

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(408) 427-4863

Th3d

**RECORD PACKET COPY**

DATE: January 24, 2001

TO: Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director *RKD*
Tami Grove, District Director
Steve Monowitz, Coastal Planner

SUBJECT: **San Luis Obispo County Local Coastal Program Amendment No. 2-00 (Avila Beach Specific Plan).** Concurrence with the Executive Director's determination that the action by San Luis Obispo County accepting certification of Amendment #2-00 to the County's Local Coastal Program is legally adequate.

**EXECUTIVE DIRECTOR'S DETERMINATION AND REPORT FOR
COMMISSION REVIEW AT THE MEETING OF FEBRUARY 15, 2001**

Background

The Coastal Commission certified Local Coastal Program Amendment # 2-00, which incorporates the Avila Beach Specific Plan into the San Luis Obispo County certified LCP, on November 15, 2000. On December 19, 2000, within the six-month time limit for acting on and responding to the Commission's certification of an LCP amendment, the Board of Supervisors acknowledged receipt of the resolution of certification.

Recommendation

Pursuant to Section 13544 of the California Code of Regulations, the Executive Director must determine that the action of San Luis Obispo County is legally adequate, and report that determination to the Commission. It is recommended that the Commission concur with the determination of the Executive Director that the action of the Board of Supervisors of San Luis Obispo County accepting the certification of LCP Amendment # 2-00 is legally adequate.

Attachments

- Draft letter to Board of Supervisors Chairperson Pinard
- Copy of Resolution 2000-548

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SANTA CRUZ, CA 95060
(408) 427-4863



DRAFT

February 15, 2001

Peg Pinard, Chairperson
San Luis Obispo County Board of Supervisors
County Government Center
San Luis Obispo, CA 93408

Re: County of San Luis Obispo Local Coastal Program Amendment # 2-00 (Avila Beach Specific Plan)

Dear Chairperson Pinard:

This office has reviewed Resolution 2000-548, adopted by the Board on December 19, 2000. By that action the County acknowledged the receipt of the Commission's certification and has incorporated the certified amendment into the County's Local Coastal Program. I have determined, and the Commission has concurred, that the County's action with respect to Local Coastal Program Amendment # 2-00 regarding the Avila Beach Specific Plan, is legally adequate to satisfy the requirements of Section 13544 of the California Code of Regulations. This determination was reported to the Commission at the February 15, 2001 Commission meeting in San Luis Obispo.

Very truly yours,

PETER M. DOUGLAS
Executive Director

CHARLES LESTER
District Manager

cc: John Euphrat, San Luis Obispo County Department of Planning and Building

Planning
J. Hand

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

Tues day December 19, 20 00

PRESENT: Supervisors Harry L. Ovitt, Shirley Bianchi, K.H. "Katcho" Achadjian,
Michael P. Ryan and Chairperson Peg Pinard

ABSENT: None

RESOLUTION NO. 2000-548

RESOLUTION ACKNOWLEDGING RECEIPT OF THE
CALIFORNIA COASTAL COMMISSION'S CERTIFICATION OF
AMENDMENT LCP #2-00 TO THE LOCAL COASTAL PROGRAM

The following resolution is now offered and read:

WHEREAS, the County of San Luis Obispo Board of Supervisors conducted public hearings on February 15, 2000 and continued to April 11, 2000, and an additional public hearing was held on October 17, 2000 to consider proposed amendments to the County General Plan, Land Use Element/Local Coastal Plan, including modifications of the Avila Beach Specific Plan and San Luis Bay Coastal Area Plan as suggested by the California Coastal Commission, with additional modifications suggested by County staff pursuant to discussions with the Coastal Commission staff, 3rd District; and

WHEREAS, the County submitted the amendments to the Coastal Commission for consideration on October 25, 2000; and

WHEREAS, on November 15, 2000, the Coastal Commission approved the amendments proposed by the County, and certified them as set forth in Exhibits "A" and "B", which Exhibits are attached hereto and incorporated by reference herein; and

WHEREAS, pursuant to the California Code of Regulations, Title 14, Section 13544.5(a), the San Luis Obispo County Board of Supervisors acknowledges receipt of the Coastal Commission's resolution of certification.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors of San Luis Obispo County hereby acknowledges receipt of the Coastal Commission's action as set forth in Exhibits "A" and "B" and directs staff to complete the necessary actions to submit this Resolution to the Executive Director of the Coastal Commission.

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

AYES: Supervisors Ryan, Bianchi, Ovitt, Achadjian, Chairperson Pinard

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted.

PEG PINARD

Chairman of the Board of Supervisors

ATTEST:

JULIE L. RODEWALD
Clerk of the Board of Supervisors
[SEAL]

BY: CHERIE ASPURO Deputy Clerk
APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: [Signature]
Deputy County Counsel

Date: 12-7-00

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
I, Cherie Aspuro, Deputy Clerk of the Board of Supervisors, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on the records of the County of San Diego.
Witness my hand and seal of said Board of Supervisors this 12-27-00
CLERK OF THE BOARD OF SUPERVISORS
Cherie Aspuro

EXHIBIT A

AVILA BEACH SPECIFIC PLAN

A copy of the Avila Beach Specific Plan
is on file with the
Clerk of the Board of Supervisors

B-17
11

EXHIBIT B

**COASTAL COMMISSION MODIFICATIONS
TO G980009S
AND SUBSEQUENT PROPOSED MODIFICATIONS**

This exhibit includes the Coastal Commission staff report and the original Coastal Commission modifications from the June 15, 2000 hearing, as subsequently modified and adopted by the Coastal Commission at its November 15, 2000 public hearing.

B-17
12

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

C.F.L.
10/26/00



W13a

October 26, 2000

TO: Commissioners and Interested Parties

FROM: Tami Grove, Deputy Director
Charles Lester, District Manager
Steve Monowitz, Coastal Planner

SUBJECT: SAN LUIS OBISPO COUNTY LOCAL COASTAL PROGRAM MAJOR AMENDMENT NO. 2-00 (AVILA BEACH SPECIFIC PLAN RESUBMITTAL). For public hearing and Commission action at its meeting of November 15, 2000, to be held at the Furama Hotel, 8601 Lincoln Blvd., Los Angeles.

SYNOPSIS

The Coastal Commission originally considered San Luis Obispo County's proposal to incorporate the Avila Beach Specific Plan into the San Luis Obispo County Local Coastal Program as LCP Amendment 1-00, on June 15, 2000. At that hearing, the Commission denied the amendment as submitted, and then approved it with modifications necessary to achieve Coastal Act conformance. The staff report adopted by the Commission on June 15, 2000 is attached as Exhibit 2.

While San Luis Obispo County is in agreement with many of the previously adopted modifications, others are proposed for revision. Most of these revisions are editorial in nature, and do not affect the substance of the Commission's previous action. There are, however, a few changes that are substantially different from the modifications adopted by the Commission. As a result, the package of changes to the previously adopted modifications desired to the County is proposed as a new LCP amendment. The changes to the previously adopted modifications proposed by the County are attached as Exhibit 1.

In summary, the County has proposed substantive changes to the previously adopted modifications regarding:

- the use of vegetated drainage swales in hillside areas of the town;
- the reservation of beach front and commercial areas for visitor-serving uses; and,
- the location of new standards for drainage control and temporary events within the LCP.

In the case of the drainage swales, the revised language eliminates the requirement that vegetated swales be used in the hillside areas of the town with less than a 5% slope. While the use of such swales remains an option, the new language provides for greater flexibility in the types of Best



California Coastal Commission

613

Management Practices that can be used, and would allow for typical asphalt swales to be installed if downstream collectors can effectively accommodate and filter the runoff from these areas.

With regard to the visitor serving issue, the proposed changes:

- Require residential development in commercial areas to reserve adequate space to accommodate the number of lodging units estimated to be economically viable by the Plan's Market Overview. This means that the approval of residential development in the commercial areas of the town would need to be accompanied by a finding that there remains adequate space for the provision of 80 to 90 visitor-serving units, rather than 100 units as previously approved by the Commission.
- Exempt the development of residential units that would be the only such unit on each commercial street frontage from the required finding regarding the reservation of space for visitor serving units. Eleven residential units would qualify for such an exemption.
- Remove the requirement that at least 56 of the required visitor-serving units be provided along Front Street.

Finally, with respect to the new standards for drainage and temporary events, the County proposes to incorporate these standards into the San Luis Bay Area Plan rather than the Coastal Zone Land Use Ordinance (CZLUO). As a result, these standards will no longer apply countywide, but will be applicable only to the Avila Beach planning area.

SUMMARY OF STAFF RECOMMENDATION

The Commission staff has worked closely with County staff to resolve local concerns regarding the previously adopted modifications, and to develop alternative language that would both achieve County objectives and retain conformance with Chapter 3 of the Coastal Act. The submitted amendment can be found consistent with applicable Coastal Act standards because:

- Changes regarding the use of vegetated swales in the hillside portion of the planning area do not eliminate the requirement that all runoff be adequately filtered to remove pollutants. If vegetated swales will not be used, other Best Management Practices either need to be in place, or installed as part of the development, to ensure that storm water runoff from this area is appropriately managed. This revised standard, combined with the new drainage standards applicable to residential development, will effectively protect marine resources and water quality consistent with Coastal Act Sections 30230 and 30231.
- Changes regarding the reservation of adequate space to accommodate visitor-serving uses reduce the *minimum* number of visitor lodging units by 10 to 20 units. This revision will not have a significant impact on the overall ability of the area to accommodate visitors, and does not change the priority for visitor-serving uses within commercial areas established by the LCP. Combined with the many other provisions of the Specific Plan that enhance coastal access and recreational



B-17
4

opportunities, the amendment conforms with the land use priorities established by Coastal Act Sections 30221 and 30222.

- Changes regarding the location of the new standards for drainage and temporary events within the LCP retain the application of these standards to all new development within the Avila Beach planning area, which is the geographic scope of the amendment. Future opportunities to incorporate these standards into the LCP so that they apply county wide include the upcoming Periodic Review, the amendment to the County grading ordinance currently being processed by Commission staff, and other future amendments to the LCP.

Staff therefore recommends that the Commission **approve** the resubmitted Specific Plan **as submitted**.

ANALYSIS CRITERIA

The relationship between the Coastal Act and a local government's Local Coastal Program (LCP) can be described as a three-tiered hierarchy with the Coastal Act setting generally broad statewide policies. The Land Use Plan (LUP) portion of the LCP incorporates and refines Coastal Act policies for the local jurisdiction, giving local guidance as to the kinds, locations, and intensities of coastal development. The Implementation Plan (IP), or zoning portion of an LCP typically sets forth zone districts and site regulations which are the final refinement specifying how coastal development is to proceed on a particular parcel. The IP must be consistent with, and adequate to carry out, the policies of the LUP. The LUP must be consistent with the Coastal Act.

In this case, the proposed LCP amendment effects the LUP component of the San Luis Obispo County LCP. Thus, the standard of review for the amendment is consistency with the Coastal Act.

ADDITIONAL INFORMATION

For further information about this report or the amendment process, please contact Steve Monowitz, Coastal Planner, at the Central Coast District Office of the Coastal Commission, 725 Front St., Suite 300, Santa Cruz, CA 95060; telephone number (831) 427-4863.

TABLE OF CONTENTS

I. STAFF RECOMMENDATION.....	4
II. RECOMMENDED FINDINGS	4
A. Priority Uses.....	4
B. Marine Resources and Water Quality	7
C. Public Access and Recreation	9
D. Changes that Do Not Raise Coastal Act Issues.....	10
E. California Environmental Quality Act (CEQA)	10



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EXHIBITS

1. Amendment Submittal
 2. Adopted Staff Report for LCP Amendment 1-00
-

I. STAFF RECOMMENDATION

APPROVAL OF LAND USE PLAN AMENDMENT NO. 2-00 AS SUBMITTED

MOTION: I move that the Commission certify Land Use Plan Amendment 2-00 as submitted by San Luis Obispo County.

STAFF RECOMMENDATION TO CERTIFY:

Staff recommends a YES vote. Passage of the motion will result in certification of the land use plan as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY THE LAND USE PLAN AMENDMENT:

The Commission hereby certifies the Land Use Plan Amendment 2-00 as submitted by San Luis Obispo County and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment complies with the California Environmental Quality Act because feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment.

II. RECOMMENDED FINDINGS

Staff Note: To reduce redundancy, the previously adopted findings regarding the Specific Plan's consistency with Chapter 3 of the Coastal Act are not repeated, but are incorporated by reference and attached as Exhibit 2. The following findings address the conformance of the currently proposed changes to the previously adopted modifications only.

A. Priority Uses

1. Applicable Policies

Section 30213.



B-17
16

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30222.

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30253.

New development shall:

...

(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

2. Analysis

As originally submitted to the Coastal Commission in April 2000 as LCP Amendment 1-00, the Specific Plan proposed to allow residential development in the two commercial districts of Avila Beach. Within the Front Street Commercial Retail (FCR) area that fronts the beach, the Specific Plan proposed to allow residential uses on the second floor. Within the Commercial Retail (CR) area inland of Front Street, the Specific Plan proposed to allow residential uses on both the first and second floor.

To address the Coastal Act priority for visitor serving uses, the originally submitted Plan required the approval of residential development on the first floor of the CR area to be accompanied by a finding that "there remains an adequate supply of land available for visitor-serving commercial uses". As detailed on pages 34 -40 the staff report adopted by the Commission on June 15, 2000 (attached as Exhibit 2), this approach was determined to be insufficient to carry out the Coastal Act policies identified above.



B-17
17

To resolve this issue, the Commission suggested modifications to the plan that, among other things, called for all residential development within both the FCR and CR districts to be accompanied by a finding that there remains adequate space within these areas for at least 100 new lodging units. Space to accommodate at least 56 of the 100 visitor serving units was required to be reserved within the FCR. Single caretaker units accessory to a commercial use and the replacement of a residential use that was demolished during the clean-up were granted exemptions to this requirement. (Please see modifications 17 and 20 on pages 15 – 18 of Exhibit 2.)

The County is currently proposing the following changes to this approach:

- Require that residential development in commercial areas be accompanied by a finding that there remains adequate space throughout the commercial districts to accommodate “the numbers of potential new visitor lodging units contemplated in the Market Overview (as summarized in Appendix B, Section D.b. of this Plan)”. As stated in the referenced overview of market conditions, “... it appears that a rebuilt Avila could support an additional 80 to 90 hotel rooms...”¹.
- Eliminate the need for an additional finding for the approval of residential development within the FCR area that demonstrates there remains adequate space to accommodate at least 56 new lodging units within the FCR.
- Exempt residential units that would be the only residential use on each commercial street frontage from the required finding regarding the reservation of adequate space to accommodate visitor serving units. Eleven residential units fall into this category; one for each of the four commercial blocks along Front Street, one for each of the three commercial blocks facing first street, and four for each of the commercial side streets connecting Front and First Streets. This would be in addition to the exemptions previously established for a single caretaker unit and the replacement of a residential unit demolished during the clean-up.

The text of the above changes can be found in numbers 17, 20 and 29 of the submittal, which is attached as Exhibit 1.

The replacement of the 100 unit minimum with a reference to Appendix B, Section D.b of the Specific Plan reduces the amount of space required to be reserved for visitor serving accommodations to 80-90 units. This is a minor change that will not affect the plan’s consistency with the Coastal Act sections cited above, for the following reasons:

- The reservation of space to accommodate 80 – 90 lodging units will protect opportunities to provide lower cost visitor and recreational facilities consistent with Section 30213, and at the same time provide greater opportunity to replace residential units that were demolished during

¹ The full text of the referenced Market Overview can be found on pages 142 – 143 of the Specific Plan, which is attached to the originally adopted staff report as Exhibit 5. The originally adopted staff report is attached to this report as Exhibit 2.



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the clean-up. This combination of residential and visitor development is a component of the community's character that should be protected pursuant to Section 30253(5).

- Consistent with Section 30222, visitor serving uses are prioritized throughout the Front Street Commercial District and the Commercial retail area (please see number 4 of the submitted amendment, on page 16 of Exhibit 1). First floor uses throughout the Front Street Commercial District is dedicated to commercial uses that will support coastal recreation and visitor opportunities. The space that must be reserved for 80 – 90 lodging units on the second story of the FCR and throughout the CR areas represents the minimum amount of space that must be used for visitor-serving accommodations. The provision of a greater number of lodging units, as well as other visitor-serving uses, will be allowed, encouraged, and prioritized by the amended LCP.

The elimination of the requirement that a specified portion of the area reserved for lodging uses be located in the FCR will also not affect the Plan's conformance with the above Coastal Act provisions. This is due to the fact that a 34,560 square foot parcel at the upcoast end of the FCR has been dedicated by the Specific Plan to the future development of a hotel/motel. It is estimated that at least 56 units can be accommodated on this ocean front parcel, consistent with all other applicable development standards.

Finally, the additional exemption from the finding required for residential development in commercial areas will not reduce the amount of space that must be reserved for visitor lodging, and will therefore not interfere with the provision of at least 80 – 90 new lodging units in the redeveloped downtown area.

3. Conclusion:

The minor revisions proposed by this amendment, in comparison to the modified Plan adopted by the Commission in June 2000, retains consistency with Coastal Act priorities for visitor-serving and recreational uses.

B. Marine Resources and Water Quality

1. Applicable Policies

Section 30230.

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.



19

Section 30231.

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

2. Analysis:

As detailed on pages 40 – 43 of the previously adopted staff recommendation, progressive standards for the control and management of storm water runoff must be incorporated into the Specific Plan in order to achieve consistency with Coastal Act policies protecting marine resources and water quality. These include requirements that residential and commercial development include Best Management Practices to minimize polluted runoff, and the establishment of a Watershed Management Program for the San Luis Bay planning area.

Revised Standards for Hillside Drainage Swales

The proposed amendment includes all but one of the water quality protection provisions suggested by the Commission in its action of June 15, 2000; the requirement that street improvements on hillside areas of the town use vegetated drainage swales rather than asphalt swales where slopes are under 5%. The limited area of the Avila Beach planning area that is the subject of this previously proposed standard is shown on page 43 of the Specific Plan, attached to the originally adopted staff report (Exhibit 2) as Exhibit 5.

Rather than requiring vegetated swales throughout all portions of the hillside area with slopes less than 5%, the amendment provides greater flexibility in the types of BMP's that can be used. Among these options, the amendment would allow for the use of typical asphalt swales where it can be demonstrated that downstream collectors have adequate capacity to accommodate, and effectively filter, the storm water runoff from the hillside area. This revised language is contained in number 13 of the amendment submittal, attached as Exhibit 1.

Because the revised language regarding the hillside drainage swales specifically requires that these and other drainage improvements throughout the planning area incorporate Best Management Practices to effectively manage storm water and minimize polluted runoff, it is consistent with the intent of the modification previously adopted by the Commission. Combined with the drainage standards applicable to new residential and commercial development within the planning area², the

² These drainage standards can be found as items 8 and 9 on pages 17 and 18 of the amendment submittal, attached as Exhibit 1.



B-17
20

amendment will protect water quality and marine habitats consistent with Coastal Act Sections 30230 and 30231.

Revised Location for Residential and Commercial Drainage Standards

As noted above, the proposed amendment incorporates the new drainage standards for Commercial and Residential Development, previously suggested by the Commission in its modifications to LCP Amendment 1-00. However, the current submittal places these new standards within the portion of the San Luis Bay Area Plan applicable to Avila Beach, rather than in the Coastal Zone Land Use Ordinance, which is applicable countywide.

The County has proposed this change in order to streamline the process for effectuating the Specific Plan and avoid delays to the rebuilding of Avila Beach. Because the local review of the Specific Plan was focused on the limited geographic region of Avila Beach, public hearings and notices were oriented to the residents and interested parties of this area. The County has therefore determined that the adoption of new development standards that apply countywide would require a new round of public noticing and hearings for a wider audience, which could significantly delay the effective date of the Specific Plan.

As discussed above, the current amendment contains standards for new development that will avoid and minimize storm water pollution within the geographic region addressed by the amendment, and is therefore consistent with Coastal Act Sections 30230 and 30231. Future opportunities to incorporate similar standards into the LCP that will apply countywide include the upcoming Periodic Review, as well as during the Commission's review of the pending amendment 2-99 to the county wide coastal grading ordinances.

3. Conclusion:

LCP Amendment 2-00 is consistent with the Chapter 3 policies of the Coastal Act protecting marine resources and coastal water quality because it provides standards for new development that ensures the effective management and treatment of storm water runoff within the planning area.

C. Public Access and Recreation

For the same reason that the amendment incorporates the suggested drainage standards into the San Luis Bay Area Plan rather than the CZLUO, previously suggested permit requirements for temporary events will also be included in the Area Plan rather than the CZLUO. Although this change reduces the geographic region where these permit requirements apply, the submitted amendment establishes an effective process for regulating temporary events in a manner that will protect coastal access and recreation opportunities within the Avila Beach planning area. All of the other suggested modifications regarding public access and recreation adopted by the Commission in response to LCP Amendment 1-00 are incorporated within the currently proposed amendment. Therefore, for the specific reasons discussed on pages 32 – 40 of Exhibit 2, the amendment is consistent with Coastal Act standards protecting public access and recreation opportunities.



6-17
21

D. Changes that Do Not Raise Coastal Act Issues

The remaining differences between the subject amendment and the modified Specific Plan previously approved by the Commission are editorial only. These editorial changes fall into two categories:

Changes that seek to improve the readability of the Plan. These include the changes identified in numbers 3, 6, 7, 9, 10, 18, 28 and B.10 of the submittal, attached as Exhibit 1. And,

Changes that eliminate redundancies by deleting modifications to narrative portions of the Plan that are unnecessary because they have been incorporated into the Plan's development standards. These include the changes identified in numbers 4, 12, and 15 of the submittal.

E. California Environmental Quality Act (CEQA)

The Secretary of Resources has certified the Coastal Commission's review and development process for Local Coastal Programs and amendments as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis on LCP amendments, although the Commission can and does use any environmental information that the local government has developed. In this case the County approved an EIR for the Specific Plan/LCP amendment. Staff has used this information in the analysis of the amendment submittal, and identified additional measures that would avoid adverse environmental impacts in its staff report on LCP Amendment 1-00, adopted by the Commission on June 15, 2000. These measures have been effectively incorporated into the current amendment submittal. As a result, approval of the amendment as submitted complies with the California Environmental Quality Act because the amendment will not have significant environmental effects for which feasible alternatives or mitigation measures have not been employed.



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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

ATTACHMENT A-1

Coastal Commission Modifications to G980009S
and Subsequent Proposed Modifications

Modifications Adopted by the Coastal Commission

The modifications to the General Plan Amendment G980009S adopted by the Coastal Commission are indicated by underlining. There are 30 modifications to the Avila Beach Specific Plan, numbered 1 through 30, below. In addition, there are ten modifications to the proposed amendments to the San Luis Bay Area Plan (Coastal). These are numbered B-1 through B-10, immediately following Plan modification number 30. The first seven of these are amendments adopted by the Coastal commission. Modifications B-8, B-9 and B-10 were intended by the Coastal Commission to be included in the Avila Beach Specific Plan, but are now proposed to shifted to the San Luis Bay Area Plan.

The proposed "modifications to the modifications" are indicated by strikeouts (deletions) and shading (additions). Coastal Commission modifications for which no additional modifications are proposed are included without any strikeouts or shading.

1. Suggested Modification to 2nd paragraph on page 7 (Specific Plan Goal 5 – Provide a mix of uses in Avila Beach to appeal to local residents and tourists):

To encourage the development of parcels with a Commercial Retail (CR) designation that do not have the advantage of a Front Street location, the Specific Plan would allow these parcels to be developed with a limited amount of residential projects. This will help to ensure that the community can meet its full economic potential.

2. Suggested Modification to last paragraph on page 8 (Specific Plan Goal 9 – Provide adequate parking in Avila Beach in balance with enhanced pedestrian facilities and transit services):

The parking demand in Avila Beach is generated primarily by beach users and not by the town's shops and restaurants. For this reason, the Specific Plan eliminates the existing requirement for on-site parking for commercial uses within the Front Street commercial area, in favor of an in-lieu parking fee that will be used to provide and maintain public parking facilities and/or transit service from remote parking facilities.

3. Suggested Modification to 2nd paragraph on page 15 (Specific Physical Design Elements):

Former Mobile Home Park Site Plan. New visitor serving lodging or affordable multi-family dwelling units would be constructed on the former Mobile Home Park site, with retail development facing onto Front Street. Affordable residential units could be constructed at the site if necessary to comply with statutes concerning replacement of affordable housing, and no alternative sites are available.

Modification to page 26 (Former Mobile Home Park Site). (This is a modification to a section of the Avila Beach Specific Plan that was not the subject of a Coastal Commission suggested modification, but is proposed to clarify other sections of the Plan that were modified by the Commission.)

2. Former Mobile Home Park Site

Approximately 46 residential units located on the former Mobile Home park site and throughout the Front Street area were destroyed during the cleanup project. The community envisions that new visitor serving lodging or affordable multi-family dwellings would be constructed on the former Mobile Home Park site, with retail development facing onto Front Street. New residential units to replace the lost units would be located on the second floor above first floor commercial uses with the Front Street side of the building. Location of residential units to other locations along Front Street makes it possible for new visitor lodging units to be consolidated in a single development on the former Mobile Home Park site. This accomplishes two goals - to save some of the lost residential units, and the provision of new lodging units for visitors, a key objective of the Coastal Act.

The use of this site for visitor lodging assumes Assuming that replacement units for the affordable housing previously located on the mobile home park site can be constructed elsewhere in Avila Beach and that the statutory requirements for replacement of previously existing affordable housing are satisfied elsewhere in Avila Beach, the site should be used to provide visitor accommodations. However, affordable housing may be built on this site if necessary to comply with statutory requirements.

4. Suggested Modification to last paragraph on page 16 (Town Center Conceptual Plan – Proposed Uses):

Permitted second floor uses include housing, lodging and offices. Priority shall be given to lodging uses, with residential and office uses being allowed only when they do not preclude the provision of the minimum amount of lodging units required by Section 4.B.1 of the Specific Plan. The construction of two story buildings will permit property owners to take advantage of their ocean-view property and is also consistent with the

market study. In addition, the upper floor uses will increase surveillance of the public streets by residents and visitors, which will increase safety at the ground floor level.

5. Suggested Modification to last paragraph on page 18 (Town Center Conceptual Plan – Pedestrian Zone):

Access Management Plan. The County will cooperate with the Harbor District, CDF/County Fire, the County Sheriff, the Avila Yacht Club, and the Avila Beach CSD to develop an "access management plan" which will establish procedures for providing access to the pier and associated structures for normal operations, maintenance and public recreation activities, as well as for emergencies. This plan shall provide, among other things, details regarding the location and terms of use for all drop-off areas that maximize the usability of these areas for both beach users and boaters, consistent with public safety/emergency access needs. The access management plan shall be submitted for the review and approval of the California Coastal Commission's Executive Director prior to June 31, 2001. Any change to the Access Management Plan following the Executive Director's review and approval shall be subject to subsequent review and approval by the Executive Director before taking effect.

6. Suggested Modification to first paragraph on page 19 (Town Center Conceptual Plan – Pedestrian Zone):

Seasonal Access. The pedestrian zone ~~could have been~~ is designed to accommodate vehicular circulation on a seasonal or occasional basis. At the conclusion of the first year of the use of this area by pedestrians only, the County will evaluate whether it is desirable to allow for its seasonal or periodic use of the area available for general vehicle access. Any proposal to open the pedestrian zone for general vehicle access shall be subject to the review and approval of [redacted] will be submitted for review and approval by the Executive Director of the Coastal Commission following County review, and shall be consistent with to ensure consistency with the Coastal Act and LCP policies protecting public access and recreation opportunities.

7. Suggested Modifications to 2nd and 3rd paragraphs on page 24 (Key Private Development Sites – Parking Lot/ Old Railroad Right-of-Way Site Plan):

New Multi-Family Housing. The residual land that would become available at the north and south edges of the parking lot could be used to build new multi-family housing. The units could be two-story triplex and duplex units, with shared parking locations in ground floor garages. The housing units should front onto Second and First Streets respectively, with parking access from the street frontage. The units should have shallow front

setbacks to be consistent with the other development in the area. The development of these units and associated infrastructure shall ensure that a minimum of retain the 355 parking spaces and landscaping installed at the conclusion of the cleanup project are retained in the parking lot, and shall protect parking lot landscaping. This site could be used to provide affordable housing in Avila Beach.

New Single-Family or Multi-Family Housing. New single-family or multi-family housing units could be located on the northern portion of the former old-railroad right-of-way and served by a new local street that would connect from Second Street to San Miguel Street. The units should face onto the new street. The old-railroad right-of-way could also be excavated in this area to permit the new housing units to topographically function as part of the town by being located at the same base elevations as the units located along San Miguel Street. The housing units should be set back from Avila Beach Drive significantly in order to create a visual landscape buffer between the street and the housing units. Two clusters of single-family homes located along Second Street could have shared driveway access and interior parking garages.

8. Suggested Modification to 1st paragraph on page 35 (Historic Preservation – Yacht Club)

Guidelines for the possible renovation are included in the Avila Cleanup Coastal Development Permit. However, community interest in maintaining public views of the ocean has led to a possible reconsideration of the Yacht Club's permanent location. In addition to complying with the guidelines for renovation contained in the cleanup CDP, any future development activity involving the Yacht Club should include measures to enhance the general public's ability to utilize this building and learn about its history. All uses of this building should be conducted in a manner that is sensitive to its historic value and prominent location above and adjacent to the public beach and town center.

9. Suggested Modification to last paragraph on page 36 (Affordable Housing Incentives):

Under State law, there are also some other incentives for the construction of affordable housing. The most important of these are density bonuses, which allow for a 35% bonus over the basic density allowed. These incentives would be available to developers in Avila Beach when such including density bonuses that can be accommodated without resulting in adverse impacts to coastal resources, scenic views, or public access and recreation opportunities, and the resulting development will conform to all other applicable LCP standards.

10. Suggested Modification to last paragraph on page 40 (Streetscape Plan – Street Lights):

New pedestrian-scaled street lights would be installed on Front Street between Avila Beach Drive and San Luis Street, and on San Juan, San Francisco, San Luis (from Front to First Street), Second and San Miguel Streets. Additionally, footlights would be installed along the seawall on Front Street to light the sidewalks for pedestrians without interfering with night views of the ocean. Foot-level lighting would be installed along the inner edge of the seawall with low-level downward directed security lights installed on the outside of the seawall in areas where it the wall becomes tall enough for that people on the sand at the base of the wall could to be hidden from view. The Avila Beach Community Services District (or other responsible entity) will turn off the seawall lighting when grunion spawning is anticipated. ~~The low-intensity seawall lighting could will be turned off on nights when grunion spawn to minimize interference with the grunion's reproductive cycle. The entity responsible for maintenance of the town's lighting infrastructure (currently the Avila Beach Community Services District) shall be responsible for turning off these lights during grunion spawning events, and shall prepare or obtain annual schedules of when grunion spawning is expected to occur.~~ Palms trees would be uplit with mounted light fixtures.

11. Suggested New Watershed Management Program, to be added as new Area Wide Program 1 in Section G. "Planning Area Land Use Programs" of Chapter 6 of the San Luis Bay Area Plan:

I. Comprehensive Watershed Management Program.

Water quality throughout the San Luis Bay Planning Area cannot be protected without managing inland development and land uses. Therefore, San Luis Obispo County should coordinate the development and implementation of a Comprehensive Watershed Management Program designed to protect the water quality of the entire watershed of all coastal creeks and streams throughout the Planning Area. Implementation of this program will enable San Luis Obispo County to achieve numerous water quality objectives including flood control, erosion control, sensitive habitat protection, and ocean water quality protection.

The Comprehensive Watershed Management Program for the San Luis Bay Planning Area should be designed to manage changes in land use and development, support riparian corridor restoration, and encourage the implementation of Best Management Practices throughout the planning area's watersheds. As part of this program, the County should identify and pursue whatever changes to the LCP and General Plan are needed to implement a coordinated set of programs and ordinances that protect and restore water quality throughout the watersheds.

Specific issues that should be addressed by the Program include the impacts to water quality posed by development activities such as changing land use, grading and earth moving, and altering drainage patterns. The objective of the program shall be to avoid and minimize these impacts by, among other means:

- reducing non-point source pollution
- maintaining and restoring natural drainage patterns, native vegetation, wetlands, riparian areas and other habitats that improve water quality; and
- completing and implementing Comprehensive Watershed Management Plans for each watershed that will guide water quality protection and restoration efforts at a watershed scale.

To achieve these objectives, specific components of the Watershed Management Program and future Watershed Management Plans should include:

- A Development Standards component that identifies specific measures to minimize the cumulative impact of new development on the watershed and avoids the alteration of natural drainage patterns (e.g., increased impervious surface and runoff volumes).
- A Conservation, Restoration and Open Space component that identifies specific areas of the watershed which, if restored, could improve water quality. This component should also identify critical components of the natural drainage system such as wetlands, recharge areas, streams, and flood plains should be protected from adverse impacts of new development.
- A Public Participation component that identifies methods to encourage public participation in managing development and minimizing urban runoff impacts on the coast. This component should outline a public education and involvement program designed to: raise public awareness about the watershed and the potential impacts of water pollution; and, involve the public in the development and implementation of the Comprehensive Watershed Management Plan.
- A Monitoring component that provides a coordinated program to monitor, document, and report water quality problems and improvements. This component shall aim to coordinate various governmental and citizen water quality monitoring efforts; evaluate the effectiveness of installed BMP's; ensure the effective and routine maintenance of storm drain infrastructure (e.g., storm drain cleaning); and, provide rapid and accurate public notice of hazardous beach water quality conditions.

12. Suggested Modification to 2nd and 3rd paragraphs on page 50 (Development Summary – Commercial and Lodging Uses) and associated Table 1 (Conceptual Plan Development Summary):

As stated in Section 3.D, Market Conditions, it appears that Avila Beach can support a total of approximately 70,000 square feet of retail space (including restaurants) and 70 to 100 new lodging rooms. As shown in Table 1, 70,000 square feet of retail space and 56 lodging rooms are assumed as part of the Specific Plan.

This means that some parcels along First and San Miguel Streets that are currently designated for commercial use may not be developed as such. Since there is not enough demand to warrant commercial development in all of these areas, the Specific Plan assumes that these areas will be developed primarily with visitor lodging or housing, with higher priority being placed on the provision of overnight visitor serving accommodations.

Table 1 Conceptual Plan Development Summary Estimates¹

Use	Quantity
Ground Floor Retail	~70,000 square feet
Second Floor Apartments	62 units
Multi-Family Housing	56 units
Single Family Housing	27 units
Total Residential Units	145 units
Second Floor Lodging Rooms (Front Street)	56 rooms
Civic Association Building	retained
Public Off-Street Parking	369 spaces (increase from existing)
Public On-Street Parking (town area)	583 spaces (decrease from existing)
Total Parking Spaces	952 (increase of 17 over existing)

The estimated residential and lodging unit counts provided in this table and the following text may be altered by the addition of new standards establishing a minimum number of visitor serving units to be provided in the Front Street and Commercial Retail Areas, contained in Sections 4.B.1 and 4.C.1 of the Specific Plan.

13. Suggested Modification to the Hillside Street Improvements proposed on pages 42 and 43:

Drainage swales that better define the street right-of-way would will be constructed on all hillside streets where possible. Locations for improvements are shown below. These and other drainage improvements throughout the planning area shall incorporate Best Management Practices to effectively manage storm water and minimize polluted runoff. Best Management Practices that shall be considered include V-vegetated swales (bio-filters) shall be used as a water quality Best Management Practice instead of asphalt swales on slopes of less than 5%, and/or directing storm water to downstream collectors that have adequate capacity to effectively accommodate and remove pollution from

~~the runoff~~ The drainage swales would ~~will be installed to collect, filter, and~~
~~direct storm water run-off and to better define the street right-of-way.~~

14. Suggested Modification to the 4th paragraph on page 54 (Street Improvements and Vehicular Circulation)

San Francisco Street and/or Second Street ~~would~~ be extended to create a new intersection with Avila Beach Drive if shown to be consistent with all applicable LCP standards. The new street(s) and intersection would facilitate traffic circulation in and out of Avila Beach, in particular to the parking lot area.

15. Suggested Modification to the last paragraph on page 62 and the first full paragraph on page 63 (Private Parking):

Currently, all new development in Avila Beach must supply its own on-site parking, to meet County standards. This requirement has been identified as an unnecessary burden on restaurant and retail development. In most cases, commercial development in Avila relies on the beach itself to generate its customers; visitors park for the beach and then walk to retail and restaurant locations. Parking for dinner restaurants is readily available since many beachgoers have vacated their spaces by late afternoon.

Therefore, this Specific Plan includes changes to the Avila Beach Area Standards that will not require that new retail or restaurant development in the Front Street Commercial District supply its own parking on-site. Instead, these commercial uses would be required have the option to pay an in-lieu parking fee to help provide and manage the shared parking supply. An ordinance implementing this program must be submitted to the Coastal Commission as an amendment to the LCP prior to June 31, 2001. In the event that no such ordinance is submitted by this date, or certified by the Commission by December 31, 2001, all retail and restaurant development approved after that date shall be required to provide on-site parking consistent with CZLUO requirements.

16. Suggested Modification to the section on Stormwater Runoff and Drainage on Page 64. Add the following paragraph at the end of this section:

Concurrent with the adoption of the Specific Plan, new drainage control standards for residential and commercial development have been incorporated into the San Luis Bay Area Plan (Coastal) CZLUO. These standards call for new private development to incorporate Best Management Practices for the control of polluted runoff.

17. Suggested Modification to Section B.1, Allowable Uses in the Front Street Commercial District, on page 69:

B.1. Allowable Uses

All uses allowed in the Commercial Retail land use category by the Coastal Framework for Planning (Table "O") are allowed in the Front Street Commercial District except: communication uses; schools-business and vocational; concrete, gypsum and plaster products; food and kindred products; printing and publishing; single family dwellings (except on the second floor); auto, mobile home and vehicle dealers and supplies.

Consistent with Avila Beach Standard 1 for Commercial Retail areas, ~~development in the Front Street Commercial District are encouraged to include residential or visitor lodging uses on the second floor, and residential use shall be conditionally allowed,~~ shall give priority to visitor-serving uses. However, development on the second floor is encouraged to include conditional residential uses as well as visitor lodging uses, to replace housing units removed as a result of the cleanup, and to provide surveillance of streets and other public spaces, increasing the level of safety in these places. The intent is to achieve two objectives for second-floor uses - residential units to provide surveillance and lodging units to assure an adequate supply of visitor accommodations. Any Front Street development that includes a conditional residential use on the second floor shall be appealable to the Coastal Commission, but may be processed as a Minor Use Permit. Consistent with Avila Beach Area Standard 2 for Commercial Retail areas, priority shall be given to visitor-serving uses along Front Street. Low-cost visitor serving facilities shall be protected, encouraged, and where feasible, provided.

To accomplish these objectives, prior to the approval of any residential development on the second story within the Front Street Commercial District other than a single caretaker unit accessory to the proposed commercial use or the replacement of a residential use that was demolished during the clean-up, a finding shall be made which demonstrates that there remains adequate undeveloped space to accommodate a minimum of 56 new lodging units within throughout the Front Street Commercial District (including the area of the former mobile home park) and a minimum of 100 new lodging units throughout the Front Street Commercial District and Commercial Retail Areas combined to accommodate the numbers of potential new visitor lodging units contemplated by the Market Overview (as summarized in Appendix B, Section D b. of this Plan), less any new visitor-units constructed following the effective date of this Plan, except that s Such a finding is not required for a single caretaker unit accessory to a proposed commercial use, the replacement of a residential use that was demolished during the clean-up, or a year-round residential unit which would be the only such unit on each street frontage facing Front Street, First Street and the connecting side streets.

Any Front Street development that includes a conditional residential use on the

~~second floor may be processed as a Minor Use Permit, but shall be appealable to the Coastal Commission. shall be appealable to the Coastal Commission, but may be processed as a minor use permit.~~ In the event that existing lodging units are converted to a different type of use, the number of units converted shall be added to the minimum number of new units required to be provided. For purposes of this analysis, a lodging unit shall be assumed to be 400 square feet, and must be available for transient occupancy by the general public for a maximum stay of 84 days in a year (total) and 14 days between Memorial and Labor Day. Low-cost visitor serving facilities shall be protected, encouraged, and where feasible, provided.

18. Suggested Modifications to Section B.13.e (Parking Requirements in the Front Street Commercial District) on page 82:

Uses other than residences or lodging (~~i.e. e.g.~~ retail and restaurant uses) are not required to provide on-site parking, but must have the option to pay in-lieu parking fees, in an amount to be determined by the County, for any unbuilt required parking spaces. ~~When residential or lodging uses are combined with a retail or restaurant use, the development shall provide on-site parking as required by the CZLUO for the residential and/or lodging use, and may, as an option, pay in-lieu parking fees for any unbuilt parking spaces required by the CZLUO for the restaurant or retail use.~~

The County should ~~shall~~ prepare an ordinance to create a parking district and enable the collection of fees, and shall submit this ordinance to the Coastal Commission for incorporation into the LCP no later than June 31, 2001. In the event that no such ordinance is submitted by this date, or the ordinance does not become certified by December 31, 2001, all commercial uses shall be required to provide on-site parking consistent with CZLUO requirements. The ordinance shall specify, among other things, that fin-lieu fees would will be used to fund construction of community parking facilities, to establish a remote shuttle and parking lot, to provide transit subsidies or to provide other parking-related facilities and services for Avila Beach, consistent with state statutes.

19. Suggested New Standard B.15 *Drainage Requirements* for new development in the Front Street Commercial District, beginning on page 82:

All new development within the Front Street Commercial Retail District shall conform to the Drainage Standards established by Sections 23.04.040 through 23.04.050 of the CZLUO, described in the Avila Beach Urban Area Standards in the San Luis Bay Area Plan (Coastal).

20. Suggested Modifications to Standard C.1 (Allowable Uses in the Commercial Retail area) on page 84:

All uses allowed in the Coastal Framework for Planning (Table "O") are allowed in the CR category in Avila Beach, except: for bars; communication uses; schools-business and vocational; concrete, gypsum and plaster products; food and kindred products; printing and publishing; auto, mobile home and vehicle dealers and supplies. Specifically, Table "O" is modified as follows for this category Allowable uses within the CR area shall be subject to the following provisions:

- ◆ Business establishments may not be open for business after 10:00 p.m., any night of the week.
- ◆ Establishments whose principal business is the consumption of alcoholic beverages on site are not permitted.
- ◆ Residential uses shall be Principally Conditionally Permitted ("CP") uses in the CR district of Avila Beach and, as such, shall be appealable to the Coastal Commission. Residential uses on the second floor and the replacement of any residential unit demolished during the clean-up may, however, be processed as a Minor Use Permit, while all other residential uses permitted on the ground floor if Planning Commission approval of a shall require Development Plan Review is granted, and if. Prior to the approval of a residential use on either the first or second floor, other than a single caretaker unit accessory to a proposed commercial use, or the replacement of a residential use that was demolished during the clean-up, or a year-round residential unit which would be the only such unit on each street frontage facing Front Street, First Street and the connecting side streets, a finding is shall be made that there remains an adequate supply of land available for visitor serving commercial uses. "Adequate supply" means that there remains undeveloped space to accommodate the numbers of potential new visitor lodging units contemplated by the Market Overview (as summarized in Appendix B, Section D.b. of this Plan), a minimum of 100 new lodging units throughout the Front Street Commercial District and Commercial Retail Areas combined, less any new visitor-units constructed following the effective date of this Plan. In the event that existing lodging units are converted to a different type of use, the number of units converted shall be added to the minimum number of new units required to be provided. For purposes of this analysis, a lodging unit shall be assumed to be 400 square feet, and must be available for transient occupancy by the general public for a maximum stay of 84 days in a year (total) and 14 days between Memorial and Labor Day. Residential use in the CR district shall comply with all guidelines and standards applicable to residential use contained in this Specific Plan. Projects of more than 4 and fewer than 11 units must include at least one studio unit.

21. Suggested New Standard C.15 Drainage Requirements for new development in the Commercial Retail area, beginning on page 90:

All new development within the Commercial Retail District shall conform to the Drainage Standards established by described in the Avila Beach Urban Area Standards in the San Luis Bay Area Plan (Coastal) standard B.15 and Sections 23.05.040 through 23.05.050 of the CZLUO.

22. Suggested deletion of standard D.4.a on page 93 (off-street parking requirements in the Residential Multi-Family district):

~~Current parking requirements include guest parking at 0.25 spaces per dwelling unit. This requirement may be waived for residential projects within 200 feet of a public parking lot.~~

Note: the following standards for Residential Multi-Family development should be renumbered accordingly.

23. Suggested New Standard D.8 Drainage Requirements for new development in the Residential Multi-Family area, beginning on page 94:

All new development within the Residential Multi Family Area shall conform to the Drainage Standards described in Avila Beach Urban Area Standards in the San Luis Bay Coastal Area Plan established by Sections 23.04.040 through 23.04.050 of the CZLUO.

24. Suggested New Standard E.3 Drainage Requirements for new development in the Residential Single Family area, beginning on page 98:

Drainage requirements are the same as in the Residential Multi-Family category. See All new development within the Residential Single Family Area shall conform to the Drainage Standards described in Avila Beach Urban Area Standards in the San Luis Bay Coastal Area Plan standard D.8 and Sections 23.05.040 through 23.05.050 of the CZLUO.

25. Suggested Modification to 3rd paragraph on page 99 (Implementation – Area Plan Amendment)

The San Luis Bay Local Coastal Area Plan will be amended to remove most of the existing Avila Beach Urban Area Standards, as detailed on pages 145 – 154 of this Specific Plan. These standards are replaced by Chapter 4 of the Specific Plan.

26. Suggested Modification to 1st and 2nd paragraphs on page 101 (Implementation – Parking In-Lieu Fee):

Implementation of the Specific Plan would also require the adoption of a new ordinance by the County of San Luis Obispo and the California Coastal Commission.

The County would adopt shall submit an in-lieu parking fee ordinance to the California Coastal Commission for incorporation into the LCP, which would allow commercial developers within the Front Street Commercial District to pay into a fund that would augment the parking supply in Avila Beach. Property owners would be permitted to pay the fees instead of supplying parking in on-site locations for the business on their property. Preliminary in-lieu fee estimates are \$5 per square foot of building area. In-lieu fees would be used to construct parking improvements, to maintain the existing parking supply and/or to provide remote parking lot and shuttle or other transit subsidy that would improve public transportation to Avila Beach. This ordinance will be proposed for adoption subsequent to adoption of the Specific Plan submitted for Coastal Commission review and approval as an amendment to the San Luis Obispo County LCP no later than June 31, 2001. In the event that no such ordinance is submitted by that date, or the amendment is not certified by December 31, 2001, all commercial development must provide on-site parking consistent with CZLUO requirements.

27. Suggested Modification to 4. *Entertainment and Special Events* (Economic Recovery Strategy) on page 110:

Avila Beach could hold special events either in the dedicated outdoor public space created on Front Street, consistent with the processing requirements identified by Section 23.08.248 of the CZLUO, or in indoor venues such as expanded bars/restaurants with live music and dancing. Other beach communities in the County have added these types of facilities, and seen a significant attraction of tourist and County-resident expenditures. In addition, Avila should focus on expanding existing local events and traditions; this is one of the most effective ways to promote an identity which will continue in visitors' minds long after the actual visit. Avila events should be planned to avoid conflicts with other regional events, and should not interfere with the general public's ability to access and recreate on the beach. Processing requirements for the conduct of temporary events may be found in the San Luis Bay Coastal Area Plan.

28. Suggested Modification to 2nd paragraph on page 140 (planned commercial projects – Port San Luis):

The Harbor Terrace Inn, a 147-room medium to high-end hotel to be built in approximately 30 cottages has been proposed within the jurisdiction of the Port San Luis Harbor District. Additionally, as part of the Harbor Terrace Inn planning, a second phase has been proposed that would result in re-aligning Avila Drive and adding up to 95,000 square feet of commercial and retail space. The LCP amendment submitted to the Coastal Commission by the County to allow for this development ~~At present, the Harbor Terrace Inn environmental and development review process are not considering~~ did not include this second phase, and it is unclear what amount of retail will ultimately be approved. The Commission denied the amendment associated with the first phase in February 2000.

29. Suggested Modifications to section regarding "Support for Overnight Accommodations", and associated Table 9, on pages 142 and 143:

Currently the Avila Valley Area has 93 hotel rooms, as well as 140 time share units that reportedly are available for occasional occupancy by non-time share participants. However, only one hotel, the Inn at Avila Beach with 32 rooms, has a beach orientation.

In addition to existing supply, a total of 217 hotel rooms are proposed (including an approved expansion and two projects pending final approvals) ~~by approximately 2002~~, bringing the potential total for available actual rooms at that time up to 310 in the Avila Valley, as shown in Table 9. Neither of the proposed new hotels will be beach oriented. Currently Avila Beach has 32 hotel rooms. Six rooms are available for transient occupancy at the San Luis Bay Inn, ~~with a potential for 147 more rooms at Port San Luis for a total of 185.~~

The potential for additional hotel room market support is based on tourism data from the range of sources described previously in this report and comments from local business owners. Assuming an annual Avila Beach visitor total of 800,000 and that 40 percent of visitors are tourists with the potential to stay overnight, approximately 140,000 annual hotel-nights are supportable in Avila Beach by existing tourism. This assumes an average of 2.3 tourists per room. Based on an assumption that a 50 percent capture rate is possible, and that hotel operators need at least a 70 percent occupancy rate to support a hotel room, 272 rooms would be supportable in Avila Beach. Thus, it appears that a rebuilt Avila Beach could support at least an additional 80 to 90-100 hotel rooms. This number may increase depending on what is allowed at the Port San Luis Harbor Terrace site. ~~However, this finding the ultimate demand for lodging units will depend on the~~

type of hotel under consideration as well as the perceived attractiveness of the reconstructed Avila Beach.

Table 9 Existing and Proposed Hotel Rooms

Ocean Oriented		Inland-Oriented*	
Facility	Rooms	Facility	Rooms
Inn at Avila Beach	32	Sycamore Mineral Springs	95
Harbor Terrace**	147	San Luis Bay Estates	30
San Luis Bay Inn	6		
Sub-Total	185		125
Total			310 Rooms

* the 135 rooms to be located across from the Avila Hot Springs are not included in Table 3 because there is no formal proposal for their completion at this time

** the LCP Amendment required to allow for the development of hotel units at the Harbor Terrace was denied by the Coastal Commission in February 2000

30. Suggested Modification to last paragraph on page 145 (Regulatory Appendix – Land Use Map):

The land use map shown below identifies proposed new land use designations for parcels within the Avila Beach Community Services District. The Official Land Use Category Map for Avila shall be updated accordingly, with the Urban Services Line as currently shown on the Official Map remaining in effect. Land Use Designations are described in the *Coastal Zone Framework for Planning*. Limitations on the uses described in the *Framework for Planning* are described in the Area Standards sections, following.

Note: A reduced copy of the Official Land Use Category Map, as currently certified, is attached to this report as Exhibit 1.

B. Suggested Modifications to the Proposed Amendments of the San Luis Bay Area Plan

1. Renumber the Urban Area Programs in accordance with the proposed deletion of program number 1 for the Commercial Retail category.

2. Suggested Modification to new Communitywide Standard 3² on page 153 of the Specific Plan:

Avila Beach Specific Plan Included by Reference. The Avila Beach Specific Plan, and any amendments made thereto, is hereby incorporated into this Land Use Element as though it were fully set forth here. All development within the Avila Beach Specific Plan planning area (as shown above) is to be in conformity with the adopted Specific Plan, as well as all other applicable LCP standards. In the event of any conflict between the provisions of the San Luis Bay ~~Local Coastal Area~~ Plan and the Specific Plan, the Specific Plan shall control.

3. Suggested Modification to new Communitywide Standard 4 on page 153 of the Specific Plan and page 8-9 of the San Luis Bay Area Plan:

Permit Requirements. Unless otherwise specified in the Avila Beach Specific Plan, Minor Use Plan approval is required for all proposed new uses. All development activities on the Tank Farm shall require Development Plan review and approval.

4. Suggested retention and modification of Commercial Retail Standard 5. Page 153 of the Specific Plan proposes to delete all of the existing Commercial Retail Standards, which can be found on pages 8-9 and 8-11 of the currently certified San Luis Bay Area Plan, and are attached to this report as Exhibit 3. Standard 5 for the Commercial Retail land use category, which is recommended for retention by this Suggested Modification, would be renumbered as Standard 1, and modified as follows:

Priority and Protection of Visitor-Serving Uses. Priority shall be given to visitor-serving uses along throughout the Front Street Commercial District and the Commercial Retail area. Low-cost visitor serving facilities shall be protected, encouraged, and where feasible, provided.

5. Suggested retention of standards regarding Public Facilities and Avila Beach Facilities. These standards, which can be found on pages 8-12 through 8-26 of the currently certified San Luis Bay Area Plan, and are attached to this staff report as Exhibit 3, are identified on page 154 of the Specific Plan. The Specific Plan is not clear, however, if any changes to these standards are proposed. This Suggested Modification retains these standards.
6. Suggested retention of a portion of Standard 1 for Residential Multi-Family and Residential Single Family land use categories. Page 154 of the Specific Plan proposes to delete the existing San Luis Bay Area Plan Standards for these land use categories, which can be found on page 8-28 of the Area Plan and are attached to this report as Exhibit 3. As suggested to

² The existing Communitywide Standard 3 that will be replaced by the amendment, and other components of the currently certified San Luis Area Plan that are proposed to be amended by the Specific Plan, are attached to this report as Exhibit 3.

be modified, the Specific Plan would retain a selected portion of these standards regarding the protection of view corridors by replacing them with the following new standard:

RESIDENTIAL CATEGORIES:	The following standards apply only to lands within the Residential Multi-Family and Residential Single Family Land Use categories.
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1. View Protection. All new residential development shall be designed to protect public view corridors to the beach and ocean.

7. Suggested retention of the Standard applicable to the Open Space Land Use Category. Page 154 proposes to delete this Standard, which can be found on page 8-28 of the certified San Luis Bay Area Plan and requires riparian vegetation to be retained along creekways. This Suggested Modification preserves this standard.

8. Suggested addition of new Commercial Retail standard ~~6~~ ²:

~~6~~ ². Storm Drainage. Commercial development shall use best management practices (BMPs) to control and prevent pollutants from entering the storm drain system. BMPs shall be chosen and sized to meet the guidance of the California Storm Water Best Management Practices Handbook (Industrial/Commercial). Such Measures shall include both source control and treatment control practices that insures contaminants do not leave the site. Stormwater runoff from commercial sites shall be filtered through BMPs that treat storm water runoff up to and including the 85th percentile storm event. Restaurant and other commercial cleaning practices that can impact water quality (such as floor mat rinsing and vehicle cleaning) by introducing chemicals to storm drain systems (detergents, oils and grease and corrosive chemicals) shall provide designated areas that collect and dispose of this runoff through the sanitary septic system. Street sweeping and cleaning shall use best management practices outlined in the above referenced handbook or the Model Urban Runoff Program³ to keep contaminants and cleaning products from entering the storm drain system.

³ The "Model Urban Runoff Program: A How to Guide for Developing Urban Runoff Programs for Small Municipalities" was prepared in July 1998 by the Cities of Monterey and Santa Cruz, the California Coastal Commission, the Monterey Bay National Marine Sanctuary, the Association of Monterey Bay Area Governments, Woodward-Clyde consultants, and the Central Coast Regional Water Quality Control Board.

9. Suggested addition of Residential Multi-Family standard 4.2:

4.2 Storm Drainage. All new residential development shall provide Best Management Practices (BMPs) to address polluted runoff. BMPs shall be sized and developed to meet the requirements of the California Storm Water Best Management Practices Handbook (Municipal). Such measures shall include, but not be limited to: minimizing the use of impervious surfaces (e.g., install pervious driveways and walkways); directing runoff from roofs and drives to vegetative strips before it leaves the site; and/or managing runoff on sites (e.g. percolation basin). The installation of vegetated roadside drainage swales shall be encouraged and, if used, calculated into BMP requirements. The combined set of BMPs shall be designed to treat and infiltrate storm water runoff up to and including the 85th percentile storm event.

10. Suggested Modification to the Avila Beach Urban Area Standards of the San Luis Bay Area Plan Section 23-08-248 of the CZLUO Add the following communitywide standard regarding Temporary Events:

~~23-08-248~~ = 4. Temporary Events: Where allowed as S-17 uses by the Land Use Element, temporary events are subject to the following standards of this section. ~~(Swap meets are subject to the standards of Section 23-08-144 - Sales Lots and Swap Meets.)~~

a. Permit Requirements: Minor Use Permit approval, except as follows:

Public Events. Except as otherwise provided in ~~part (iv)~~ of this section, no land use permit is required for:

Events occurring in approved theaters, convention centers, meeting halls or other approved public assembly facilities; or

Admission free events held at a public park or other land in public ownership when conducted with the approval of the public agency having jurisdiction, provided that the event is conducted in accordance with all applicable provisions of this title; or

Other free admission events which are eight hours or less in duration and are operated by non-profit organizations.

~~(iv)~~ In accordance with the Coastal Commission Guidelines for Temporary Events adopted on January 12, 1993, a Coastal Development Permit shall be required for any temporary events that meet all of the following criteria:

- are held between Memorial Day weekend and Labor Day; and,
- occupy all or a portion of sandy beach area; and,

- involve a charge for general public admission or seating where no fee is currently charged for use of the same area (not including booth or entry fees).

However, temporary events may be excluded from coastal development permit requirements when:

- the fee is for preferred seating only and more than 75% of the provided seating capacity is available free of charge for general public use; or,
- the event is less than one day in duration;
- or the event has previously received a coastal development permit and will be held in the same location, at a similar season, and for the same duration, with operating and environmental conditions substantially the same as those associated with the previously approved event.

Notwithstanding the above provisions, depending upon the permit jurisdiction in which the event is proposed, either the Executive Director of the Coastal Commission, or the Planning Director of San Luis Obispo County, or their respective Commissions, a temporary event may be subject to coastal development permit review if unique or changing circumstances exist relative that have the potential for the temporary event to have a significant adverse impact on coastal resources. Such circumstances may include:

- the event, either individually or together with other temporary events scheduled before or after the particular event, precludes the general public from use of a public recreational area for a significant period of time;
- the event and its associated activities or access requirements will either directly or indirectly impact environmentally sensitive habitat areas, rare or endangered species, significant scenic resources, or other coastal resources such as public access opportunities, visitor and recreational facilities, water-oriented activities, marine resources, biological resources, agricultural lands, and archaeological or paleontological resources;
- the event is scheduled between Memorial Day weekend and Labor Day and would restrict public use of roadways or parking areas or otherwise significantly impact public use or access to coastal waters;
- the event has historically required a coastal development permit to address and monitor associated impacts to coastal resources.

B-17
41

In the event of any conflict regarding a determination by San Luis Obispo County as to whether a temporary event requires a coastal development permit, the matter shall be referred to the Executive Director of the Coastal Commission for resolution.