

CALIFORNIA COASTAL COMMISSION

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

**Th4a**

March 25, 2004

RECORD PACKET COPY

TO: Commissioners and Interested Parties

FROM: Diane Landry, District Manager *DL*
Jonathan Bishop, Coastal Program Analyst

SUBJECT: **SAN LUIS OBISPO COUNTY LCP AMENDMENT NO. SLO-MAJ-1-02 (OCEANO SPECIFIC PLAN) CERTIFICATION REVIEW:** Concurrence with the Executive Director's determination that the action of the County of San Luis Obispo accepting the Commission's certification of LCP Amendment No. SLO-MAJ-1-02 (Oceano Specific Plan) is legally adequate. For Commission review at the meeting of April 15, 2004 in Santa Barbara.

A. BACKGROUND

The Commission acted on San Luis Obispo County's LCP Amendment No. SLO-MAJ-1-02 (Oceano Specific Plan) on September 11, 2003. The proposed amendment incorporates the Oceano Specific Plan into the Land Use Plan (LUP) of the San Luis Obispo County Local Coastal Program (LCP).

The Commission rejected the amendment as submitted but certified the proposed amendment to the LCP with modification language and modified graphics.

B. EFFECTIVE CERTIFICATION

On February 3, 2004, the San Luis Obispo County Board of Supervisors held a public hearing and adopted Resolution No. 2004-39 which acknowledged receipt of the Commission's resolution of certification, accepted and agreed to the Coastal Commission's modifications, agreed to issue permits in conformance with the modified LCP, and formally approved the necessary changes to the County's Land Use Plan (see Attachment A).

As provided in Sections 13544 and 13544.5 of the California Code of Regulations, for the amendment to become effective, the Executive Director must determine that the County of San Luis Obispo's actions are legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of County of San Luis Obispo LCP Amendment No. SLO-MAJ-1-02 (Oceano Specific Plan) shall become effective upon the filing of a Notice of Certification for the LCP amendment with the Secretary of Resources, as provided in Public Resources Code Section 2180.5(2)(V).

C. STAFF RECOMMENDATION

Staff recommends that the Commission concur with the determination of the Executive Director that the action of the County of San Luis Obispo accepting the Commission's certification of San Luis Obispo County LCP Amendment No. SLO-MAJ-1-02 (Oceano Specific Plan) is legally adequate, as noted in the attached letter (Attachment B), to be sent after Commission concurrence.

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FEB 23 2004

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

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Tues day February 3, 20 04

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

ABSENT: None

RESOLUTION NO. 2004-39

RESOLUTION ACKNOWLEDGING RECEIPT AND AGREEING TO CALIFORNIA COASTAL
COMMISSION'S MODIFIED LANGUAGE PERTAINING TO
LOCAL COASTAL PLAN - MAJOR AMENDMENT NUMBER 1-02

The following resolution is now offered and read:

WHEREAS, the County of San Luis Obispo Board of Supervisors conducted a public hearing on April 2, 2002, and approved amendments to the Coastal Zone Land Use Ordinance; and

WHEREAS, the County submitted Local Coastal Plan - Major Amendment Number 1-01, to the California Coastal Commission for certification on June 21, 2002; and

WHEREAS, on September 11, 2003, the California Coastal Commission recommended modified language and graphics in Local Coastal Plan - Major Amendment Number 1-02; and

WHEREAS, on September 11, 2003, the California Coastal Commission certified Local Coastal Plan - Major Amendment Number 1-02 provided certain modified language and graphics suggested by the California Coastal Commission was adopted by the County, said language and graphics are contained in the California Coastal Commission staff reports, dated August 21, 2003, attached hereto and incorporated by reference herein; and

WHEREAS, pursuant to the California Code of Regulations, title 14, sections 13544(a), 13544.5(a), 13547(a) and 13551(b), the San Luis Obispo County Board of Supervisors may now accept and agree to the terms and modifications suggested by the California Coastal Commission on Local Coastal Plan - Major Amendment Number 1-02, and take formal action to satisfy the terms and modifications.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, in a regular meeting assembled on the third day of February, 2004, that the Board of Supervisors of San Luis Obispo County, acknowledges receipt and hereby agrees to the modified language and graphics, as suggested by the California Coastal Commission, without further changes, pertaining to Local Coastal Plan Major Amendment Number 1-02 as set forth in Exhibits "A", "B", "C" and D attached hereto and incorporated herein as though fully set forth.

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

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

a. The Board of Supervisors accepts the modified language and graphics suggested by the California Coastal Commission pertaining to the Oceano Specific Plan as it implements the California Coastal Commission's recommendation by amending and adding the language as it appears on Exhibits A, B and D and the graphics as they appear on Exhibit C, attached hereto and incorporated herein as though fully set forth.

CCC Exhibit A
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CALIFORNIA COASTAL COMMISSION

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

DRAFT



April __, 2004

John Euphrat
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: *Effective Certification of San Luis Obispo County Local Coastal Program Amendment No. SLO-MAJ-1-02 (Oceano Specific Plan)*

Dear Mr. Euphrat,

We have received County of San Luis Obispo Resolution Number 2004-39, adopted by the Board of Supervisors on February 3, 2004. By those actions, the County acknowledged receipt of the Coastal Commission's approval with suggested modifications of Local Coastal Program (LCP) Major Amendment 1-02 (Oceano Specific Plan), and incorporated the Commission's suggested modifications into the County's LCP.

I have determined, and the Commission has concurred, that the County's action with respect to LCP Major Amendment 1-02 (Oceano Specific Plan) is legally adequate to satisfy the requirements of Section 13544 of the California Code of Regulations. This determination was reported to the Coastal Commission at the Commission's April 15th, 2004 meeting in Santa Barbara. As a result, the County's LCP, as amended by LCP Major Amendment 1-02, was certified as of April 15th, 2004 and is now in effect.

If you have any questions, please contact Jonathan Bishop of my staff at (831) 427-4863.

Sincerely,

Peter M. Douglas
Executive Director
California Coastal Commission

Diane Landry
Acting District Manager
Central Coast District Office

CCC Exhibit B
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