

CALIFORNIA COASTAL COMMISSION

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

**W19a****RECORD PACKET COPY****September 19, 2002**

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: CHARLES LESTER, ACTING DISTRICT DIRECTOR
DIANE LANDRY, DISTRICT MANAGER
MIKE WATSON, COASTAL PROGRAM ANALYST

SUBJECT: STAFF RECOMMENDATION ON CITY OF PISMO BEACH LCP MAJOR AMENDMENT NO. 1-02 (For Public Hearing and Possible Commission Action at the Meeting of October 9, 2001)

SYNOPSIS

The City of Pismo Beach proposes to re-designate the zoning of lots (g) to (p) of parcel 005-076-27 at 350 Pismo from R-R (Resort Residential) to C-1 (Commercial Retail) (Implementation Plan Amendment). Staff has reviewed the proposed amendment to the Implementation Plan for consistency with the certified Land Use Plan. As discussed in detail below, Staff recommends approval of the City of Pismo Beach Local Coastal Program proposed Implementation Zoning Ordinance Major Amendment No. 1-02, as submitted.

The City's Land Use Plan was originally certified by the Commission on October 14, 1982. The zoning portion (Implementation Plan) was submitted in October 1983 and certified with suggested modifications on January 11, 1984. The City agreed to the modifications and assumed permit-issuing authority on April 13, 1984. A major update to the City of Pismo Beach's LUP was certified by on November 24, 1992. The City has organized and submitted this LCP amendment request in accordance with the standards for amendments to certified LCPs (Coastal Act Section 30514, California Code of Regulations 13551 through 13553). The amendment was filed on September 5, 2002. The City Council held noticed public hearings. In addition, noticed public hearings at the Planning Commission level were held.

Further information on the submittal may be obtained from Mike Watson at the Central Coast District Office of the Coastal Commission at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



California Coastal Commission
October 9, 2002 Meeting in Eureka, CA

Staff: M. Watson Approved by: *C.F.K. 9/19/02*

STAFF RECOMMENDATION

Staff recommends adoption of the following resolution:

Resolution I. (Resolution to approve City of Pismo Beach Implementation Plan Amendment No. 1-02 as submitted)

Staff recommends a **NO** vote on the motion below. Passage of this motion will result in approval of the Implementation Plan amendment and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Motion.** I move that the Commission **reject** Major Amendment #1-02 to the City of Pismo Beach Local Coastal Program Implementation Plan as submitted.*

***Resolution to Approve** The Commission hereby **approves** certification of Major Amendment #1-02 to the Implementation Zoning Ordinance of the Pismo Beach Local Coastal Program on the grounds that the amendment to the Zoning Ordinance conforms with, and is adequate to carry out the provisions of the Land Use Plan as certified. The approval of the Implementation Plan amendment will not have any significant adverse on the environment and is the least environmentally damaging alternative.*

Findings and Declarations

The Commission finds and declares as follows:

Amendment Description

The City of Pismo Beach (Exhibit 1) proposes an amendment to the Implementation Plan Zoning Code Map changing the land use zoning of 10 lots (i.e., g, h, i, j, k, l, m, n, o, and p) of parcel 005-076-27 at 350 Pismo from R-R (Resort Residential) to C-1 (Commercial Retail). See Exhibit 2. The entire portion of the parcel subject to the amendment totals approximately 25,000 square feet. The property is located in the downtown core, an important visitor-serving center for the City. Pismo Street, Main Street, and Dolliver Street bound the subject site on three sides. The Land Use Plan designates the site as a Mixed Use District. Zoning on the block is generally split with the western half being resort residential and the eastern half being commercial. As a result there are numerous motel/hotel and commercial uses surrounding the property at this location. The site is currently developed with an aging visitor-serving hotel. Existing development in and around the parcel consists of additional hotels/motels, commercial office and retail uses, and single-family residences. The subject amendment has been submitted to allow redevelopment of the site with greater flexibility on coverage, building size, and scale than currently allowed under the current zoning and to bring the lots into conformance with the balance of the property (lots B.1, C.1, and D.1).



LCP Amendment PSB MAJ 1-02 Staff Report

Wolosz Zoning from RR to C-1

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The City's amendment submittal will be processed according to CCR Section 13518(b)(1), which states:

A local government or governing authority may submit its proposed LCP or LRDP either:

- (1) as a program that will take effect automatically upon coastal Commission approval pursuant to Public Resources Code Sections 30512, 30513, and 30519 for LCP's, or Public Resources Code Section 30605 for LRDPs or...*

At this time the Commission is only approving the LCP amendment and not a coastal permit, which is in the City's jurisdiction and which would not be appealable to the Commission.

Analysis of Zoning District Re-Designation

The City proposes to rezone the above-mentioned lots (approximately 25,000 square feet) to the C-1 zoning district to implement the Mixed Use (MU) land use designation. The purpose of the Mixed Use District is to "provide for a wide variety of land uses including commercial, office and residential uses (including hotel and motels). The more intensive commercial uses and visitor-serving uses shall be encouraged to locate along the major thoroughfares." The C-1 zoning district, according to Section 17.042.030 of the Implementation Plan, allows hotels and motels as a conditional use. The development standards of this district provide greater development flexibility with a greater total building area permitted (200% v. the 80% permitted by RR zoning), greater lot coverage (80% v. 55% permitted by RR zoning), and reduced building setbacks (0 setback v. 7' as the property is located on the corner of Pismo and Dolliver Street).

As discussed above, the proposed LCP amendment has been submitted to facilitate future redevelopment of the site with a new hotel. The current RR zoning limits development opportunities on the portion of the property located along Pismo Street and is inconsistent with the zoning designation on the balance of the property (lots B.1, C.1, and D.1). The intensity of development proposed through this development under the C-1 zoning district designation is consistent with that allowed under the Mixed Use land use designation. If this proposed development were not to occur, the City would automatically review any new development proposal for a similar, different, or combination of land use(s) for consistency with the LCP. With any newly proposed development the City would have to find that it is compatible with the general plan/local coastal program, and according to the requirements of IP Chapter 17.042, such development would have to remain at an intensity consistent with the MU land use designation.

Therefore the Commission finds that the proposed Implementation/Zoning amendment is approved as being consistent with the LUP Mixed Use designation and is adequate to carry out its provisions.

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Coastal Commission's Local Coastal Program development and certification process has been designated by the Secretary of Resources as the functional equivalent of the California Environmental Quality Act (CEQA). No impacts are associated with the proposed land use plan and zoning changes. The City of Pismo Beach adopted a Mitigated Negative Declaration for the



California Coastal Commission

LCP Amendment PSB MAJ 1-02 Staff Report

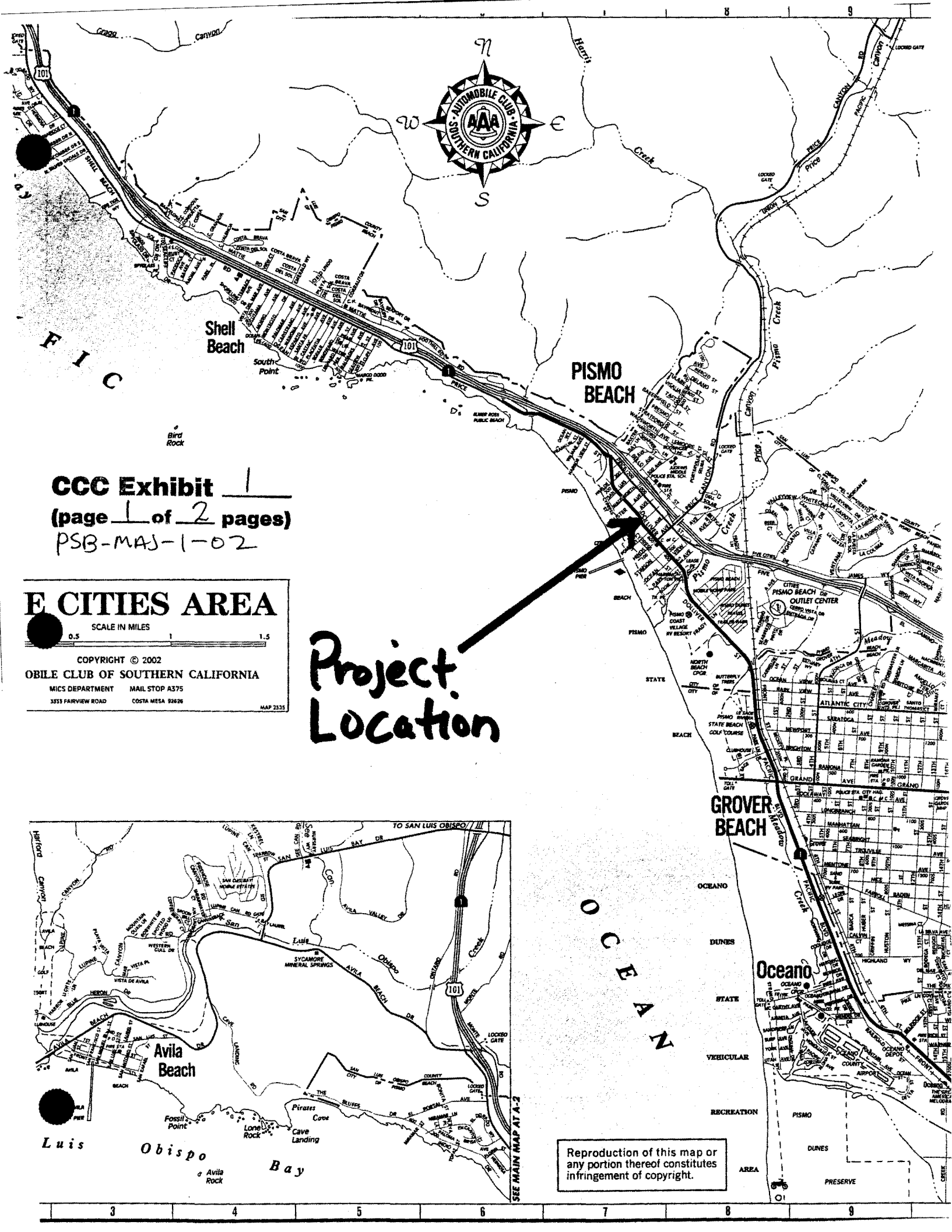
Wolosz Zoning from RR to C-1

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rezoning and in doing so found that the project could not have significant adverse environmental impacts. As discussed above, the City's proposal is consistent with and adequate to carry out the intent of the certified Land Use Plan and will not have any significant adverse environmental impacts. Therefore, the Commission finds that Amendment No. 1-02 is consistent with the provisions of the California Environmental Quality Act.



California Coastal Commission

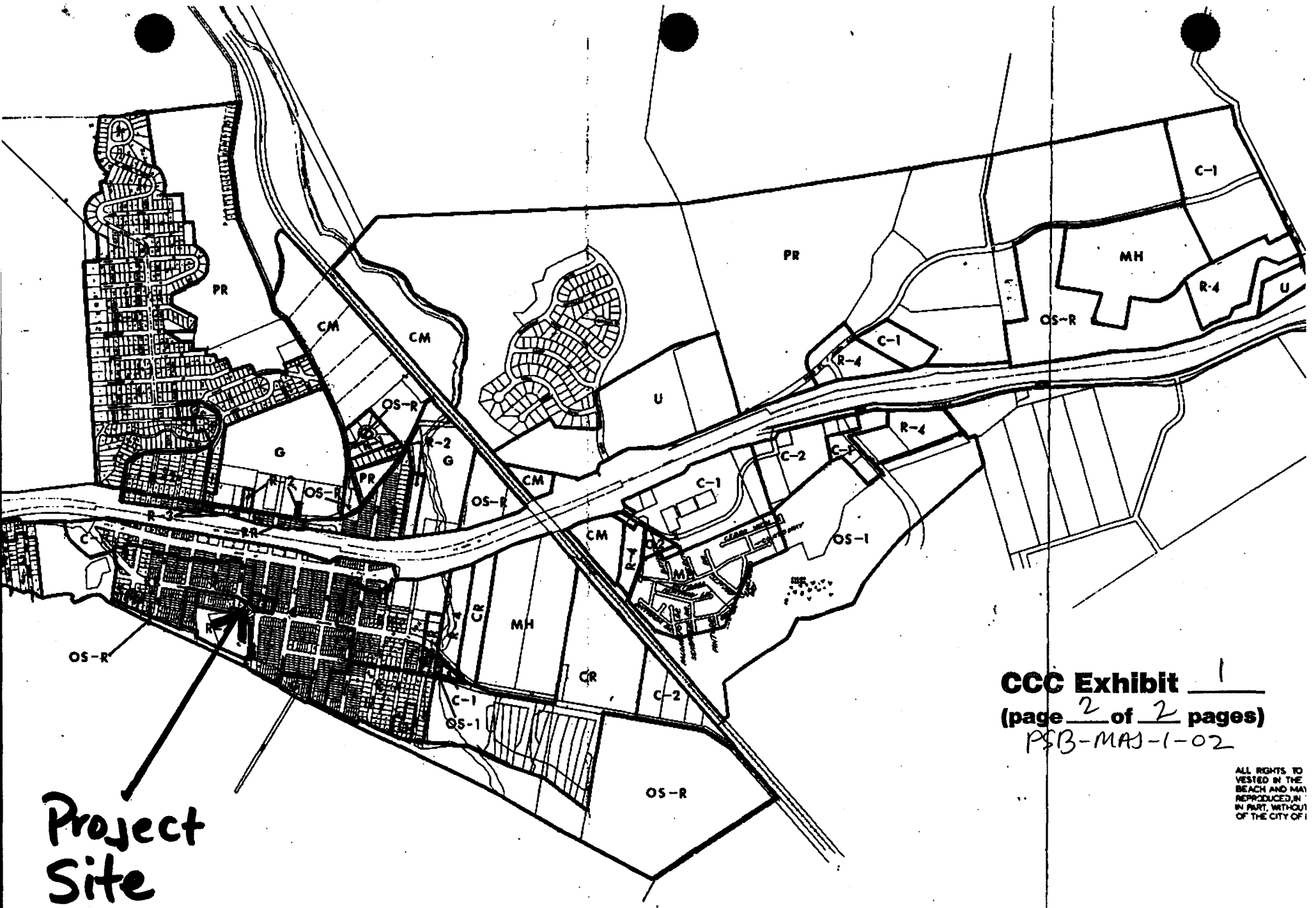


CCC Exhibit 1
(page 1 of 2 pages)
PSB-MAJ-1-02

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SCALE IN MILES
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COPYRIGHT © 2002
MOBILE CLUB OF SOUTHERN CALIFORNIA
MICS DEPARTMENT MAIL STOP A375
3353 FAIRVIEW ROAD COSTA MESA 92626
MAP 2335

Project Location

Reproduction of this map or any portion thereof constitutes infringement of copyright.



CCC Exhibit 1
 (page 2 of 2 pages)
 PSB-MAS-1-02

ALL RIGHTS TO
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 BEACH AND MAY
 REPRODUCED IN
 IN PART, WITHOUT
 OF THE CITY OF I

**Project
 Site**

CM Commercial
U Unclassified
G Government

Manufacturing

EFFECTIVE DATE:

ZONING

Coastal

RESOLUTION NO. 2002- 43

**A Resolution of the Council of the City of Pismo Beach
Adopting the Negative Declaration and Approving a Zoning Code Map Amendment
for property at 350 Pismo, Changing the zoning designation from Resort Residential (RR) to
commercial retail (C-1) on lots g,h,i,j,k,l,m,n,o,p at 350 Pismo street
Project No. 02-0071, APN: : 005-076-027**

WHEREAS, Joe Wolosz ("Applicant") submitted an application to the City of Pismo Beach for a Zoning Code map Amendment for property at 350 Pismo street; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 28, 2002, at which all interested persons were given the opportunity to be heard; and

WHEREAS, the Planning Commission considered the draft Negative Declaration of Environmental Impact, in accordance with section 15074(a) of the Government Code (CEQA Guidelines), and recommended approval of the General Plan map amendment to the City Council; and

WHEREAS, the City Council intends to carry out the Local Coastal Plan in a manner fully consistent with the California Coastal Act; and

WHEREAS, the City Council held a duly-noticed public hearing on July 2, 2002, at which all interested persons were given the opportunity to be heard; and

WHEREAS, the City Council has reviewed the Initial Study of environmental impact and the proposed Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Pismo Beach, California as follows:

A. FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

1. The project consists of an amendment to the Zoning Code map, changing the land use zoning of the site from Resort Residential to Commercial Retail. .
2. There are no site constraints or other factors that would create the potential for significant environmental impacts as a result of the project.
3. The Initial Study is a complete and adequate informational document.

B. FINDINGS FOR APPROVAL OF THE MAP AMENDMENT:

1. The proposed zoning designation of Commercial retail (C-1) is appropriate for the site and consistent with the goals and policies of the General Plan/Local Coastal Plan. .

The City Council hereby adopts the Negative Declaration, attached as Exhibit A, and Approves the Zoning Code Map Amendment shown on the attached Exhibit B. The map amendment will become effective on the day it is approved by the California Coastal Commission.

UPON MOTION of Councilmember Reiss seconded by Councilmember Henlin the foregoing Resolution is hereby approved and adopted the 2nd day of July, 2002 by the following roll call vote, to wit:

AYES: Councilmembers Reiss, Henlin, Crescione, and Rabenaldt

NOES: None

ABSTAIN: Mayor Natoli

ABSENT: None

CCC Exhibit 2
(page 1 **of** 3 **pages)**

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JOE CRESCIONE, MAYOR PRO-TEM


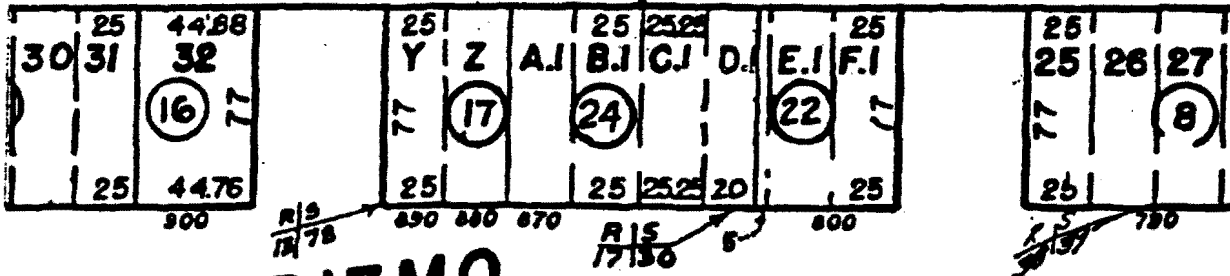
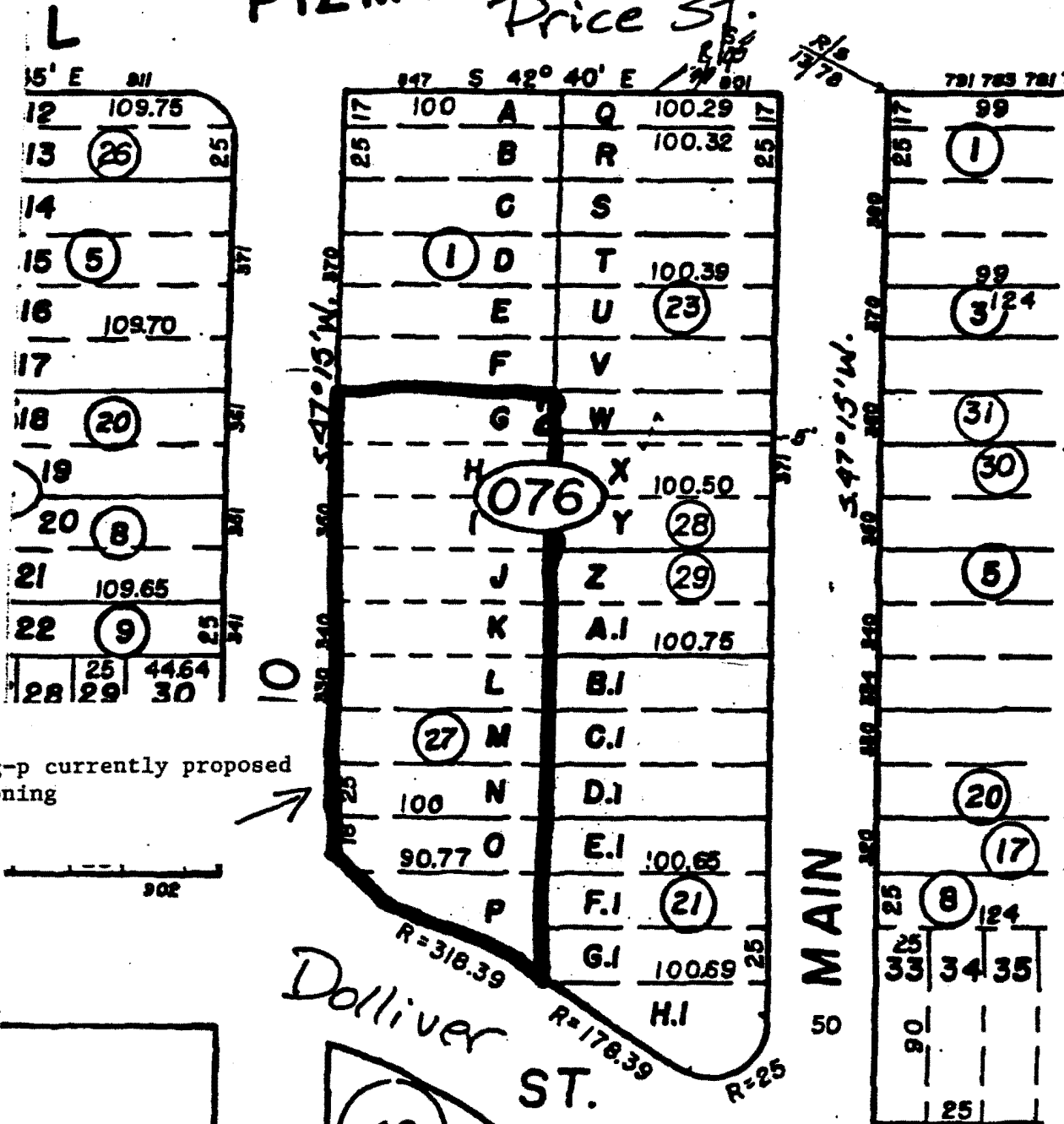

MANDY CUTTING, INTERIM CITY CLERK

EXHIBIT A

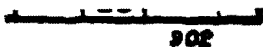


PIZMO

Price St.



ots g-p currently proposed
-1 zoning

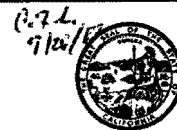


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CCC Exhibit 2
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PISMO BEACH, CA 95060
(408) 427-4863

**W19a****MEMORANDUM****September 24, 2002**

TO: Commissioners and Interested Parties

FROM: Charles Lester, Acting District Director
Mike Watson, Coastal Planner

RE: Addendum to Item W19a (PSB-MAJ-1-02, Wolosz Zoning Amendment)

Staff incorrectly worded the motion granting approval of the above referenced zoning amendment. The paragraphs under Resolution 1 (Resolution to approve City of Pismo Beach Implementation Plan Amendment No. 1-02 as submitted) should read as follows:

Resolution 1. (Resolution to approve City of Pismo Beach Implementation Plan Amendment No. 1-02 as submitted)

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Program as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. I move that the Commission **reject** Major Amendment #1-02 to the City of Pismo Beach Local Coastal Program Implementation Plan as submitted.

Resolution to Approve. The Commission hereby **approves** certification of Major Amendment #1-02 to the Implementation Zoning Ordinance of the Pismo Beach Local Coastal Program on the grounds that the amendment to the Zoning Ordinance conforms with, and is adequate to carry out the provisions of the Land Use Plan as certified. The approval of the Implementation Plan amendment will not have any significant adverse on the environment and is the least environmentally damaging alternative.