "GSA", APPROVED

San Simeon Point - Show archaeology "ARCH-SEN", APPROVED

San Carpoforo Area - Delete REC, APPROVED

San Simeon Creek - Add PF for proposed desal area, APPROVED

# ATTACHMENT 'B' - CCC ACTION ON PROPERTY REQUESTS

## COASTAL COMMISSION ACTION Property Owner and other Land Use Category Requests

COASTAL COMMISSION LAND USE CATEGORY ACTIONS January 15, 1998 - (26 WERE SUBMITTED)			
AREA	APPROVED	APPROVED W CHANGE	DENIED
RURAL	3	1	3
CAMBRIA	12	2	4
SAN SIMEON ACRES	1		
TOTAL	16	3	7
# PROP OWNERS REQUESTS APPROVED,BUT WAITING	9		

### DETAIL

1. LEVEL ONE CHANGES **APPROVED**
  - A. County Line - RL to Ag
  - B. East Ranch Floodplain - RMF & CR to REC
  - C. South Cambria - RS to RL & OUT OF URL

### 2. PROPERTY OWNER REQUESTS & AMENDMENTS

#### A. North Coast Rural Area

Soto - AG to CR, **DENIED**

Warren - AG and REC to CS, **APPROVED W CONDITION**

PG&E Substation - AG to PF), Santa Rosa Creek Road, **APPROVED**

#### B. Cambria Urban Area

CCSD Request #3 - Main St. Parcel  
change from RSF to CR, **DENIED**

CCSD Request #4 - Rodeo Grounds Road treatment plant  
change from CR and PF to PF), **APPROVED**

Connelly/Childs - RMF and OP to CR), Main Street (neighboring Childs parcel added),  
**APPROVED W STD**

CALIFORNIA COASTAL COMMISSION  
**EXHIBIT 5**

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**Kauffman - RS to CS, Village Lane, APPROVED**

**Cambria Community Steering Committee (Mid State Bank Property) change from REC to CR remove "V" overlay) DENIED**

**Kreps/Meltzer - (Tract 226, change from CR to RMF) APPROVED FOR RSF**

**Historic Combining Designations - Cambria, APPROVED**

**Rhoades/Crawford - Ag to CR (limited to 1 ac), DENIED**

**Lynch/ Strong "J. Patrick House"- RMF to REC, APPROVED**

**Newman/Londonerry - (initiated by PC) RMF to RSF, APPROVED**

### **3. COUNTY INITIATED REQUESTS**

#### **A. North Coast Rural Area**

**Hearst State Historical Monument Staging Area - AG and REC to REC, APPROVED**

**San Simeon Point Retain REC (not OS), DENIED**

**Secondary Hearst Resorts changes (enlarge phase I, golf course area), DENIED**

#### **B. Cambria Urban Area**

**Cambria Terrestrial Habitat Adjustment - Pine Forest Location - Park Hill and Happy Hill, APPROVED**

**State Parks @ Moonstone - REC to OS, APPROVED**

**School District - E/W Schoolsite - OS and RSF to PF, APPROVED**

**East Ranch former Hume property - Remove "V", DENIED**

**Combining Designations - Update "School" & "Park" locations, APPROVED**

#### **C. San Simeon Village Area**

**San Simeon Acres Sewage Treatment Plant - RMF to PF, Balboa Ave, APPROVED**

### **4. COASTAL COMMISSION PROPOSED/APPROVED MAP CHANGES (NOT SHOWN ON TOTALS)**

**San Carpoforo Area - REC to AG, APPROVED**

**Ragged Point Inn - Add "V", APPROVED**

**Ellysy Creek - Add "FH", APPROVED**

CALIFORNIA COASTAL COMMISSION  
**EXHIBIT 5**

*p 28 of 54*



San Simeon Point - Show fault zone "GSA", APPROVED

San Simeon Point - Show archaeology "ARCH-SEN", APPROVED

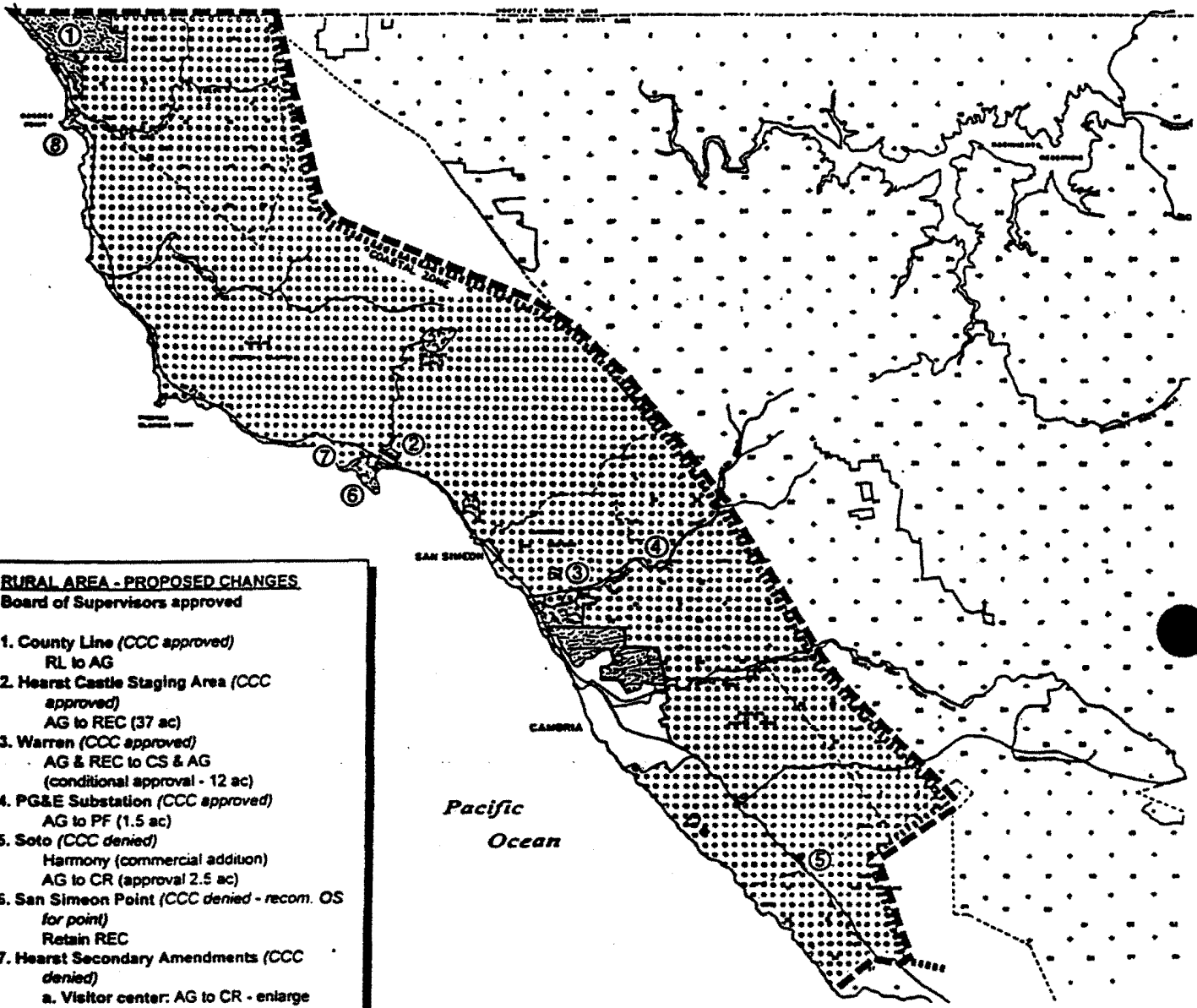
San Carpoforo Area - Delete REC, APPROVED

San Simeon Creek - Add PF for proposed desal area, APPROVED

CALIFORNIA COASTAL COMMISSION  
EXHIBIT 5

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# CCC Rural Area Map decisions

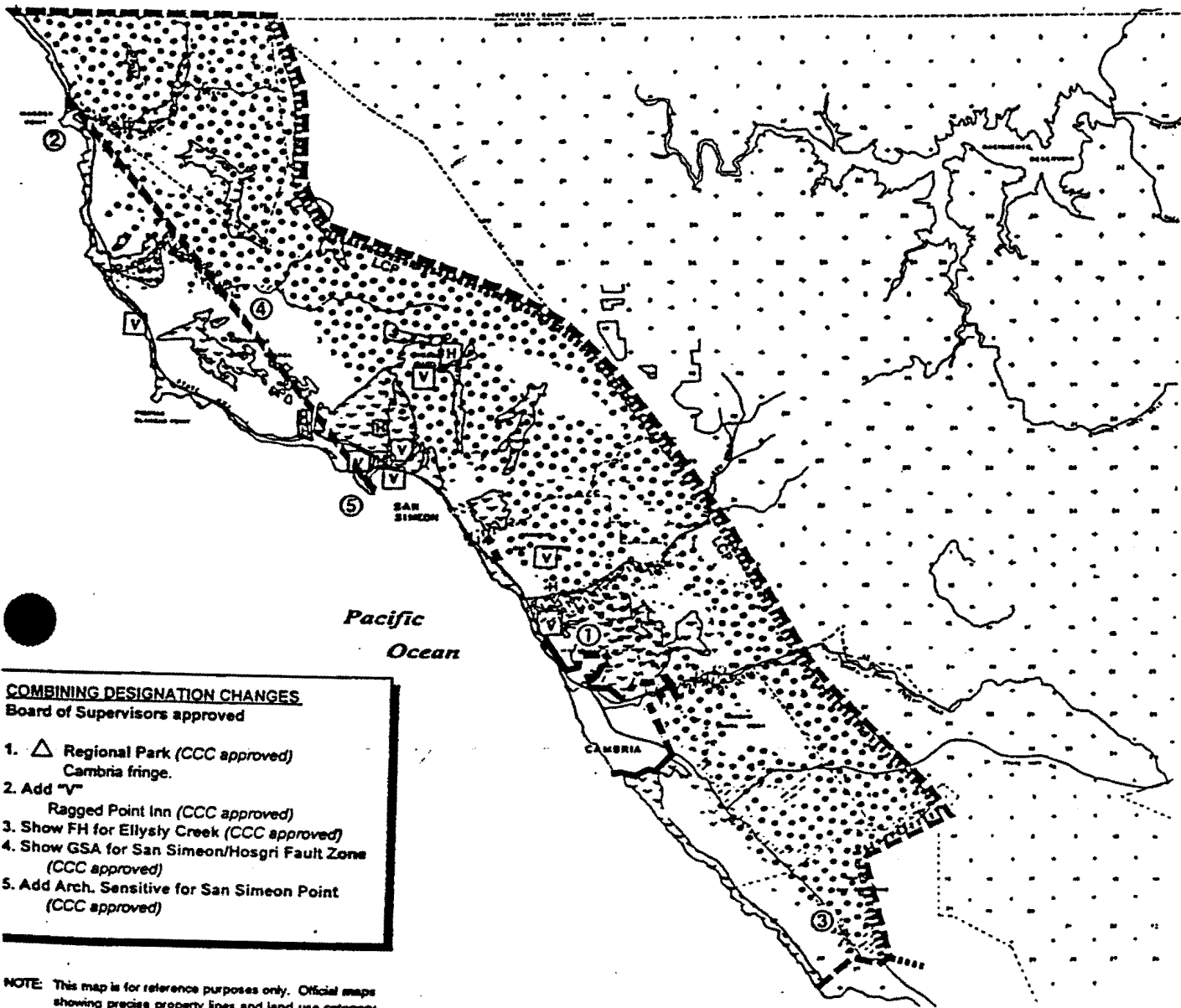


**RURAL AREA - PROPOSED CHANGES**

Board of Supervisors approved

1. County Line (CCC approved)  
RL to AG
2. Hearst Castle Staging Area (CCC approved)  
AG to REC (37 ac)
3. Warren (CCC approved)  
AG & REC to CS & AG  
(conditional approval - 12 ac)
4. PG&E Substation (CCC approved)  
AG to PF (1.5 ac)
5. Soto (CCC denied)  
Harmony (commercial addition)  
AG to CR (approval 2.5 ac)
6. San Simeon Point (CCC denied - recom. OS for point)  
Retain REC
7. Hearst Secondary Amendments (CCC denied)
  - a. Visitor center: AG to CR - enlarge CR from 18 to 28 ac
  - b. Golf Course: AG to REC - enlarge golf course by 60 ac
8. Ragged Point (CCC approved)  
REC to AG

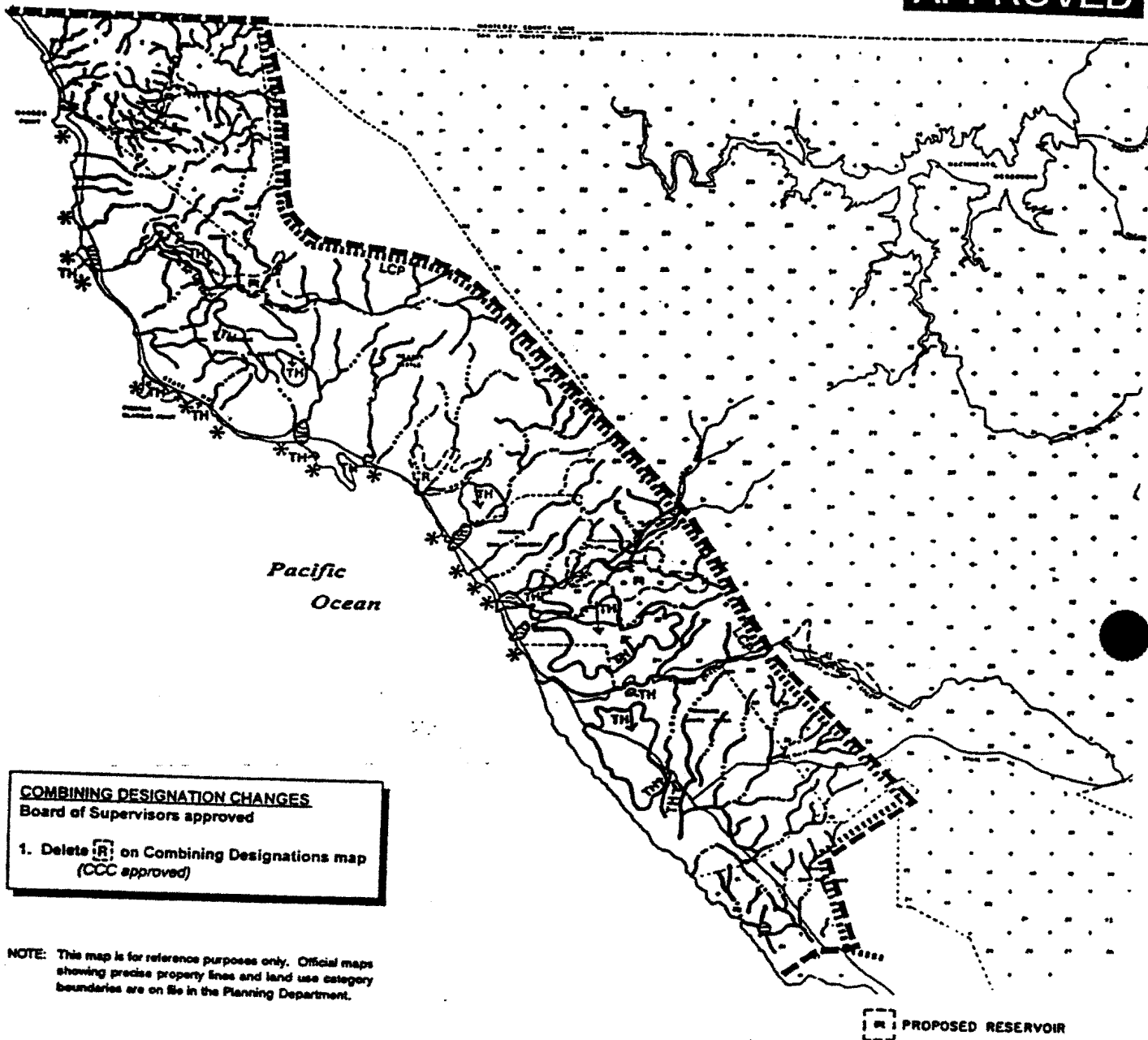
**APPROVED**



- COMBINING DESIGNATION CHANGES**  
Board of Supervisors approved
1.  $\Delta$  Regional Park (CCC approved)  
Cambria fringe.
  2. Add "v"  
Ragged Point Inn (CCC approved)
  3. Show FH for Ellyshy Creek (CCC approved)
  4. Show GSA for San Simeon/Hosgri Fault Zone  
(CCC approved)
  5. Add Arch. Sensitive for San Simeon Point  
(CCC approved)

NOTE: This map is for reference purposes only. Official maps showing precise property lines and land use category boundaries are on file in the Planning Department.

**APPROVED**



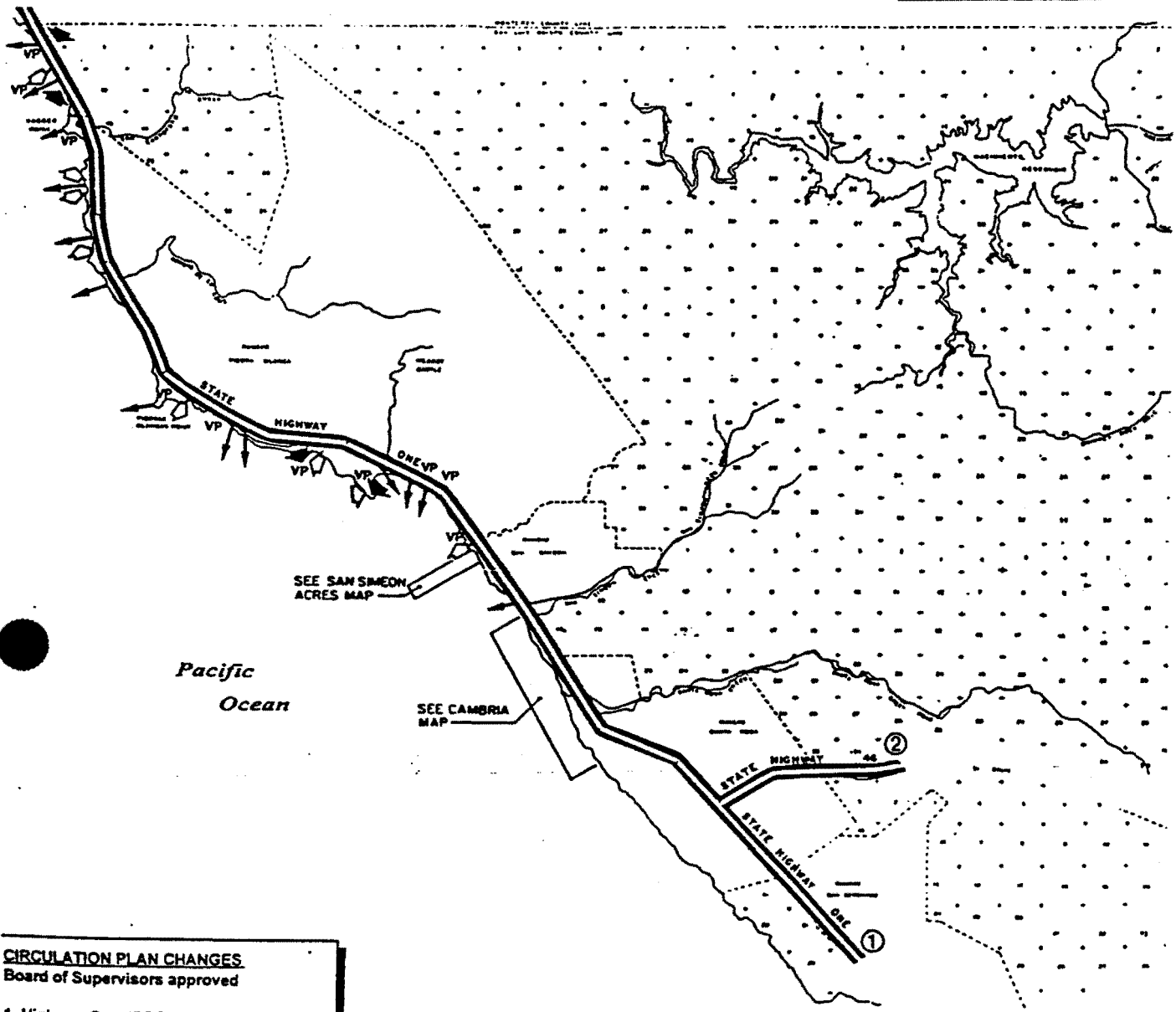
**COMBINING DESIGNATION CHANGES**  
Board of Supervisors approved

1. Delete **TR** on Combining Designations map (CCC approved)

NOTE: This map is for reference purposes only. Official maps showing precise property lines and land use category boundaries are on file in the Planning Department.

CALIFORNIA COASTAL COMMISSION  
**EXHIBIT**

**APPROVED**

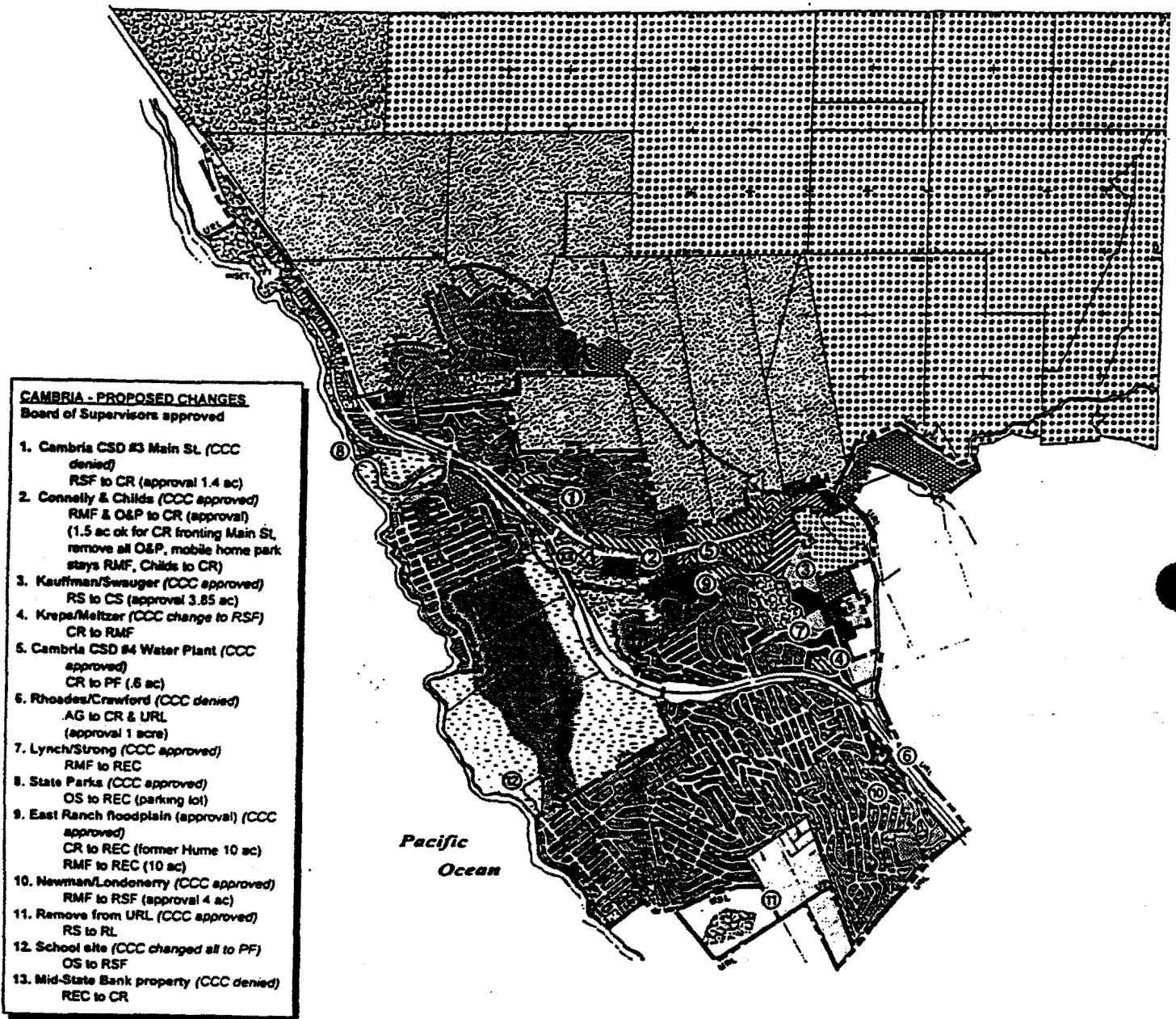


**CIRCULATION PLAN CHANGES**  
Board of Supervisors approved

1. Highway One (CCC approved)  
Arterial to principal arterial.
2. Highway 46 (CCC approved)  
Arterial to principal arterial.

**CALIFORNIA COASTAL COMMISSION  
EXHIBIT**

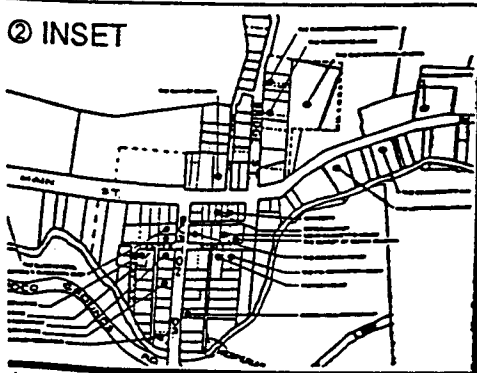
# CCC Cambria Urban Area Map decisions



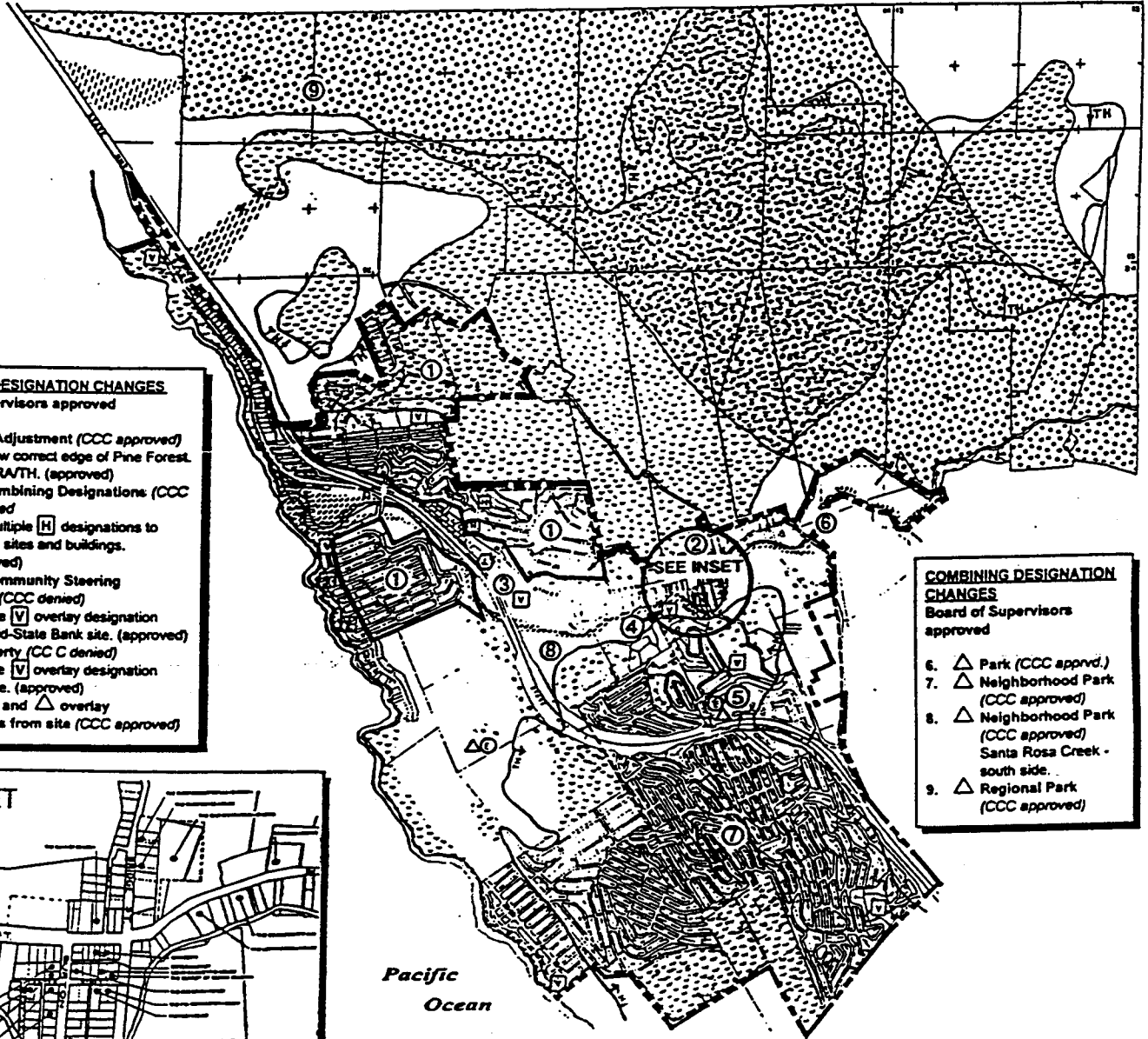
**COMBINING DESIGNATION CHANGES**  
Board of Supervisors approved

- SRA & TH Adjustment (CCC approved)  
To show correct edge of Pine Forest.  
Add SRA/TH. (approved)
- Historic Combining Designations (CCC approved)  
Add multiple [H] designations to various sites and buildings. (approved)
- Cambria Community Steering Committee (CCC denied)  
Remove [V] overlay designation from Mid-State Bank site. (approved)
- Home Property (CC C denied)  
Remove [V] overlay designation from site. (approved)
- Removes (E) and (Δ) overlay designations from site (CCC approved)

**② INSET**



(larger map for Historic Combining Designations outside this area)

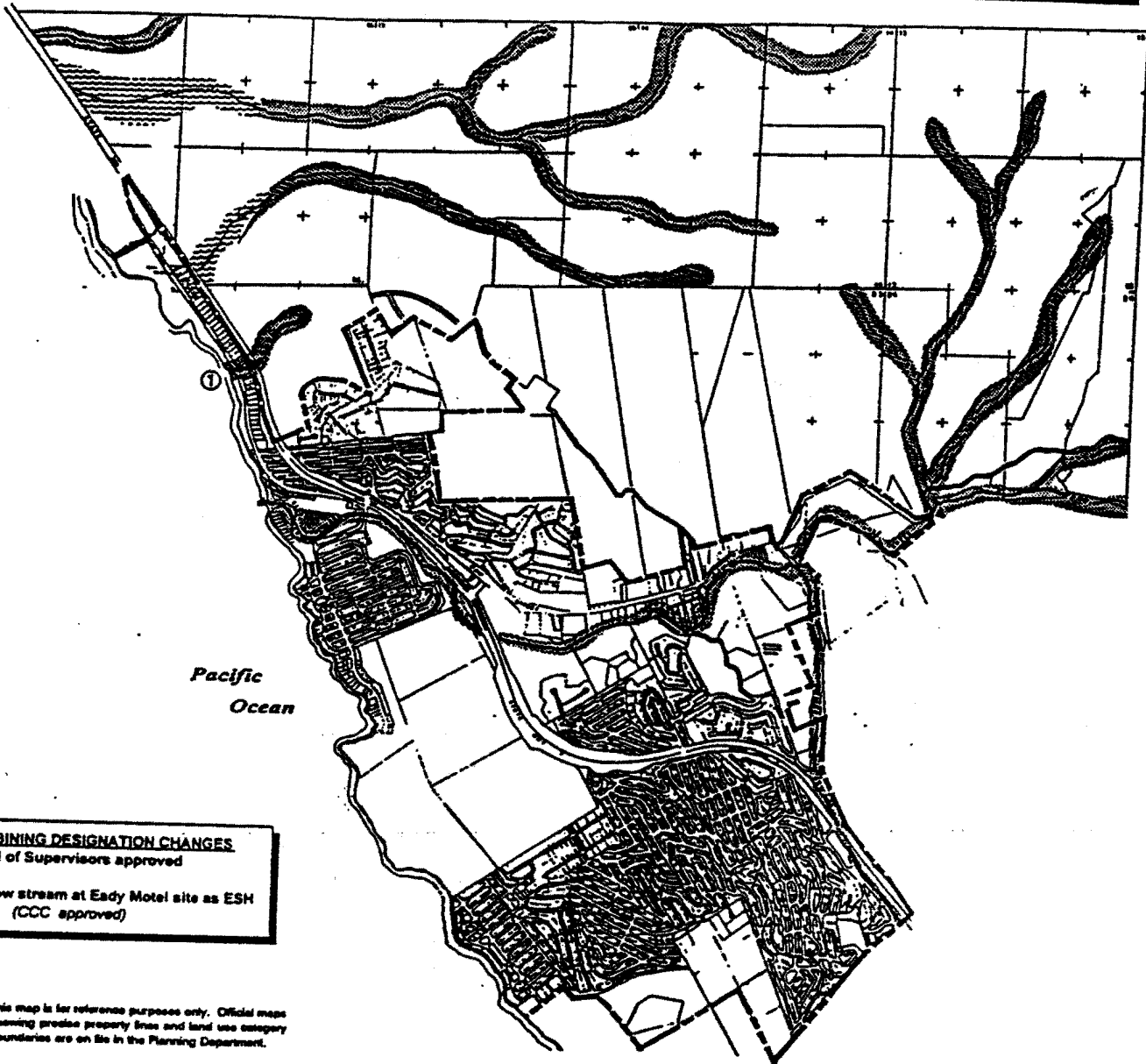


**COMBINING DESIGNATION CHANGES**  
Board of Supervisors approved

- 6. Δ Park (CCC approved)
- 7. Δ Neighborhood Park (CCC approved)
- 8. Δ Neighborhood Park (CCC approved)  
Santa Rosa Creek - south side.
- 9. Δ Regional Park (CCC approved)

NOTE: This map is for reference purposes only. Official maps showing precise property lines and land use category boundaries are on file in the Planning Department.

**APPROVED**



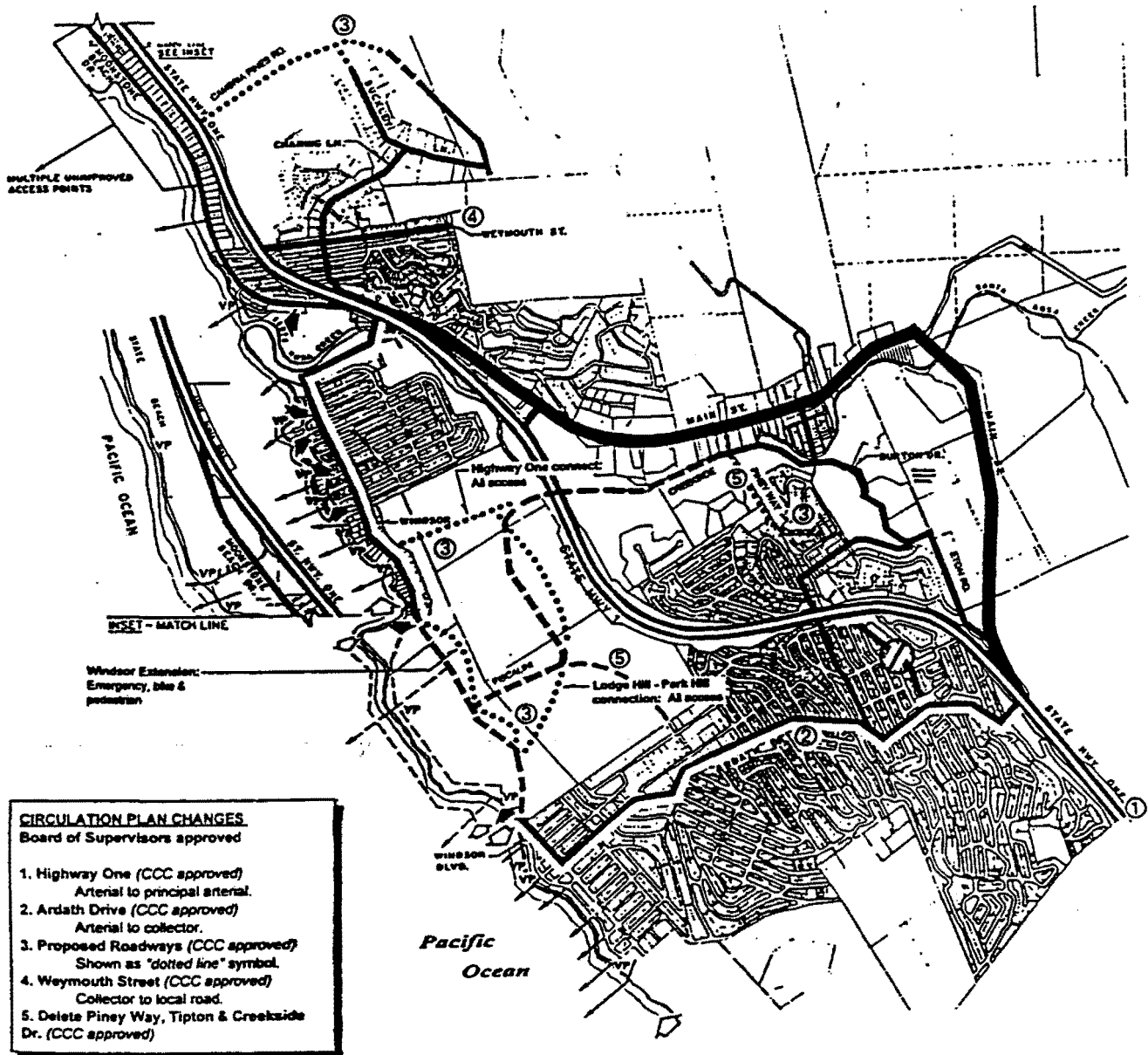
**COMBINING DESIGNATION CHANGES**  
Board of Supervisors approved

1. Show stream at Eady Motel site as ESH  
(CCC approved)

**NOTE:** This map is for reference purposes only. Official maps showing precise property lines and land use category boundaries are on file in the Planning Department.

**CALIFORNIA COASTAL COMMISSION**  
**EXHIBIT**



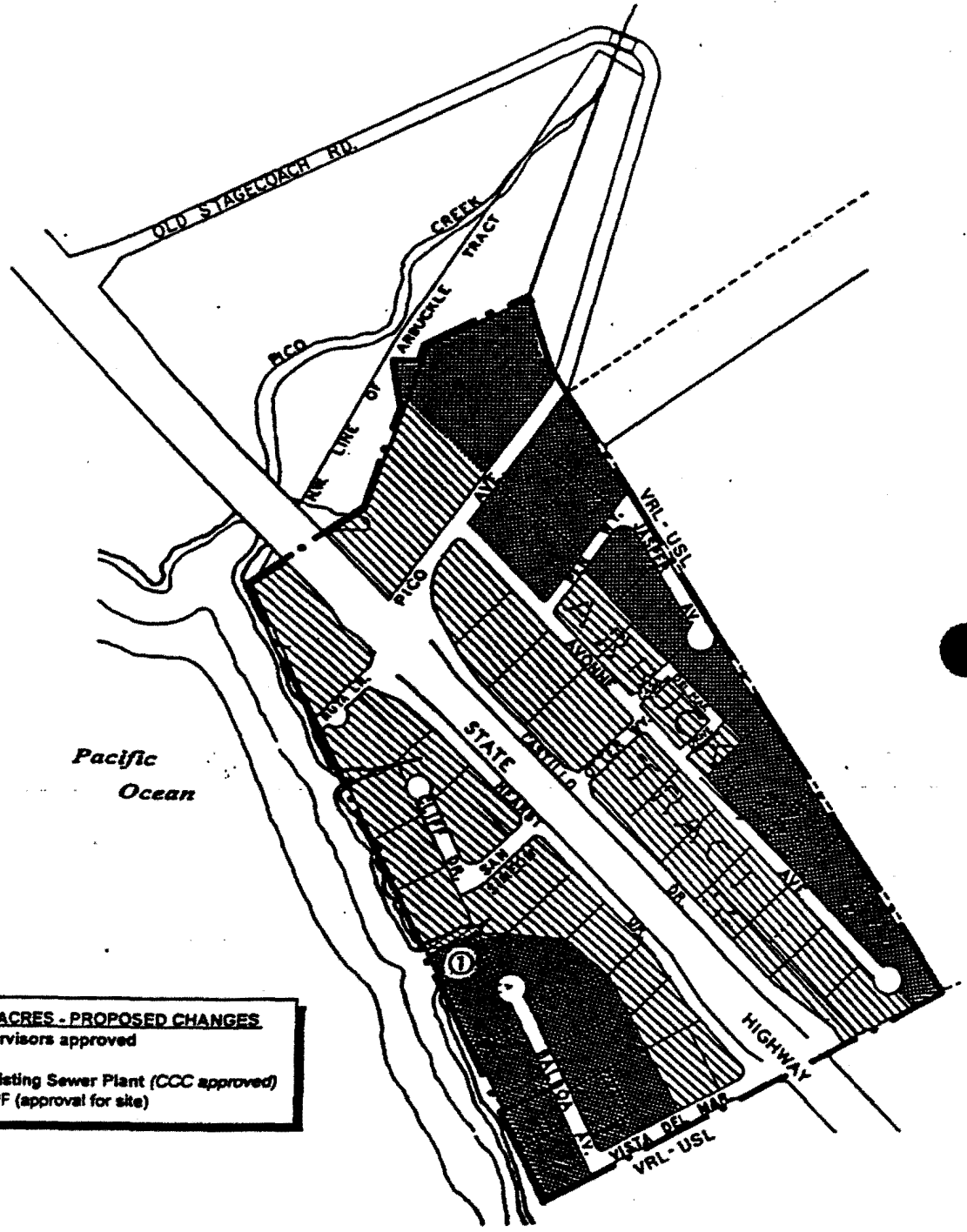


**CIRCULATION PLAN CHANGES**  
 Board of Supervisors approved

1. Highway One (CCC approved)  
 Arterial to principal arterial.
2. Ardath Drive (CCC approved)  
 Arterial to collector.
3. Proposed Roadways (CCC approved)  
 Shown as "dotted line" symbol.
4. Weymouth Street (CCC approved)  
 Collector to local road.
5. Delete Piney Way, Tipton & Creekside Dr. (CCC approved)

# CCC San Simeon Acres Map decisions

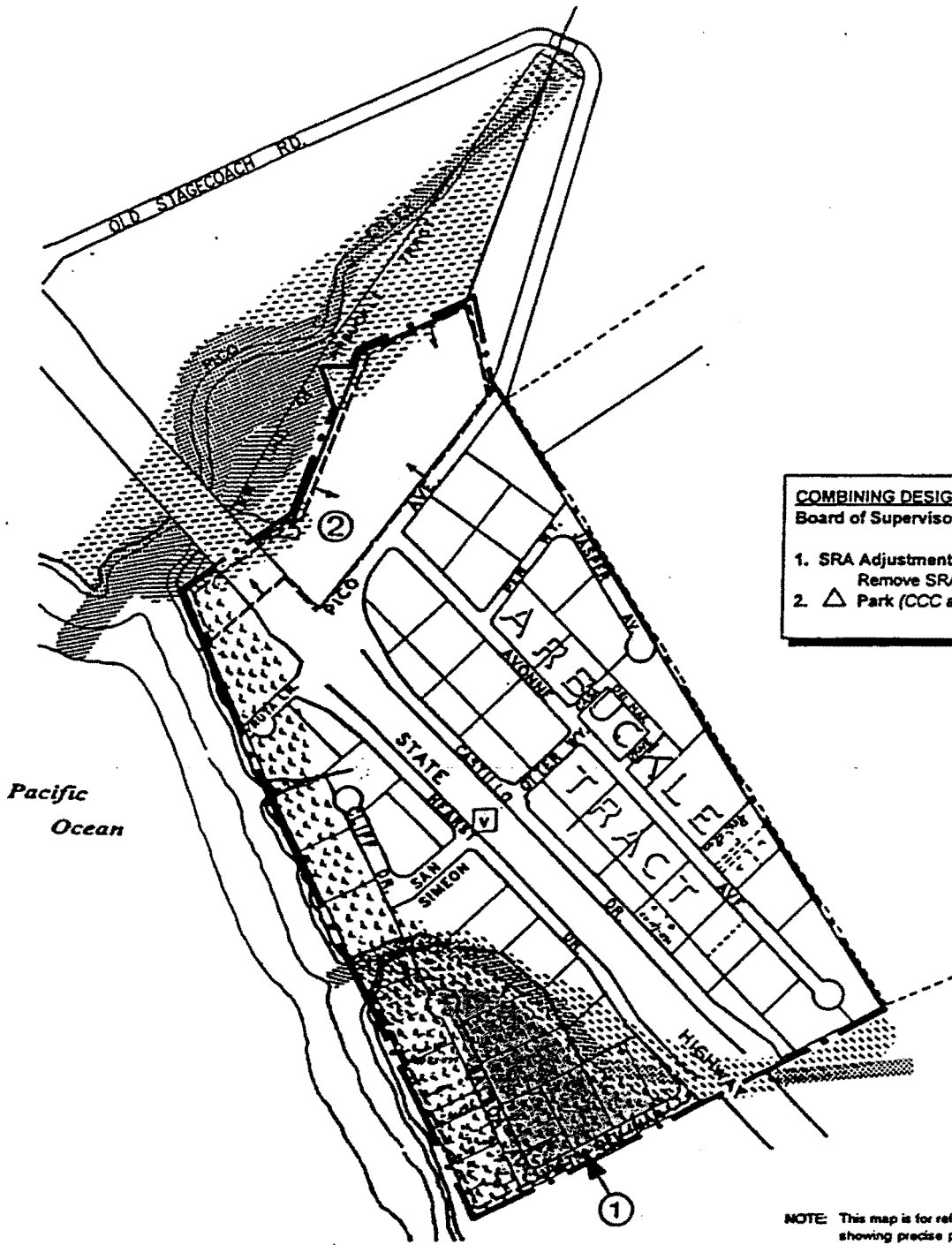
**APPROVED**



**SAN SIMEON ACRES - PROPOSED CHANGES**  
Board of Supervisors approved

1. SSACSD Existing Sewer Plant (CCC approved)  
RMF to PF (approval for site)

**APPROVED**



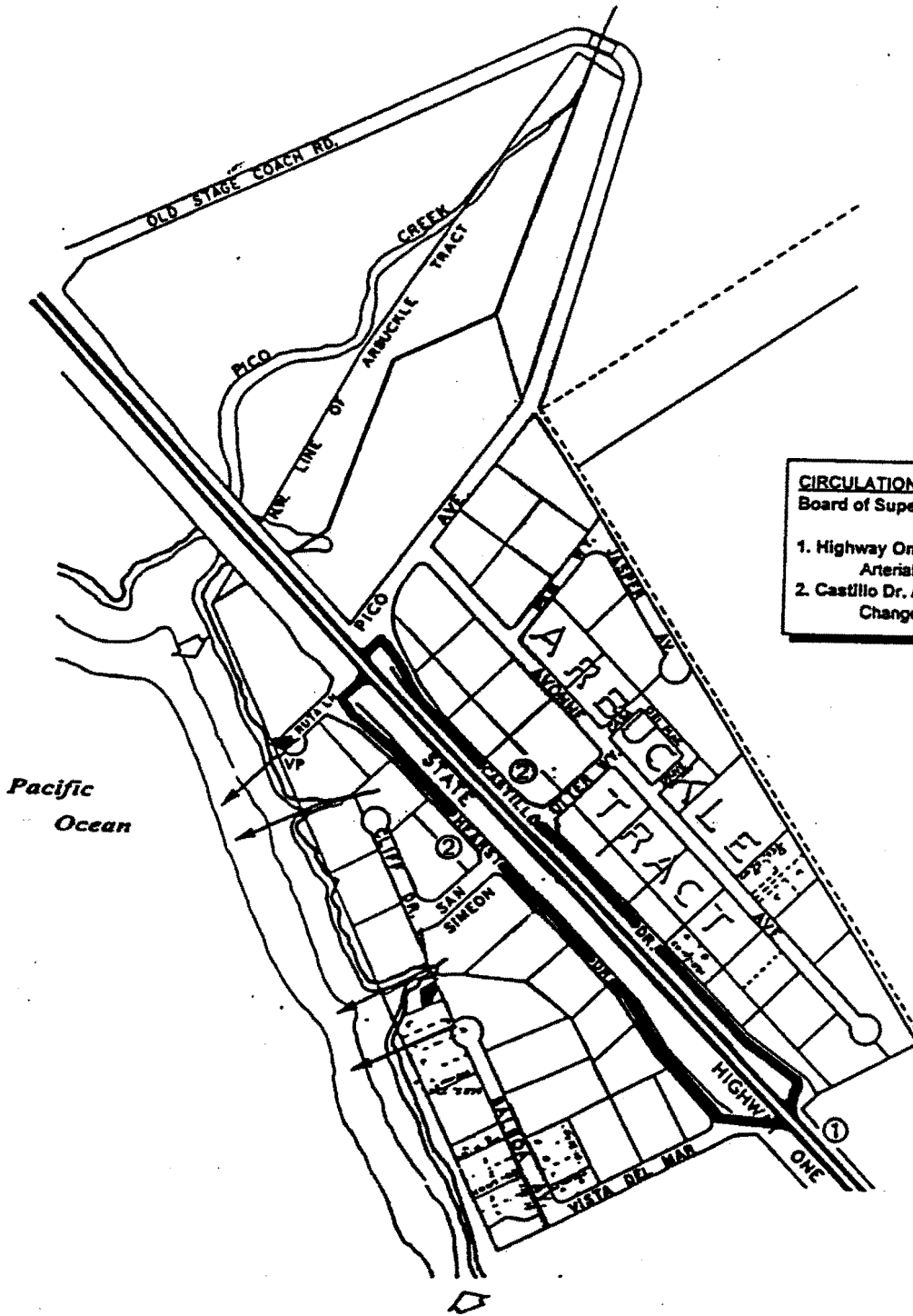
**COMBINING DESIGNATION CHANGES**  
Board of Supervisors approved

1. SRA Adjustment (CCC approved)  
Remove SRA from developed lots.
2. △ Park (CCC approved)

NOTE: This map is for reference purposes only. Official maps showing precise property lines and land use category boundaries are on file in the Planning Department.

CALIFORNIA COASTAL COMMISSION  
**EXHIBIT**

**APPROVED**



**CIRCULATION PLAN CHANGES**  
Board of Supervisors approved

1. Highway One (CCC approved)  
Arterial to principal arterial.
2. Castillo Dr. / Hearst Dr. (CCC approved)  
Change to arterial.

CALIFORNIA COASTAL COMMISSION  
**EXHIBIT**

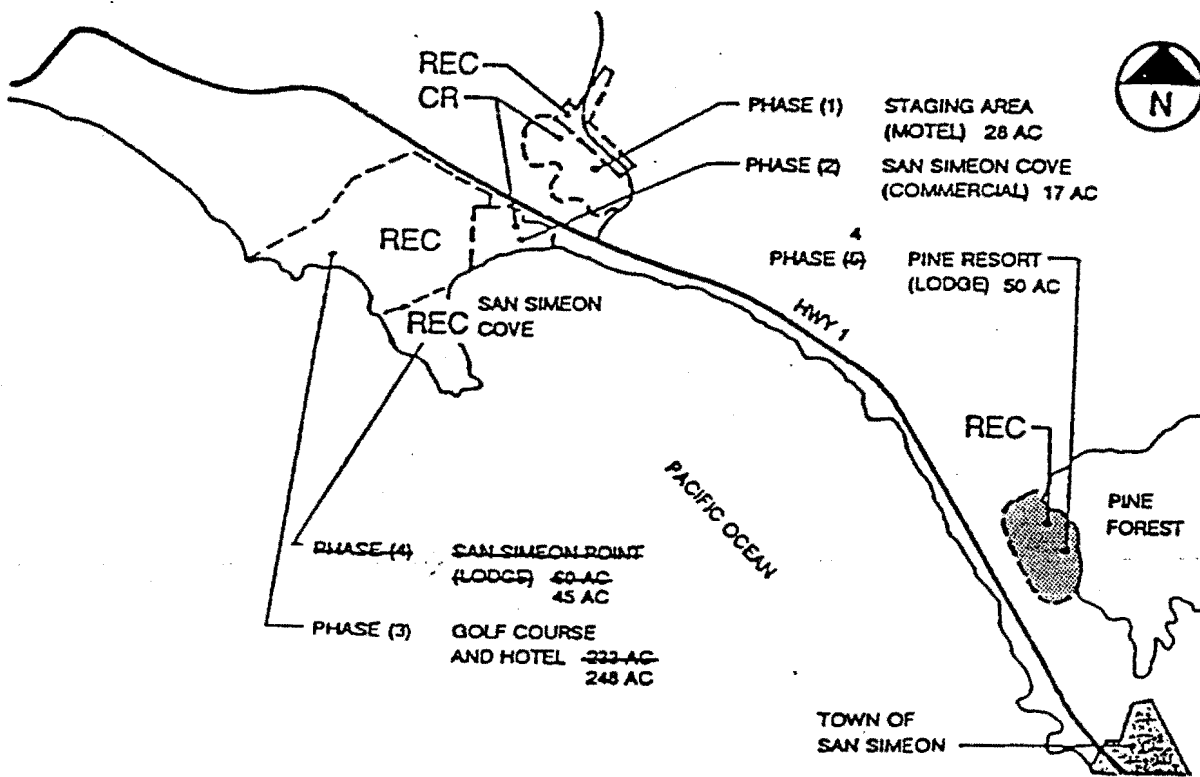
MOD 137-1-a Hearst Pine Resort

**DENIED**

Existing is REC

County submitted REC

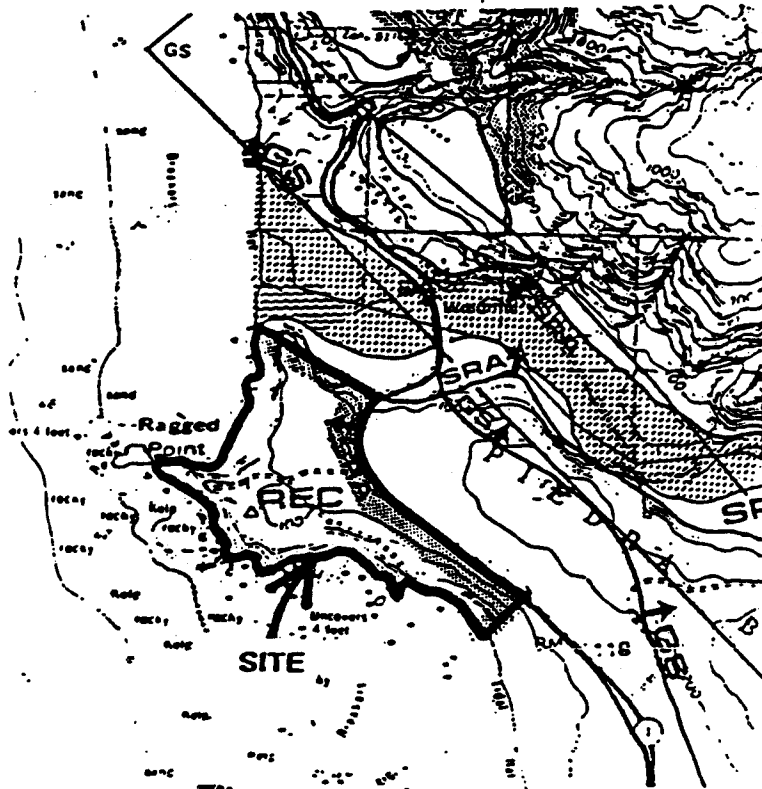
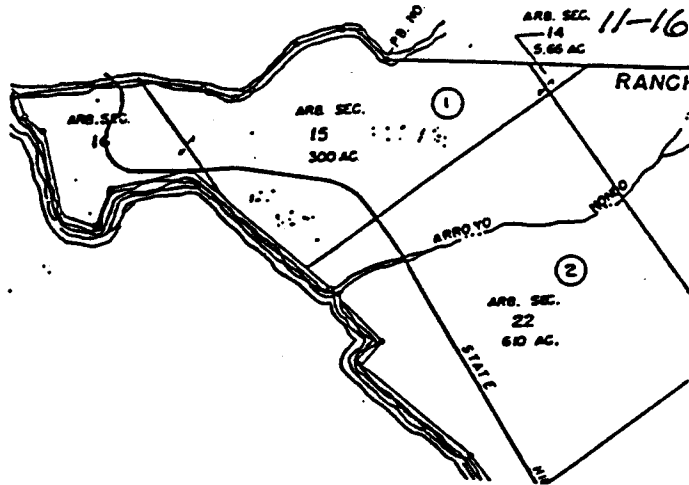
CCC recommends deletion of phase & change to AG



# MOD 137-1-b San Carpoforo Area

Existing is REC  
County Submitted REC  
CCC recommends change to AG

**APPROVED**



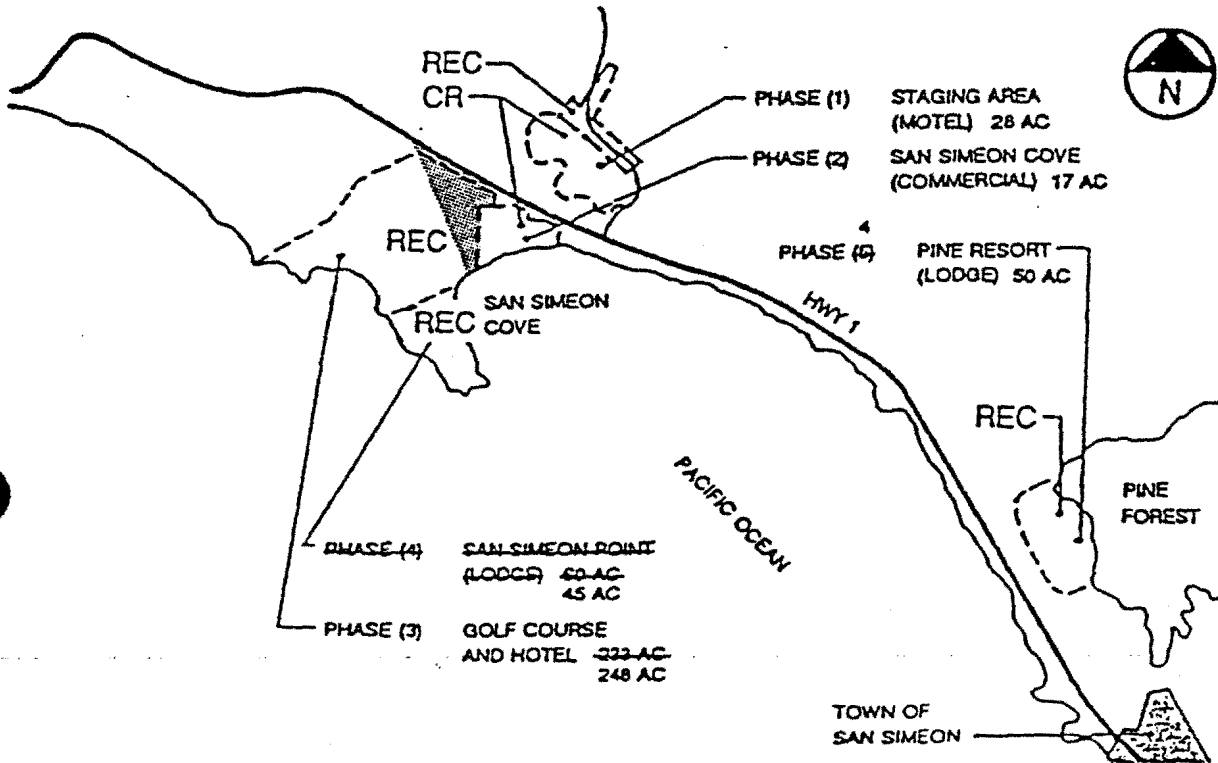
MOD 137-1-c Hearst-Old San Simeon Golf Area

**DENIED**

Existing is REC

County Submitted REC

CCC recommends CR as part of Phase II enlargement



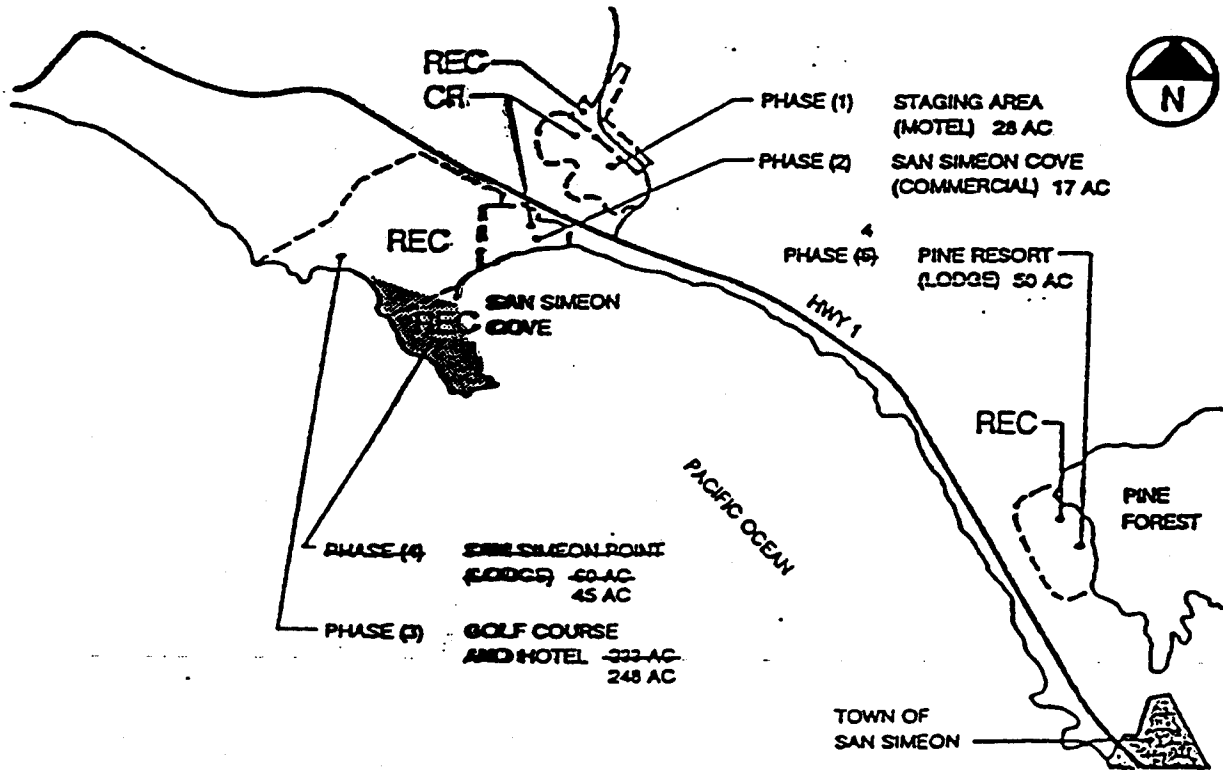
CALIFORNIA COASTAL COMMISSION  
**EXHIBIT**

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**MOD 137-1-d San Simeon Point (60 acres)**

**Existing is REC  
County submitted REC  
CCC recommends OS**

**DENIED**

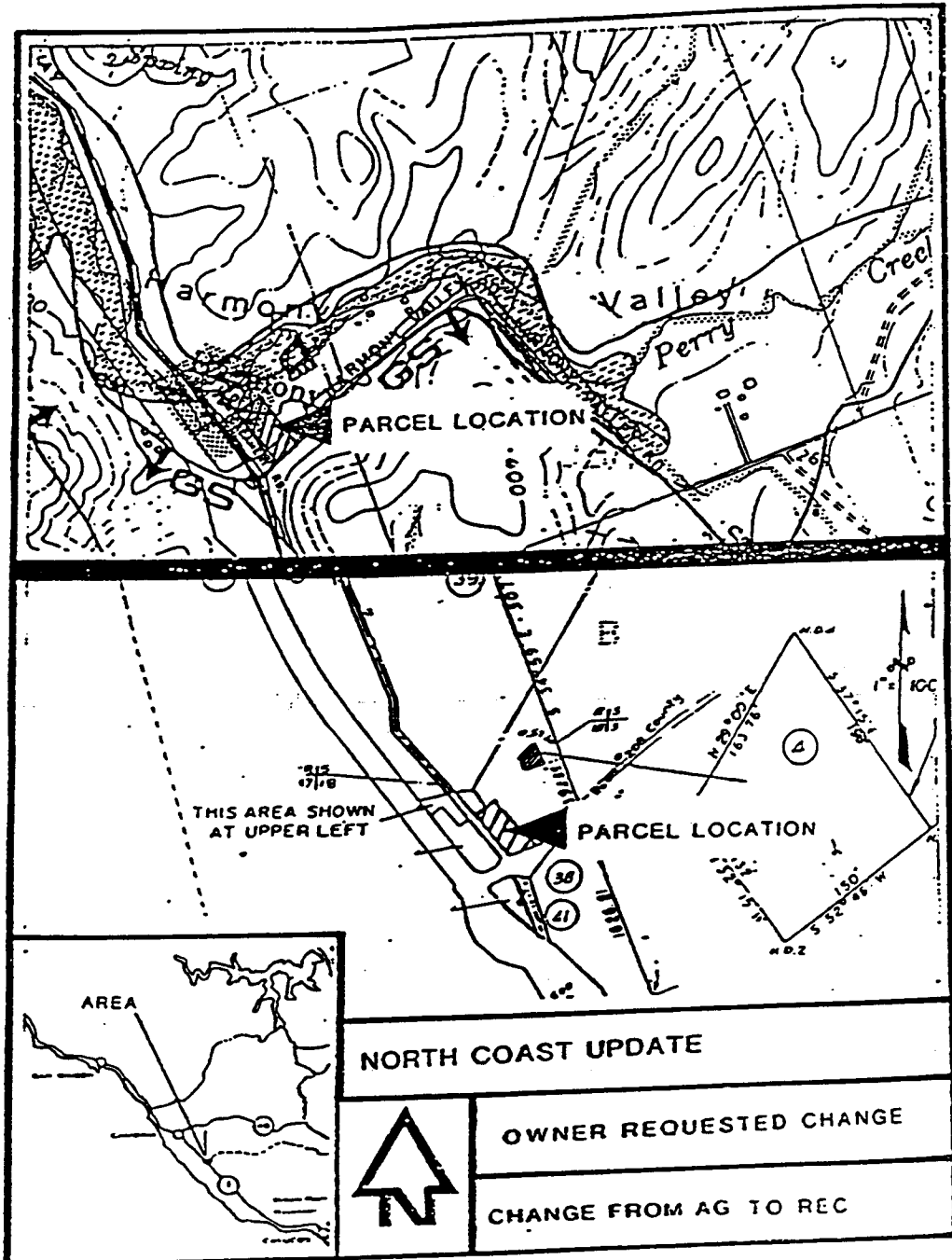




# MOD 137-1-e Harmony-Soto Property

Existing is AG  
County submitted 2.5 ac to CR  
CCC recommends retain AG

**DENIED**



# MOD 137-1-f Hearst Secondary Amendments

**a. Visitor Center Area**

Existing is 18 ac CR, 10 ac of AG

County submitted 28 ac of CR

CCC recommends deletion of phase, change to all AG

**DENIED**

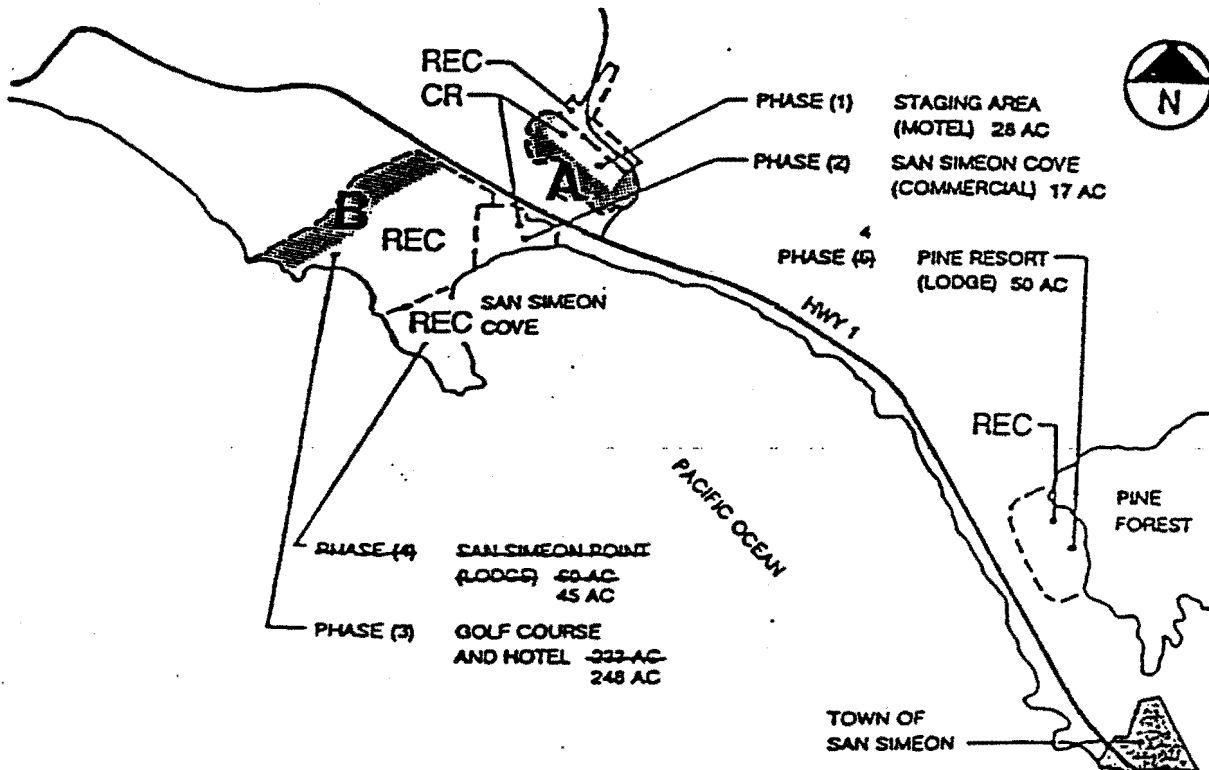
**b. Phase II Golf Course Area**

Existing is AG

County added 60 acres to the REC category

CCC recommends retain AG

**DENIED**

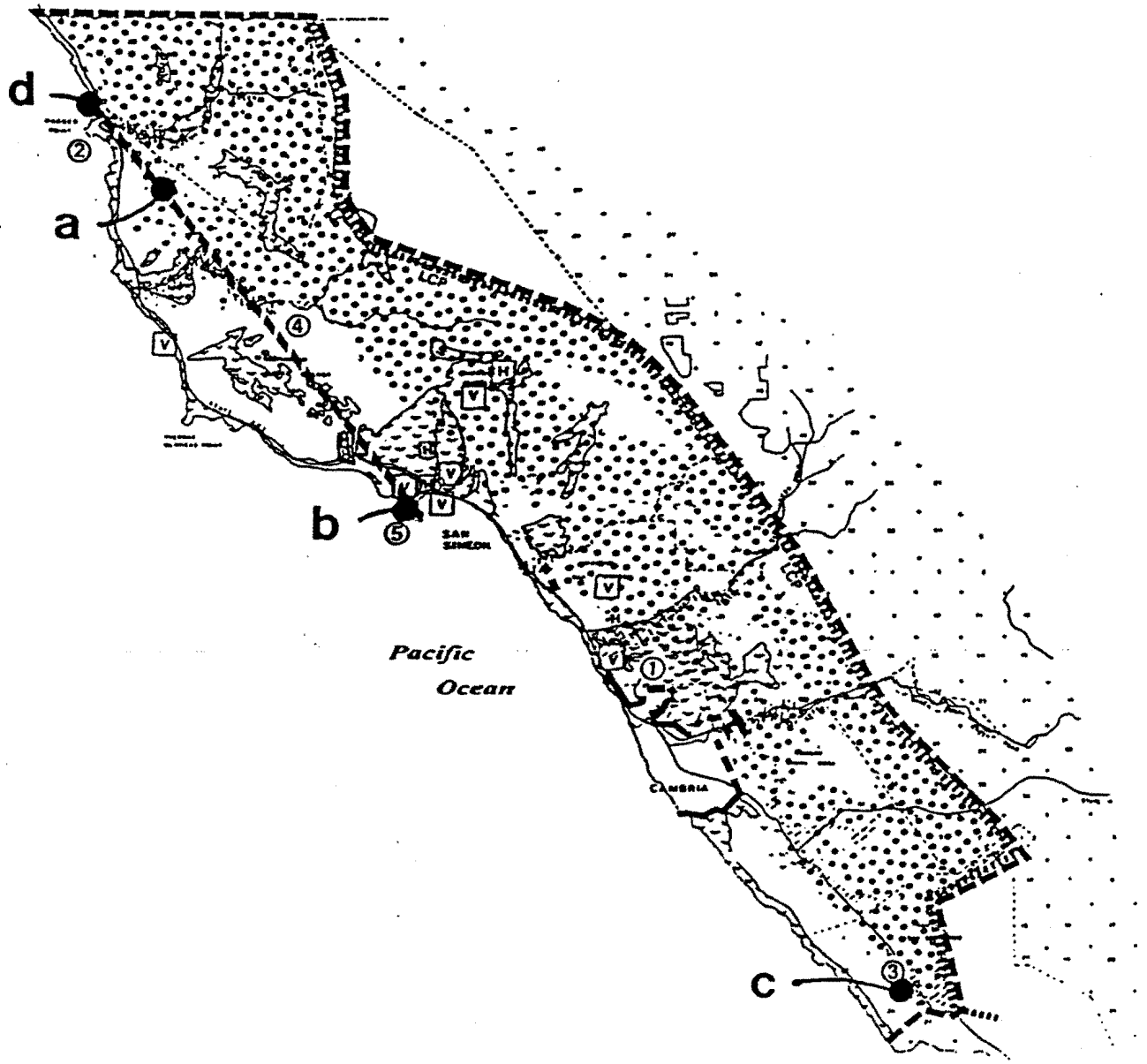


# MOD 137-2 Rural Area Combining Designations

CCC recommended additions:

**APPROVED**

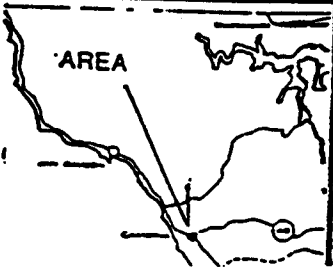
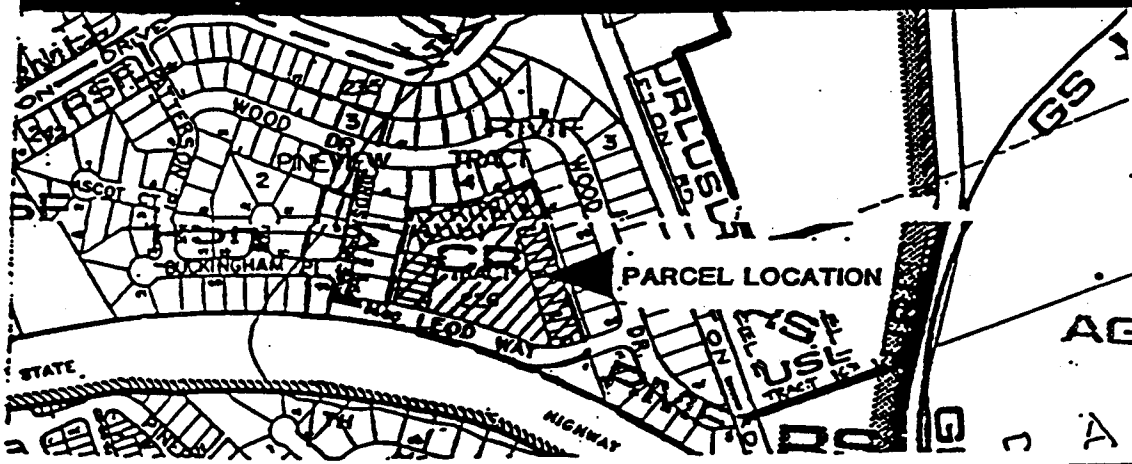
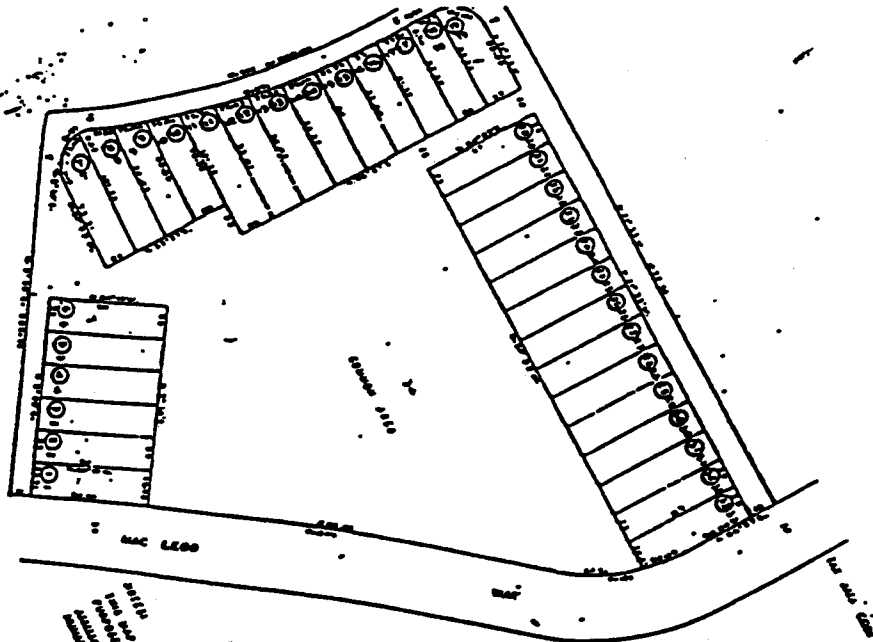
- a. Show Hosgri/San Simeon fault zone
- b. Show Arch-Sen des on San Simeon Point
- c. FH designation on Ellyslly Creek
- d. Add V des to Ragged Point Inn REC Category



**MOD 137-3-a Cambria, Kreps/Meltzer, Tract 226,**

**Existing is 4 ac of CR  
County submitted RMF  
CCC recommends RSF**

**DENIED**



**LAND USE CATEGORIES & COMBINING DESIGNATIONS**

**NORTH COAST UPDATE**

**OWNER REQUESTED CHANGE**

**CHANGE FROM CR TO RMF**

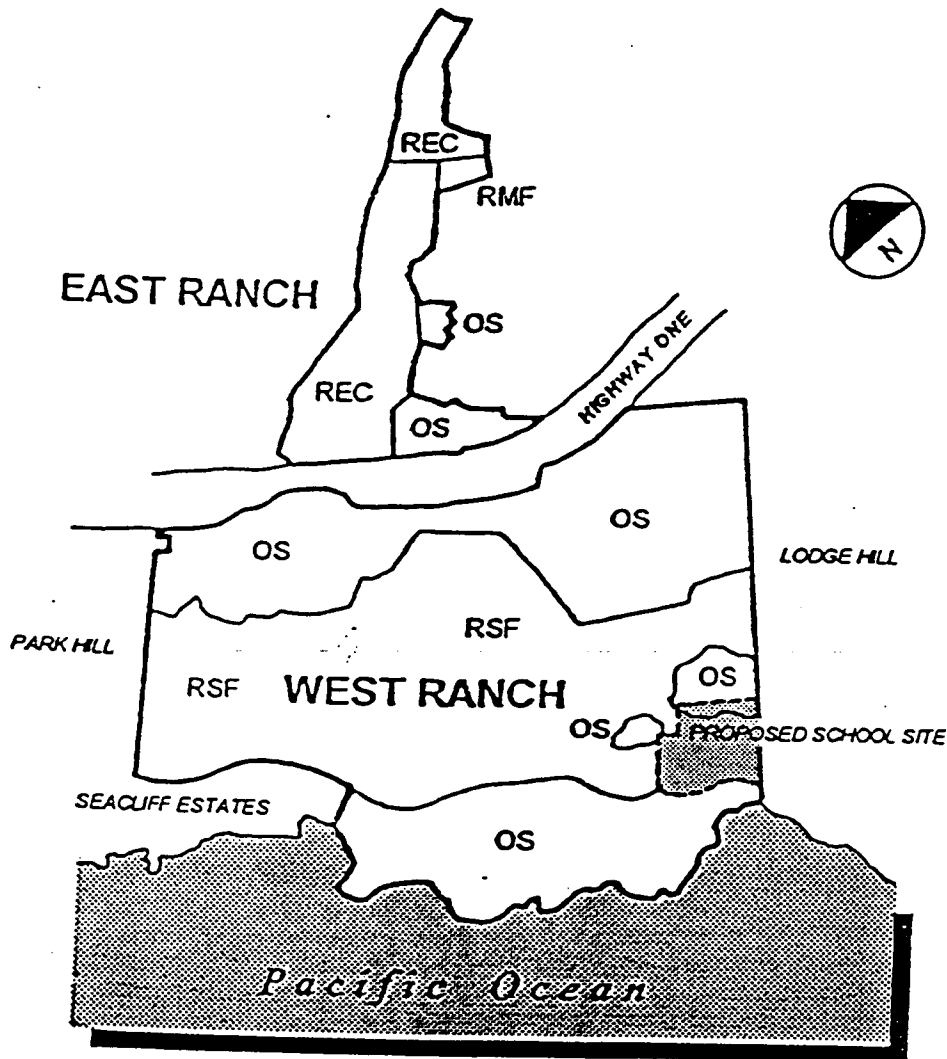
**CALIFORNIA COASTAL COMMISSION**

**EXHIBIT**

MOD 137-3-b Cambria, West Ranch (Schoolsite)

Existing is RSF and OS (forest & bluff areas)  
County submitted RSF and OS (forest only)  
CCC recommends PF for all 10 ac

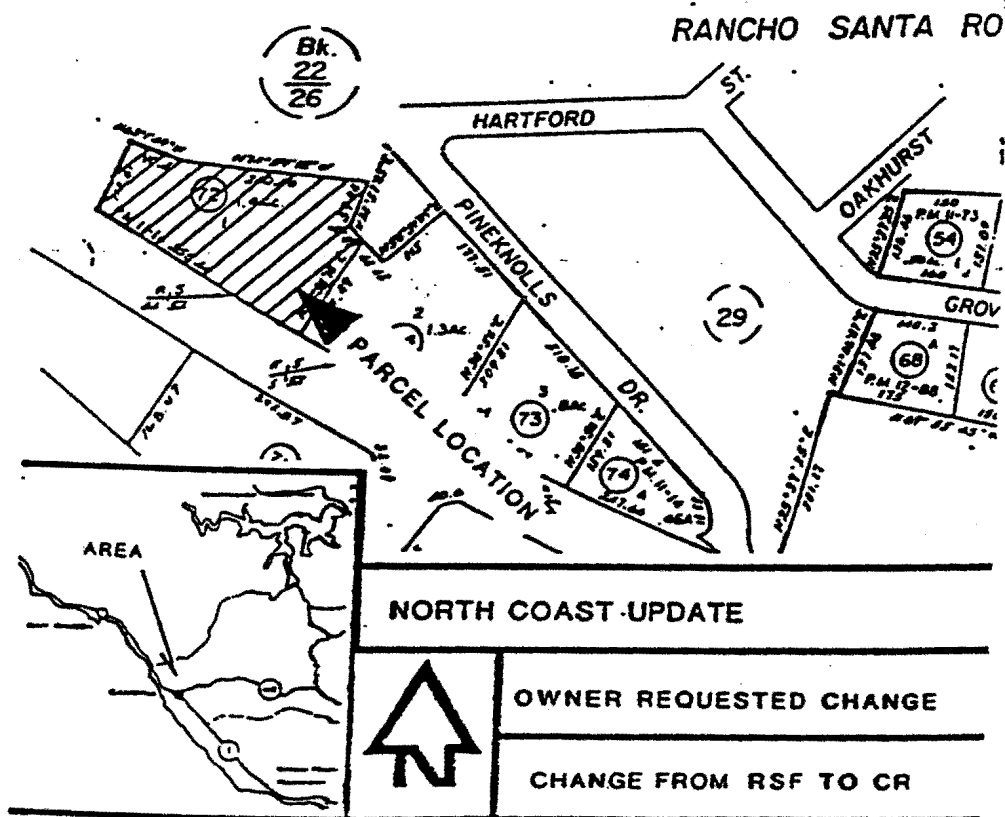
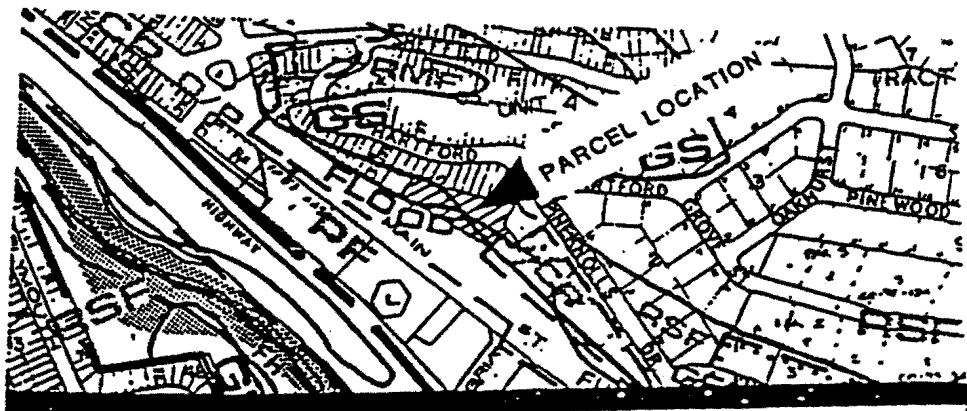
**DENIED**



**MOD 137-3-c Cambria, CCSD #1 - Main Street**

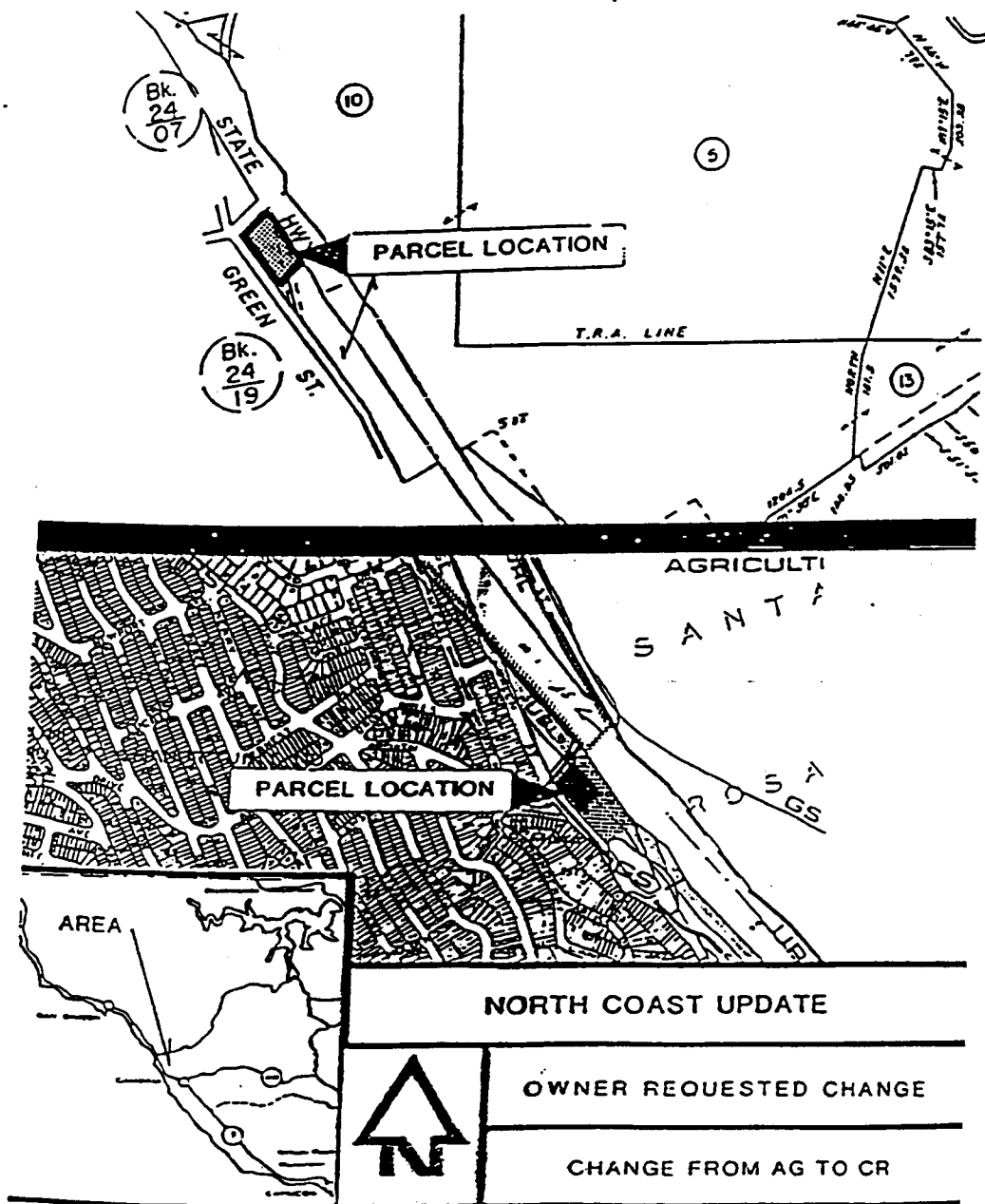
**Existing is RSF (about 1.4 ac)  
County submitted CR  
CCC recommends retain RSF**

**DENIED**



MOD 137-3-d Cambria, Rhodes/Crawford - Ardath

Existing is AG (1 ac part of larger ranch) **DENIED**  
County submitted CR (for 1 ac), & extension of USL  
CCC recommends retain AG, no extensions

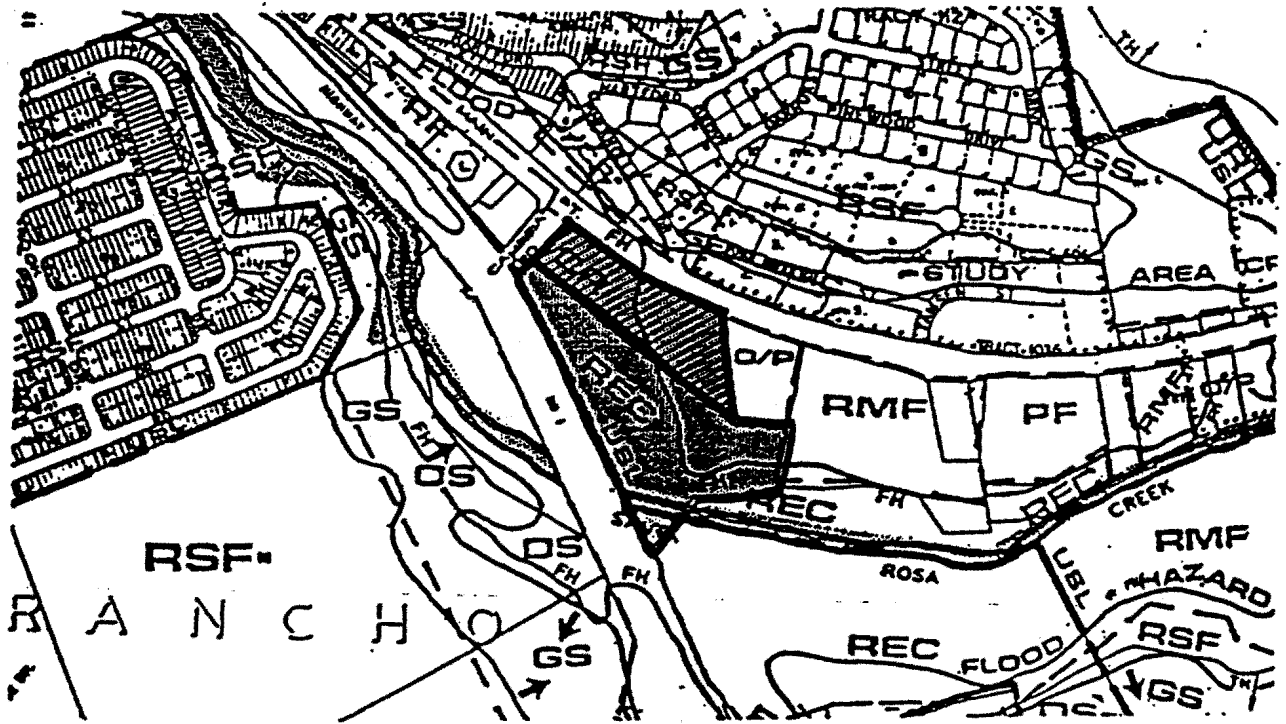


**MOD 137-3-e Cambria, Mid-State Bank Property**

Existing is REC, with 'V' overlay

**DENIED**

County submitted CR (Main Street 4 ac) & delete 'V'  
CCC recommends retain REC & 'V' for all





# MOD 137-4,5,6 - Cambria Combining Designations

MOD 137-4-a Cambria, Mid-State Bank Property  
Existing is 'V'- Visitor Serving Overlay  
County deleted 'V'  
CCC recommends retain 'V'

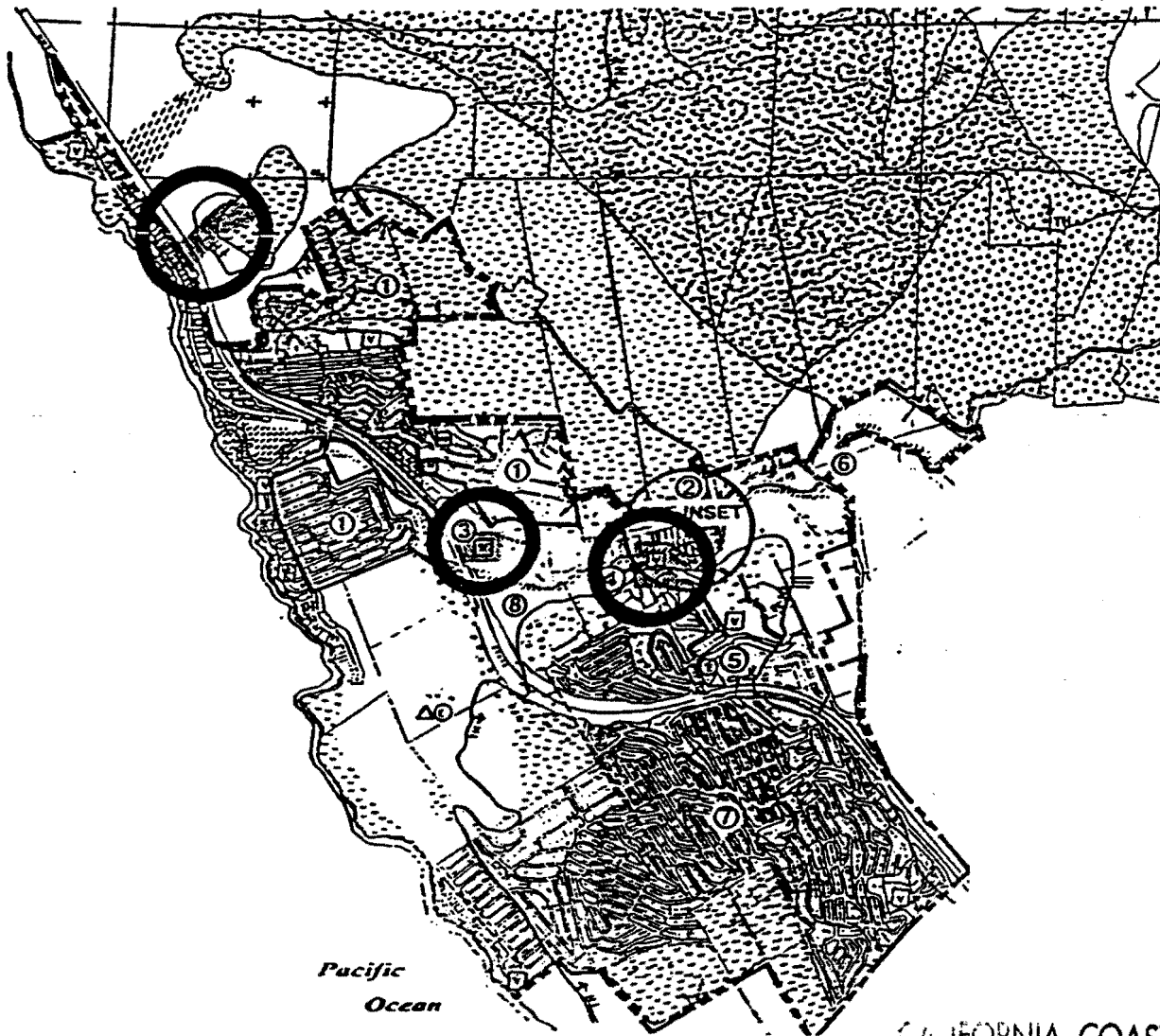
**DENIED**

-MOD 137-5-a Cambria, East Ranch - former Hume Property  
Existing is 'V'- Visitor Serving Overlay  
County deleted 'V'  
CCC recommends retain 'V'

**DENIED**

-MOD 137-6-a Cambria,  
Moonstone Beach Area, creek @ Eady Motel Site  
Existing has no ESH  
County submitted no ESH  
CCC recommends ESH

**APPROVED**



Pacific Ocean

CALIFORNIA COASTAL COMMISSION  
EXHIBIT

# MOD 138, Hearst Resorts, Revise all of Table 7-1

**DENIEL**

Table 1. Hearst Resorts Phasing Plan

SUMMARY - PHASING, LOCATION AND DEVELOPMENT PLAN FOR HEARST RESORT DEVELOPMENT			
PHASE	ACTIVITY	LOCATION / SIZE	DESCRIPTION
1	A. OLD SAN SIMEON HOTEL/MOTEL DEVELOPMENT	100 ACRE DEVELOPMENT (CR) ENVELOPE AT OLD SAN SIMEON AS DESCRIBED IN HEARST RESORTS STANDARD 1.	100-250 UNITS HOTEL/MOTEL; RESTAURANT, COMMERCIAL SHOPS, AND OTHER ACCESSORY USES.
	B. YOUTH HOSTEL OR CAMPGROUND	HOSTEL IN SAN SIMEON VILLAGE ENVELOPE, CAMPGROUND LOCATION TO BE DETERMINED WITH PHASE 1(A) DEVELOPMENT.	60 BED YOUTH HOSTEL OR 50 SITE CAMPGROUND WITHIN ONE YEAR OF OCCUPANCY OF PHASE 1 UNITS.
	C. STABLE URBAN/RURAL BOUNDARY/AGRICULTURAL BUFFER	1000 FOOT AGRICULTURAL EASEMENT AROUND OLD SAN SIMEON/100 FOOT SETBACK	PERMANENT BOUNDARY AROUND DEVELOPMENT ENVELOPE; AGRICULTURAL USES ONLY
	C. PUBLIC ACCESS IMPROVEMENTS	FROM SAN SIMEON VILLAGE TO OAK KNOLL CREEK, WEST OF HIGHWAY ONE; VILLAGE TO STATE PARKS VISITOR CENTER AS SHOWN IN EXHIBITS (OLD SAN SIMEON STANDARD 7)	MASTER PLAN PREPARED; BLUFFTOP TRAIL OSS TO SSP TO OAK KNOLL CREEK; PEDESTRIAN TRAIL FROM OSS TO STATE PARKS VISITOR CENTER; VERTICAL ACCESS TO SANDY BEACHES.
2	A. OLD SAN SIMEON HOTEL/MOTEL DEVELOPMENT	100 ACRE DEVELOPMENT ENVELOPE (HEARST RESORTS STANDARD 1).	100 - 275 UNITS HOTEL/MOTEL; RESTAURANTS/COMMERCIAL STORES; ACCESSORY USES
	B. PUBLIC ACCESS IMPROVEMENTS	BETWEEN PICO CREEK AND W.R. HEARST MEMORIAL STATE BEACH (OSS STANDARD 8)	AS REQUIRED BY IMPACT ANALYSIS AT MASTER PLAN AND DEVELOPMENT STAGES.
3	A. OLD SAN SIMEON HOTEL/MOTEL DEVELOPMENT	100 ACRE DEVELOPMENT ENVELOPE (HEARST RESORTS STANDARD 1).	100 - 175 UNITS HOTEL/MOTEL; RESTAURANTS/COMMERCIAL STORES; ACCESSORY USES
	B. PUBLIC ACCESS IMPROVEMENTS	BETWEEN ADOBE CREEK AND PIEDRAS BLANCAS LIGHTHOUSE (OSS STANDARD 9)	AS REQUIRED BY IMPACT ANALYSIS AT MASTER PLAN AND DEVELOPMENT STAGES.
4	A. OLD SAN SIMEON HOTEL/MOTEL DEVELOPMENT	100 ACRE DEVELOPMENT ENVELOPE (HEARST RESORTS STANDARD 1).	75 UNITS HOTEL/MOTEL; RESTAURANTS/COMMERCIAL STORES; AND OTHER ACCESSORY USES
	B. PUBLIC ACCESS IMPROVEMENTS	BETWEEN PIEDRAS BLANCAS LIGHTHOUSE AND RAGGED POINT (OSS STANDARD 10)	AS REQUIRED BY IMPACT ANALYSIS AT MASTER PLAN AND DEVELOPMENT STAGES.

NOTES: (1) All Acreage approximate. See LUE maps for location.  
 (2) Time between phases to be according to the approved phasing plan  
 (3) In no case shall the total SAN SIMEON VILLAGE DEVELOPMENT exceed 535 units, INCLUDING YOUTH HOSTEL AND/OR CAMPGROUND, AND 100 UNITS OF EMPLOYEE HOUSING.

CALIFORNIA COASTAL COMMISSION  
**EXHIBIT**

# THE CAMBRIA FORUM

P.O. BOX 762 Cambria, CA (805) 927-5413

## OFFICERS-

Chairman:  
Wayne Ryburn  
Co-Vice Chairmen:  
Bob Bell  
Richard Youngman  
Treasurer:  
George Nedieman

Secretary:  
Pat Hascall

May 20, 1998

Rusty Areias  
Chairman  
California Coastal Commission  
725 Front Street  
Santa Cruz, CA 95060

Dear Chairman Areias:

## DIRECTORS-

Bill Allen  
Norman Fleming  
Glenn Hascall  
Jacque Kelly  
Bob McDonnell  
Rob Trask  
Bill Warren

Since January 15, 1998, the San Luis Obispo County Board of Supervisors has been discounting the concerns of the North Coast Alliance, regarding county acceptance of the amended North Coast Area Plan Update. Accordingly, on May 19 the Board voted to request that your commission extend the time limit for acceptance of the Update for six months.

It is significant that the Board of Supervisors Chairman Ryan repeatedly talks in public hearings of "negotiating" with the Coastal Commission, regarding changes the Board majority wishes to make in your amendments to the Update.

## ADVISORS-

Bill Bianchi  
Jim Buckey  
Doug Buckmaster  
Ken Butterfield  
Luca Capacchione  
Walt Cole  
Mary Cole  
Jeanne Daves  
Harry Farmer  
Walt Glaser  
Ann Glaser  
Brian Glusovich  
Peter Jeanees  
Judith Jeanees  
Jim Lyon  
John Olson  
Jerry Praver  
Bev Praver  
Gene Valdemi  
Art Van Rhyn  
Pat Van Rhyn

As you know, this Update is the product of more than eight years of public participation with the Board of Supervisors, Planning Commission, and citizens' advisory groups. Your commission's May 13, 1998 approval of the findings regarding the Update reflects concerns related to overdevelopment that were initially expressed back in the early 1980s, when the North Coast Area Plan was formulated.

For the past four months, the Board of Supervisors and Planning Department staff have done little more than engage in subterfuge in an effort to discourage and diffuse opposition to the two proposed large-scale developments affected by the Update.

The Cambria Forum maintains that granting an extension for acceptance of the Update would violate Public Resources Code Section 305.17, in that the Board of Supervisors has not shown good cause for such an extension. We therefore strongly urge that you deny this request and require the Board of Supervisors either to reject the Update or accept it with provisions for future amendments.

Thank you for your attention.

Sincerely,

*Wayne Ryburn*

Wayne Ryburn  
Chairman

cc: Peter Douglass  
cc: Diane Landry  
cc: Steve Guiney  
cc: Bill Allen, Chairman, North Coast Alliance

EXHIBIT NO. 6
APPLICATION NO. SLO LCP AMEND. 1-97
CORRESPONDENCE -
THE CAMBRIA FORUM to RUSTY AREIAS. 5/20/98

# SAN LUIS OBISPO COUNTY Telegram-Tribune

## North Coast delay charged

### 'You're dragging your feet' on response, Settle tells Board of Supervisors

#### NORTH COAST

By David Sneed  
Telegram-Tribune

Critics of the county's North Coast planning policies, including San Luis Obispo Mayor Allen Settle, angrily accused a majority of supervisors Tuesday of intentionally delaying a response to the Coastal Commission's Jan. 15 rulings.

"The perception is that you're dragging

your feet," Settle told the board. "The North Coast update has countywide significance."

Settle was even more blunt afterward.

"They were elected to the Board of Supervisors to do their damn job," he said. "This is unacceptable."

"The public has been screwed by three people who don't want to do this."

Settle was one of a group of county critics who, for the second week, used the supervisors' public comment period to urge them to schedule a public hearing on the North Coast

Area Plan on March 31. The 31st is the fifth Tuesday of the month, a day on which the board does not normally meet and a date that would allow the board to hold a daylong hearing.

Supervisors Bud Laurent and Peg Pinard said they support the idea of a March 31 hearing, but the remainder of the board balked, saying they need clearer direction from the Coastal Commission about deadlines and other matters before they can take action.

"We've seen nothing in writing," said Su-

pervisor Ruth Brackett.

"The ball is still in the Coastal Commission's court," concurred Supervisor Ryan.

Ryan, chairman of the board, ruled March 31 as a hearing date because he would be out of town that day. However, he bit out a two-hour period April 7 to discuss matter.

On Jan. 15 in San Luis Obispo, the Co-

Please see **COAST**,

EXHIBIT NO. 7

APPLICATION NO. SLO LCP AMEND. 1-97

PRESS CLIPS +

PRESS RELEASES

FROM SEEKERS GALLERY 8059275984



18th

**COAST** from Page One

Commission unanimously rejected the county's update of the North Coast Area Plan. By a 9-3 vote, commissioners endorsed staff modifications that dramatically reduce development in the area, including a large resort complex planned by the Hearst Corp.

The county has until July 15 to respond to the modifications. However, the North Coast Alliance and Settle want the county to submit its response early enough for the commission to put the matter on its June agenda in Santa Barbara. This meeting is preferable because it is a nearby location and would allow maximum public participation.

But time is running out, said Pat Veasart, a member of the North Coast Alliance and a county planning commissioner.

County staff must produce a report for the local hearing that is

available to the public 45 days in advance. After the hearing, staff must have time to write up the county's response, and the Coastal Commission staff needs six weeks to process the information before the commission hears the item.

"If you don't set a hearing date today you will not meet the Coastal Commission's six-month deadline," Veasart said.

Laurent and Pinard tried, in vain, to get the other supervisors to get the process moving to put the update on the June Coastal Commission agenda. Pinard recommended that Ryan either change his plans March 31 or schedule the meeting for another day that week.

"We need to get cracking," agreed Laurent, who represents the North Coast.

Laurent and Pinard also want the board to schedule a meeting to discuss the Los Osos sewer project, on which the Coastal Commission also ruled in January. But Brackett said the North Coast update and the sewer project would have to wait their turns, like all other matters before the board.

"The county does not revolve around the North Coast and Los Osos," she said.

Pinard voiced a fear that the majority of the board was intentionally delaying the process in hopes that Democrats would lose control of the Assembly in the next round of elections and a Republican speaker would appoint four pro-development members to the Coastal Commission. At the Jan. 15 meeting, four commissioners appointed by Assembly Speaker Cruz Bustamante were the backbone of the decision to reject the county's North Coast update.

Charles Lester, Coastal Commission district manager in Santa

Cruz, said the county can request up to an additional year to respond to the commission's modifications, giving it a total of a year and a half to respond.

If the county misses that deadline or makes a new submission, the commission's modifications are void and the county's old North Coast Area Plan goes back into effect. However, it is extremely unlikely that the Coastal Commission, after unanimously rejecting an updated plan, would approve any building permits issued under an old plan.

The state's Coastal Act requires that local governments and the Coastal Commission cooperatively reach agreement on area plan updates, Lester said. The commission has no way to force the county to respond in a timely manner and has no authority to unilaterally modify an area plan.

"The bottom line is that we don't have the authority to put these changes in place without the county's cooperation," Lester said.

Feb 18 1998

# Board again blasted over North Coast

SAN JUAN ISLANDS

By David Johnson

The California Coastal Commission's decision to approve a plan for the development of the North Coast is being blasted by local conservation groups.

The plan, which would allow for the construction of a new resort on the North Coast, has been approved by the commission. However, local conservation groups, including the North Coast Conservancy and the San Juan Islands Conservancy, have expressed their strong opposition to the plan.

The conservancy groups argue that the plan would destroy the natural beauty and wildlife of the North Coast. They also claim that the plan would increase traffic and pollution in the area, which would further harm the environment.

The California Coastal Commission, however, claims that the plan is necessary for the economic development of the North Coast. The commission also claims that the plan includes measures to protect the environment and wildlife.

The conservancy groups are currently working to challenge the commission's decision in court. They are also working to raise public awareness of the issues surrounding the North Coast development plan.

**NORTH COAST**

February 18, 1998

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May 20, 1988

# Board set to revisit North Coast plan

## NORTH COAST

By David Sneed  
Telegraph Tribune

The county supervisors hearing chambers are expected to be packed Tuesday when the board discusses its controversial North Coast Area Plan update.

Tuesday's hearing will be the first time supervisors have discussed the plan since the California Coastal Commission unanimously rejected it and recommended sweeping changes on Jan. 15.

The North Coast Alliance, a group of Cambria residents and others opposed to the county's planning guidelines for the North Coast

have been pressuring the supervisors to act on the Coastal Commission's modifications. They have inserted fliers in the Telegraph Tribune and The Cambrian during a public turnout Tuesday.

"We must prepare for battle again to ensure that the board's actions are what we want, what we demand for protection of our coastal resources," reads the flier.

The board will spend most of its weekly Tuesday meeting hearing the North Coast item, beginning in late morning and continuing through the afternoon, said Alex Hinds, county planning director. Several items previously scheduled for Tuesday have dropped off the agenda, leaving an unexpectedly

large block of time for the North Coast hearing.

The hearing will begin with a report by John Hofschroer, county senior planner in charge of the update. He will tell supervisors they have five options. They can:

- Accept the commission's modifications, and the update process is complete. The commission reduced the Hearst Ranch Resort proposal from 650 rooms over four phases to 375 rooms in one phase clustered around San Simeon Village.

- Accept the modifications but notify the commission that it intends to submit a follow-up amendment to address areas of disagree-

ment, such as the Hearst resort.

"The amendment process, by definition, is more focused, less bulky and may move through the required processes faster than other alternatives, although it is unknown whether future amendments would be approved or not," Hofschroer said in his report.

- Resubmit the plan with revisions. In this process, the board would accept the modifications it likes and change the ones it does not like.

"This process requires extensive repackaging of the draft plan and leaves the existing plan certified in 1984 in place until agreement is reached with the Coastal Commission," wrote Hofschroer in this re-

port.

- Reject the modifications outright. This option is unlikely because the modifications will expire automatically in July if the county submits a revised plan, Hinds said.

- Continue the hearing. The board has scheduled an additional two hours for the update at its April 7 meeting.

"Our recent experience is that there will be quite a bit of public testimony and the board may need additional time to review revisions and amendments," Hinds said.

Jay Rocky, an attorney representing the Hearst Corp., said he is

Please see PLAN, B-2

## PLAN from B-1

working to finalize his response to the Coastal Commission staff report, which he hopes to complete in time for Tuesday's hearing. Details of the response were not available, he said.

The North Coast Alliance will be urging the board to accept the Coastal Commission's modifications and make changes through the amendment process.

They believe resubmitting the plan would be a disservice because it would stop pending, non-controversial projects from moving forward.

"We are basically saying accept the modifications and move forward," said Geoff Land, of the Environmental Center of San Luis Obispo County and a spokesman for the North Coast Alliance. "A resubmission would set the process back three years, and the people of the North Coast and people at the county deserve progress."

Land will also be urging the board to make its decision on Tuesday and not continue the hearing to April 7. Supervisors could have as much as six hours Tuesday to hear the update, enough time to get a wide range of public input and deliberate for an hour or two, Land said.

To continue the matter to April 7 risks missing the six-month response deadline, Land said. The alliance wants the county to finish its response in time for the Coastal Commission to act on it at its June meeting in Santa Barbara.

Lee Otter, a district chief planner with the Coastal Commission, said a representative of the commission's Santa Cruz field office might attend Tuesday's meeting to answer any questions the supervisors might have.

"The ball is squarely in their (the supervisors') court, and we'll see what happens," Otter said.

CALIFORNIA COASTAL COMMISSION  
EXHIBIT 7  
p. 4 of 12

# SAN LUIS OBISPO COUNTY Telegram-Tribune

## Board delays decision on North Coast plan

### NORTH COAST

By David Sneed  
Telegram-Tribune

During a three-hour hearing Tuesday, county supervisors failed to reach agreement on how to proceed with the county's update of the North Coast Area Plan and will spend another two hours on it on April 7.

It was the first time the board discussed the controversial plan after the California Coastal Commission unanimously rejected it Jan. 15 and adopted sweeping modifications.

Similar to past discussions, the board was sharply divided on the best approach.

A majority of the board, supervisors Mike Ryan, Harry Ovitit and Ruth Brackett, wanted additional analysis from the staff on the impacts of the Coastal Commission's changes. Supervisors Bud Laurent and Peg Pinard, however, wanted to adopt the commission's modifications and make amendments as necessary later.

"We need to move as quickly and judi-

ciously as possible," Laurent said.

A motion by Laurent to adopt the modifications failed 2-3. The board then passed a motion continuing the hearing to April 7 when a more detailed staff report will be available. The board also has an hour set aside during its April 14 meeting to discuss the matter.

"On the seventh, we need a process of going through this item by item," Ovitit said.

Pinard voted against the motion, saying it was just a delaying tactic. She said delays are unfair to the many North Coast property owners with noncontroversial projects.

"If you approve the modifications, at least some projects will be able to move forward," she said. "If you reject them, everyone is stymied."

At one point, Brackett was close to voting to accept the modifications while putting the Coastal Commission on notice that the county plans to submit an amendment to deal with the controversial issues. In the end, however, she voted to continue the hearing.

"I think it needs work," she said. "Can we

someshow say, 'We can't accept your modifications, but can we negotiate?'"

Ryan said he wanted the planning staff to look at all the modifications and group into three color classifications: green for those on which the county and the Coastal Commission agree, yellow for those that need some work and red for those on which there is fundamental disagreement.

He said accepting the modifications was unacceptable because it gave away all the county's bargaining chips with the Coastal Commission. Ryan read the Jan. 15 testimony of various coastal commissioners that he said indicates that the commission expects the county to negotiate rather than accept the modifications.

Much of the three-hour hearing was spent taking public testimony. Most of the speaker urged the board to accept the Coastal Commission's modifications as the fastest way to move the process along.

"The county is sick," said Geof Land, executive

Please see BOARD, Back Page

### BOARD from Page One

utive director of the Environmental Center of San Luis Obispo County. "The Coastal Commission is offering you a pill. While that pill may be bitter to swallow, it is the only thing that will make you well."

Others urged the board to consider the beneficial economic impacts of the large development projects, such as the Hearst Ranch Resort, which are contained in the area plan.

"We need jobs in this community," said Gregg Goodwin, director of the Economic Vitality Corp.

Philip Battaglia, a lawyer for the Hearst Corp., urged the board to go slowly in its deliberations of the Coastal Commission's modifications. The commission made some 150 modifications, most of which applied to the Hearst project.

"We are still continuing our analysis," Battaglia said. "We are going carefully. We are going slowly."

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EXHIBIT 7  
CALIFORNIA COASTAL COMMISSION



# SAN LUIS OBISPO COUNTY Telegram-Tribune

## County plan revises Hearst resort

### NORTH COAST

By David Seward  
Telegram-Tribune

In an attempt to jump start discussions over the county's North Coast Area Plan, county planning staff has revised a proposal that would restore some of the controversial Hearst Ranch Resort.

County supervisors will discuss the proposal and other aspects of the North Coast update at their Tuesday meeting. The board is scheduled to hear the update at 2 p.m. and spend the rest of the afternoon on it. Supervisors have until July 15 to respond

to the California Coastal Commission, which rejected the county's North Coast plan in January and recommended dramatic modifications to the Hearst project. Two weeks ago, the board held its first hearing on the update since January and directed staff to come back with additional analysis.

Planning Director Alor Hinds said the chief proposal is meant to be middle ground between the county's and Coastal Commission's positions and should give supervisors something substantive to chew on Tuesday.

"We've tried to take the major issues and provide a variety of alternatives that address the Coastal Act and county general plan policies," Hinds said. "We put a lot of meat out

there and are hoping for some forward reaction."

Specifically, the staff proposal for the Hearst project would:

- Maintain the 575-room cap recommended by the Coastal Commission but would relocate the resort near the Hearst Castle stage area. This resort, known as Phase I under the county's plan, calls for a 225-room lodge to be built on 28 acres.
- Allow the remaining 120 units to be built at San Simeon Village. Development at the village would be designed to recreate the historic whaling village that was there a century ago.

County staff and others had criticized the

Coastal Commission's recommendation to cluster all 705 units at old San Simeon, fearing that it would overwhelm the quaint and historic village. This proposal gives the Hearst Corp. the opportunity to tap into the lucrative cultural tourism market.

■ Designate San Simeon Point open space as recommended by the Coastal Commission. Under the county's plan, the point is designated recreational land.

■ Allow a small 80-room dude ranch. No Jordan is recommended. The county's plan allows a 125-room dude ranch near San Simeon Acres, an area of rocks and other visitor

Please see HEARST, Back Page

### HEARST from Page One

writing businesses south of Hearst Castle, but the commission recommends eliminating it.

■ Open the door for a subsequent amendment that would allow a golf course east of Highway 1 near the Hearst Castle Visitor Center or near existing hotels at San Simeon Acres.

"We think this language reflects what we heard at the Coastal Commission hearing and would allow everyone to explore alternatives before we resort to litigation," Hinds said.

Planning staff has also carried out the supervisors' directions to break down the commission's 139 recommended modifications into three categories: green for those on which the county and commission agree or yellow for those for which there is only minor disagreement and red for those issues where there is fundamental disagreement.

Supervisor Mike Ryan, the board's chairman, said he believes the board is unlikely to come to a final decision Tuesday and expects the item to be continued to later meetings.

Ryan's plan is to take the three color categories back to the Coastal Commission before the July 15

deadline and ask the commission whether the county should request a deadline extension, negotiate with commission staff or reject the commission's modifications.

The planning staff's recommended changes to the Hearst project and other aspects of the update are not a good idea, Ryan said. He thinks staff should have talked to the Hearst Corp. before making the recommendations.

"You really need to talk to the principals," he said. "You don't have to agree, but you need to talk to them."

"Trying to do things in a vacuum, which the planning department tries to do, is not a good way of going about things."

The Hearst Corp. is equally unimpressed with the staff's proposed changes. In a letter dated April 2, Hearst attorney Philip Bergalis criticized them as lacking "careful consideration."

The April 2 letter also criticized the company's detailed response to the Coastal Commission's Jan. 15 findings. Bergalis recommended that the county reject 51 of the commission's 139 modifications. "It seems abundantly clear that

the coastal staff report adopted by the Coastal Commission at its January meeting is a series of contradictions, misstatements of fact tied together by illogical thinking and faulty conclusions," Bergalis wrote.

Meanwhile, environmental groups are continuing to urge the supervisors to accept the commission's modifications and use the amendment process to make any changes. They argue that accepting the modifications is the fastest and cheapest way to move the process along.

If the county fails to adopt the modifications, the process of re-submitting the North Coast plan starts from scratch, a task that will take three years and tens of thousands of dollars to complete, said Linda Kroy, an attorney with the Environmental Defense Center in Santa Barbara.

A residential would meet the work zone thus far on the update, establishing the majority of the policies that the county does support and persuading landowners who need the update to proceed with their projects. Kroy wrote in an April 3 letter to supervisors:

P. 6 of 12  
EXHIBIT 7

CALIFORNIA COASTAL COMMISSION



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# Hearst resort plan revised

## July deadline looms for reconsideration

BY SARA STEFFENS

Herald Staff Writer

Plans for a large coastal resort below Hearst Castle, just south of the Monterey County line, are back on the agenda in San Luis Obispo County.

Following a bitter defeat earlier this year before the California Coastal Commission, county planners have drafted a proposal that revives portions of the project, including a golf course, dude ranch and hotel rooms on both sides of Highway 1.

Until this month, county supervisors had made little progress addressing Coastal Commission criticism of plans for the resort, despite the July 15 deadline to respond.

"They seem to be ignoring the Coastal Commission findings, ignoring the public," said Geof Land of ECO-SLO, an environmental group that opposes the resort. "They're hoping for some miracle. And if no miracle hap-

pens, they're hoping to win a war of attrition."

Last week, a work group was formed of supervisors, commissioners and Hearst Corp. officials. The group will try to reach a compromise on the controversial resort.

Hearst lawyers did not respond to repeated calls from the Herald.

Earlier plans for the resort billed as "the next Pebble Beach" included 600 hotel rooms, a 27-hole golf course on the coastal headlands, and a commercial village of bars and restaurants.

But coastal commissioners — who oversee development in the state's coastal zone — rejected those ideas in January, saying the scenic coastal area needs protections similar to those imposed on the Big Sur area.

Commissioners recommended that the resort be dramatically scaled back, restricted to 375 rooms hidden in San Simeon

Please see HEARST PAGE B3

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## HEARST

FROM PAGE B1

Cove.

"The development needs to be out of the viewshed," said David Potter, a coastal commissioner and chairman of Monterey County's board of supervisors. "The golf course on that point, it's a sin."

The county was given six months to respond. The latest proposal, drafted by county staff in an attempt to jumpstart negotiations, includes:

■ A cap of 375 hotel rooms, as recommended by the Coastal Commission, but with 225 units east of Highway 1 and 150 units at San Simeon Cove.

■ A small 50-room dude ranch at an unspecified location.

■ The possibility of adding a golf course somewhere east of Highway 1.

Potter said it's common for applicants to negotiate with the

commission to try to save rejected projects. He wouldn't be surprised if discussions about developing the Hearst Ranch continue for months or years to come.

"Any coastal development on a site like that, anywhere in the state of California, has a long road to go before it becomes publicly acceptable," he said.

Potter said he won't approve any version of the project that calls for a golf course on the coastal headlands.

Environmentalists fear a major resort on the Hearst Ranch will set a precedent for allowing commercial uses along the length of the scenic, undeveloped coast. And project opponents accuse Hearst corporate leaders of purposely stalling the process.

"They're looking for a delay because they didn't get what they wanted," said Pat Veersart, presi-

dent of the Santa Lucia chapter of the Sierra Club. "They're hoping for a new coastal commission, looking for a shift in the balance of power."

Because of the slow progress, local observers predict the county will be forced to ask for an extension of the July 15 deadline.

Veersart said Sierra Club members plan to oppose any further delay. "They should just let this plan die and start over," he said.

In the meantime, the North Coast Alliance — a highly organized group that packed January's Coastal Commission hearing with nearly 1,000 resort opponents — won't relax its guard, Veersart said.

"This is the Big Sur coastline," he said. "When the call to arms comes, I hope Monterey County is ready to respond again. We could not have done it without the support we got from up there."

CALIFORNIA COASTAL COMMISSION  
EXHIBIT 7

May 14, 1998

*For Immediate Release*

**Press Conference Calls Into Question Extension of North Coast Decision**

San Luis Obispo – Community and environmental groups will hold a press conference tomorrow to raise questions about the County's plans to seek an extension on its decision whether or not to certify Coastal Commission changes to the North Coast Area Plan Update, the blueprint for the future of the north coast. The Coastal Commission changes dramatically scaled back the development envisioned between Cayucos and the Monterey County line and limited the Hearst Resort and East-West Ranch development plans.

The press conference will be held on Friday, May 15, at noon at the front steps of the County Government Building on Monterey Street in San Luis Obispo. Attending the press conference will be representatives of the Environmental Center of San Luis Obispo County, the Santa Lucia Chapter of the Sierra Club, the North Coast Alliance, Friends of the RanchLand and other community-based groups which have been working to protect the north coast from excessive development. The public is invited to attend.

On Tuesday, May 19, the County Board of Supervisors will vote on whether to request that the California Coastal Commission grant the County an extension to consider the Commission's recommended modifications to the North Coast Area Plan Update. The County has until July 15 to decide whether to accept the modifications unanimously adopted by the Coastal Commission at its January meeting in San Luis Obispo.

On Wednesday, May 13, the Coastal Commission unanimously approved the findings for the January 15 decision on the North Coast Area Plan Update. The Coastal Commission may extend the time limits for local acceptance of the modifications by up to one year, if they determine that there is good cause to do so (Public Resources Code Section 30517). In June, the Coastal Commission will hear on update on the north coast plan at its Santa Barbara meeting.

Recently the Board of Supervisors established a subcommittee comprised of Supervisors Brackett and Laurent to enter into discussions with county staff, north coast stakeholders, Coastal Commission staff and other interested parties. The prospect of more closed door "negotiations" with large property owners has raised concerns among many groups about the integrity of the planning process and possible violations of the public trust. Moreover, as the subcommittee process is scheduled to wrap up by the end of June, the Update could still be certified in time for the July 15 deadline.

CALIFORNIA COASTAL COMMISSION  
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ENVIRONMENTAL CENTER OF  
SAN LUIS OBISPO COUNTY

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May 15, 1998

Supervisor Ruth Brackett, Chair  
Supervisors Laurent, Ovitt, Ryan and Pinard  
County Board of Supervisors  
San Luis Obispo, CA 93408

*Re: County request to extend deliberations on NCAP*

Dear Chairperson Brackett and Honorable Supervisors:

On behalf of the Environmental Center of San Luis Obispo County (ECOSLO), I would like to offer my comments as you consider a possible extension on your decision whether or not to certify Coastal Commission changes to the North Coast Area Plan (NCAP) Update. On the issue of acceptance or rejection of the Coastal Commission modifications, please refer to previous correspondence on the subject (*ECOSLO letter to County dated March 24; Environmental Defense Center letter to County, March 20*).

It has been exactly four months since the Coastal Commission unanimously rejected the County's NCAP Update and approved plan modifications that would bring the NCAP in line with the California Coastal Act. It appears that the only progress during that time has been the formation of a special subcommittee to pursue more focused discussion with Coastal Commission staff, County staff and north coast stakeholders. With just two months away from the six month deadline to approve the modifications, the County still has no clear strategy nor schedule for addressing the NCAP Update.

As you may know, on Wednesday, May 13, the Coastal Commission unanimously approved the findings for the January 15 decision on the NCAP Update. The Coastal Commission may extend the time limits for local acceptance of the modifications by up to one year, if they determine that there is good cause to do so (Public Resources Code Section 30517). It is incumbent upon the County, then, to make the case that such good cause exists.

ECOSLO continues to support a timely adoption of the NCAP. The delays caused by a plan resubmittal and/or lapse back to the existing LCP would be inconsistent with the County's interests as well as the needs of north coast property owners. ECOSLO is not opposed to a time extension if it means that the County will make real and timely progress toward adoption of the NCAP. We would therefore assurances prior to any extension that the County is determined to accept the modifications with the possibility of follow-up amendments.

Environmental Center  
864 Osos Street, Suite C  
San Luis Obispo, California

Mailing Address  
P.O. Box 1014  
San Luis Obispo, CA 93406

CALIFORNIA COASTAL COMMISSION 805/544-1777

EXHIBIT 7

Fax 805/544-1871  
e-mail [ecoslo@slonet.org](mailto:ecoslo@slonet.org)

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# Supervisors told to get going on coastal plan

- MAY 16-17, 1998 -

SAN LUIS OBISPO

By David Sneed  
Telegram-Tribune

Environmentalists and opponents of the Hearst Ranch Resort put county supervisors on notice Friday that they are not going to go away.

"We will be watching, no matter how long this process drags out," said Pat Veersart, chairman of the local chapter of the Sierra Club, at a press conference on the steps of the County Government Center.

The press conference was in response to the supervisors' decision Tuesday to consider asking for more time to respond to changes to the county's controversial North Coast area plan. The changes were made by the state Coastal Commission in January. The supervisors are scheduled to discuss the desire for more time at 2 p.m. Tuesday.

The county has until July 15 to respond to the comprehensive changes recommended by the commission but is planning to request at least an additional six months. The request will be made when the commission meets in Santa Bar-

bara June 9-12.

The environmentalists challenged the county to "come clean" about its strategy for dealing with the area plan update and document what work has already been done. They also accused the county of negotiating secretly only with landowners who have large development projects while excluding everyone else.

"We are hardly convinced that an extension would not be a stalling tactic intended to extract more 'concessions' on behalf of the Hearst Corp. and other large development interests," said Geof Land, director of the Environmental Center of San Luis Obispo County.

Alex Hinds, the county's planning director, rejected the idea that the county is excluding the public from the decision-making process.

"There's been close to 30 public hearings on this and there's likely to be a dozen more," he said. "There's a time for public hearings and there's a time for rolling up our sleeves and getting to work."

The county should request an ex-

A-8 Saturday, May 16, 1998

COAST from Page One

tension of no more than three months, Land said. If the county cannot satisfy the demands laid out at the press conference, the Sierra Club plans to urge the commission to reject the deadline extension, Veersart said.

A letter from Coastal Commission Deputy Director Tami Grove to the supervisors indicates that the commission is also losing patience with the county's handling of the North Coast update. She warned that the commission will only grant the extension if the county can prove there is good cause to do so.

"The county has been holding public hearings to consider the North Coast area plan as approved by the commission but it does not appear that a definite strategy nor schedule for addressing the plan has been articulated," Grove said.

She said the surest way to gain commission support for an extension would be for the county to indicate its plans to accept the modifications and make any changes through amendments. Supervisors Bud Laurent and Peg Pinard support accepting the modifications but board members Mike Ryan, Harry Ovitt and Ruth Brackett do not.

In January, the Coastal Commission rejected the North Coast area plan, the county's blueprint for development along the scenic coastline between Cayucos and Monterey County. The commission also

endorsed 130 changes to the plan that would drastically reduce the amount of development allowed in the area.

Hardest hit by the modifications was the Hearst resort. The commission recommended that the number of rooms allowed be cut in half and clustered around San Simeon Village.

Since January, supervisors have held a string of public hearings on the matter and appointed a subcommittee of two supervisors to hash out a compromise between the county's and the Coastal Commission's positions.

Hinds said the subcommittee has met several times and is making good progress but is going to need more time to finish the job. An extension would also keep the county's options open.

The request for more time should be made at the June meeting in Santa Barbara to give county residents a chance to participate in the meeting, Hinds said. Coastal Commission staffers told Hinds that the request to put the matter on the commission's June agenda must be made by May 20 — the day after the supervisors' meeting — so that a staff recommendation can be prepared.

David Sneed covers environmental issues for the Telegram-Tribune. You can email comments and story ideas to him at dsneed@telegram-tribune.com.

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LO  
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CALIFORNIA COASTAL COMMISSION  
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# SAN LUIS OBISPO COUNTY Telegram-Tribune

50 cents (includes tax)

Wednesday, May 20, 1998

www.sanluisobispo.com

## Supervisors need more time on the North Coast plan

### SAN LUIS OBISPO

By David Sneed  
Telegram-Tribune

County supervisors will ask the Coastal Commission for up to six more months to decide the fate of the controversial North Coast area plan.

The board voted 3-1 Tuesday to ask for the additional time at the commission's June meeting in Santa Barbara. The commission will meet June 9-12.

The board could have asked for as much as a year's extension but decided six months would be sufficient. Supervisors Bud Laurent and Ruth Brackett are on a committee that is

trying to reach a compromise between the county's and the commission's positions.

In a letter to Coastal Commission Chairman Rusty Arelas, planning director Alex Hinds outlined the county's time line for responding to the commission. The committee will complete its review by June and make recommendations to the full board in July. Those recommendations will be subject to public hearings in the late summer and fall.

"Finally it is the goal of the committee that board action on the North Coast Area Plan will be complete by winter 1998," Hinds said.

The detailed time line was submitted in response to a letter received from commission staffers warning that an extension will be granted only if the county can show "good

cause."

Also at Tuesday's meeting, supervisors Brackett and Mike Ryan discussed their overall intentions concerning the North Coast update.

Ryan favors rejecting the Coastal Commission's modifications and pursuing a whole new submission, a process that will take about three years and cost several hundred thousand dollars. He said a resubmission is the better alternative because the Coastal Commission's modifications are too flawed to approve and it is starting to look like an agreement will not ever be reached. He voted against requesting a time extension.

"I see the end result will be a rejection and a resubmittal," he said.

Ryan said approving the modifications would be giving the county's blessing to the "ills" contained in the modifications and would be putting the county in a position of weakness for any later amendment request. Ryan said he would rather do it right from the beginning, even if it means starting over.

Brackett said she, too, finds the Coastal Commission's modifications to be deeply flawed and does not favor approving them.

"I want to make it clear I am not headed in the direction of accepting the modifications, which some people seem to think I am," she said.

Her main concern is that the modifications

Please see PLAN, B-2

### PLAN from B-1

would cluster all the development around San Simeon Village.

"What the Coastal Commission is imposing on little San Simeon Village is atrocious," she said.

Brackett said she would also like to see the law changed to allow more flexibility in resolving disagreements between counties and the commission. As the law reads now, counties have only three choices — accept the modifications outright, accept them and amend them later, or reject them and start all

over again.

"This either/or situation puts counties in an untenable position," she said.

Supervisors Laurent and Peg Pinard favor accepting the modifications and then amending them, as needed. Pinard did not vote Tuesday because she was home ill.

*David Sneed covers environmental issues for the Telegram-Tribune. You can e-mail comments and story ideas to him at dsneed@telegram-tribune.com.*

CALIFORNIA COASTAL COMMISSION

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**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200



February 11, 1998

San Luis Obispo County Board of Supervisors  
 County Government Center, Room 370  
 San Luis Obispo, CA 93408

**RE: North Coast Area Plan Update**

Dear Chairman Ryan and Supervisors,

In our initial meetings with the County planning department since the Commission's action on the North Coast Area Plan update, numerous questions arose concerning the Coastal Act's Local Coastal Program amendment process. In the interest of clarifying this process for the Board of Supervisors and the planning department, we thought it useful to forward directly to the Board a copy of our notice to the County of the Commission's action; as well as provide further elaboration on the procedural options available to the County at this time.

As explained in the regulations that were attached with the notice, the North Coast Area Plan amendment submittal may not be effectively certified until the County acknowledges receipt of the Commission's action, agrees to the modifications, and takes whatever formal action is necessary to effect the suggested modifications. If this is the County's preferred course of action, this must occur within six months of the Commission's decision, July 15, 1998 in this case, or the Commission's certification with suggested modifications expires pursuant to section 13537 of the California Code of Regulations (CCR). In the event that the County does not agree with the Commission's adopted modifications, the County may resubmit an amendment, pursuant to CCR section 13541. At the time of such resubmittal, the Commission's prior certification with suggested modifications expires and the resubmittal becomes the vehicle for pursuing amendments to the North Coast Area Plan. This would include any relevant public processes of notice, review, and comment.

As discussed by the Commission at the hearing for the North Coast Plan, there may be different ways to meet the intent of the Commission's findings on the Update. We remain committed to working closely with the Board and the County planning staff on specific modifications to the North Coast Plan that would do so. Please do not hesitate to contact us if we can provide further clarification on this process. Thank you.

Sincerely,

Charles Lester  
 Central Coast District Manager

cc: Alex Hinds, San Luis Obispo County Planning Director

EXHIBIT NO. 8
APPLICATION NO. SLO LCP AMEND 1-
CORRESPONDENCE
CHARLES LESTER TO BOARD OF SUPV., 2/11/98



## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(408) 427-4863  
HEARING IMPAIRED: (415) 904-5200



January 22, 1998

Alex Hinds, Director  
Department of Planning and Building  
County Government Center  
San Luis Obispo CA 93408

**SUBJECT: Commission Action on Local Coastal Program Amendment 1-97, North Coast Area Plan Update**

Dear Mr. Hinds:

On January 15, 1998, the Coastal Commission rejected this amendment as submitted and adopted staff's recommendation for approval of the amendment if it is modified as recommended in the staff report. Pursuant to Commission Regulations section 13544.5 (copy attached), we are transmitting to the County the resolutions of certification for and the suggested modifications to LCP amendment 1-97, as well as a copy of the adopted findings. Within six months of the date of the Commission's action, the County Board of Supervisors must acknowledge receipt of the resolution of certification including the suggested modifications, accept and agree to the modifications, and take whatever formal action is required to effect the suggested modifications (e.g., send to this office the relevant revised pages of the North Coast Area Plan incorporating the suggested modifications). If the County does not act within the six month period, the amendments will be void. The six month period ends on July 14, 1998.

Commission staff is available to meet with County staff to discuss the suggested modifications.

If you have any questions, please call. Thank you.

Sincerely,

Steven Guiney  
Coastal Planner

EXHIBIT NO. 9
APPLICATION NO. SLO LCP AMEND 1-97
CORRESPONDENCE
S. GUINEY to ALEX HINDS PLANNING DIRECTOR, 1/22/98