

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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W10a



Prepared July 10, 2007 (for July 11, 2007 hearing)

To: Coastal Commissioners and Interested Persons

From: Charles Lester, District Director
Steve Monowitz, District Manager
Jonathan Bishop, Coastal Program Analyst

Subject: STAFF REPORT ADDENDUM for W10a SLO-MAJ-1-06 Part 1 (Cambria and San Simeon Acres Community Plans).

As described in the June 21, 2007 staff report, San Luis Obispo County proposes to amend its Local Coastal Program by incorporating the Cambria and San Simeon Acres Community Plans into the North Coast Area Plan (NCAP) segment of the Land Use Plan (LUP).

Since the staff report was completed, the County of San Luis Obispo and other interested parties have suggested changes to the recommendations. In response to these comments, staff has revised a number of the suggested modifications and has supplemented the staff recommendation with additional findings where necessary. The changes are shown below as follows (new text shown with double underlines; deletions are shown with ~~double strike throughs~~):

I. Changes to Suggested Modifications

1) Suggested Modification 44 - Proposed standard 4.E. West Village should be deleted because revised standard 3 already prohibits development in all FH areas. Standard 4.E. in its entirety is redundant. However, the element of standard 4.E requiring Phase I of the Cambria Flood Mitigation Project to be implemented consistent with the protection of coastal streams has been retained and added to standard 3, as shown below:

3. Flood Hazards (FH). New development shall comply with Coastal Plan Policies for Hazards and the Flood Hazard provisions of the Coastal Zone Land Use Ordinance, and shall be reviewed for its relation to the Cambria Flood Mitigation Project. ~~Approval of~~ No new or expanded development, except necessary public services and public access trails, ~~shall be contingent upon a finding that the proposed development will not interfere with occur within Flood Hazard areas until the County has implemented Phase 1 of the Cambria Flood Mitigation Project in a manner that is consistent with the protection of the coastal stream.~~

4. Santa Rosa Creek (FH). The following standards affect all land use categories in and



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Staff: J.Bishop Approved by:

adjacent to Santa Rosa Creek, as shown on Figure 7-2.

...

~~E. West Village. No new development except necessary public services shall be approved until the County has certified and implemented Phase I of the Cambria Flood Mitigation Project in a manner that is consistent with the protection of the coastal stream.~~

2) Suggested Modifications 53 and 65 regarding shoreline development - Suggested modification 53 (Cambria Communitywide standard 14.B) and modification 65 (San Simeon Acres Village Communitywide standard 2.B) should be revised to reflect that the 50 percent threshold for alterations or additions to existing non-conforming developments is to be applied on a cumulative basis. This is to ensure that multiple additions, each less than 50% but cumulatively greater than 50%, abide by the intent of the standard.

B. Bluff Setbacks. The bluff setback is to be determined by the engineering geology analysis required in A.1. above adequate to withstand bluff erosion and wave action for a period of 100 years. In no case shall bluff setbacks be less than 25 feet. Alteration or additions to existing non-conforming development that equals or exceeds 50 percent of the size of the existing structure, on a cumulative basis beginning July 11, 2007, shall not be authorized unless the entire structure is brought into conformance with this setback requirement and all other policies and standards of the LCP. On parcels with legally established shoreline protective devices, the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design, condition, and routine repair and maintenance that maintain the seawall's approved design life. Expansion and/or other alteration to the seawall shall not be factored into setback calculations.

3) Suggested Modification 58 – 11a South Cambria (43 acres) maintain RS to RL land use category change. 11b South Cambria (32 acres) change to OS as previously suggested.

~~#11a and~~ 11b) South Cambria – Change both to OS

4) Modify Cambria Urban Area Communitywide Standard 10 (submittal pg. 7-18) as follows:

10. Landscaping. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest.

A. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials ~~should~~ shall be used to mimic or enhance naturally



occurring vegetation. Materials ~~should~~ shall be propagated from native stock taken from an area within a 50-mile radius of San Simeon Acres to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings.

- B. Prohibited Plant Materials. Non-native, invasive, fire prone, and water intensive (e.g., turf grass) landscaping shall be prohibited on the entire site. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building.

5) Add new Cambria Communitywide Standard 15 and San Simeon Acres Village Communitywide Standard 14 as follows:

Cambria Standard 15 & San Simeon Acres Standard 14. Conversions of Existing Overnight Accommodations. The conversion of existing overnight accommodations available to the general public to any form of private residential use (e.g., condo-hotels, limited use/fractional ownership hotels, private ownership of individual units, etc.) is prohibited.

6) Add new San Simeon Acres Village Communitywide Standard 15 as follows:

15. Landscaping. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest.

- A. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials shall be used to mimic or enhance naturally occurring vegetation. Materials shall be propagated from native stock taken from an area within a 50-mile radius of San Simeon Acres to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings.
- B. Prohibited Plant Materials. Non-native, invasive, fire prone, and water intensive (e.g., turf grass) landscaping shall be prohibited on the entire site. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building.

II. Supplemental Findings



1) Modify Findings for Proposed Land Use Changes on South Cambria parcels pgs. 52-53:

South Cambria: a. RS to RL (43 ac); b. RS to AG (32 ac)

It should be noted that the 32-acre parcel has already been designated Open Space (OS) by the County under a previous LCP amendment (SLO-MAJ-1-04 Part 2). Thus, the suggested modifications correct the submittal's inconsistency with LCP amendment SLO-MAJ-1-04 Part 2, by designating the 32-acre parcel as Open Space (OS). The 43-acre property is directly adjacent to this parcel, is part of the same forest stand. A review of aerial photos shows a dense forest canopy and overall connectivity with adjacent forested open space parcels. The County's request to change the land use designation of the 43 acre parcel from Residential Suburban (RS) to Rural Lands (RL) allows for ~~has the potential to increase the amount of~~ residential development in this sensitive habitat area, inconsistent with Section 30240(a). Based on the sensitive Monterey pine forest resource on the ground and the location of the properties outside of the urban service boundary line, the most appropriate land use designation is Open Space (OS). However, residential uses are not allowable in the OS land use category which, as described by the LCP's Framework for Planning, is applied to lands in public fee ownership, or private lands where an open space agreement or easement has been executed between the property owner and the County. Given the underlying private ownership the proposed redesignation of this property to Rural Lands (RL) is appropriate in this case. Any future development proposed on these properties will need to comply with all relevant LCP standards, including those that require protection of Environmentally Sensitive Habitat Areas (ESHA). For example, subdivisions of these lots are prohibited and every effort must be made to site and design allowable developments in the least environmentally sensitive portions of the property in order to maximize resource protection.

~~For these reasons, the recommendation is to place the 43-acre property into open space (OS), consistent with the actions taken by the Commission on the neighboring property. With this modification, and recognition of the previous land use changes already certified by the Coastal Commission with the 32-acre parcel, the proposed change can be found consistent with the Coastal Act.~~

2) Add the following as paragraph 2 on page 51 of the staff report regarding priority uses:

The Coastal Act establishes visitor-serving uses, including overnight accommodations as higher priority land uses than residential land uses. It also establishes a preference for lower-cost visitor-serving accommodations. Because condo-hotels or other limited use/fractional ownership hotels are quasi-residential and may not be subject to length-of-stay or other timing restrictions for the owner of the units, concerns are raised about the extent to which these types of developments actually constitute visitor-serving land uses. In addition, these projects generally do not offer accommodations that can be considered lower-cost, raising questions about the adequacy of the supply of lower-cost vaster-serving accommodations in the Coastal Zone.

To ensure that the existing stock of overnight visitor-serving accommodations in Cambria and San Simeon Acres are protected and lower-cost opportunities are preserved, a new communitywide standard is suggested that would prohibit existing overnight visitor-serving accommodations available to the general public to be converted to any form of private residential use (e.g. condo-hotels, limited



use/fractional ownership hotels, individual ownership of units, etc.).

III. Response to Correspondence from Mr. Greg Berge

Mr. Greg Berge owns property within Cambria that he has been unable to develop because he has not been able to obtain wastewater treatment or domestic water service from the Cambria Community Services District. In addition to the letter from Mr. Berge and associated attachments included as Exhibit I to the staff report, Mr. Berge submitted another letter with multiple attachments following the release of the staff report, which is included within the Central Coast Deputy Director's Report.

In summary, Mr. Berge asserts that the assessments that have been levied against his property for water and sewer improvements guarantees his right to such services, and that "any build out reduction that eliminated the right to sewer and/or water will constitute a breach of the implied contract of the compulsory levies, and will force a taking of the property or properties" (page 2, of July 5, 2007 letter). Accordingly, Mr. Berge also asserts that "the desalination plant must be sized to accommodate the project buildout to accommodate the sizing and water requirements to meet the sewerage requirements of the 11,000 lots as assessed under the benefited use".

Although the correspondence and attachments submitted by Mr. Berge do not identify the specific components of the Cambria Community Plan that he objects to, it appears that he is concerned that the Plan will reduce allowable levels of buildout, and/or limit the allowable capacity of a future water project, in a manner that will prevent him from developing his property. Components of the LCP and the staff recommendation relevant to these concerns include the Buildout Reduction Program contained on page 4-17 of the Plan, and suggested modifications number 46 and 48 to Cambria Development standards contained on pages 23 – 25 of the staff report.

The findings contained on pages 40 – 52 of the staff report identify the Coastal Act policies relevant to this issue, and detail the basis for suggested modifications to the water supply and wastewater treatment provisions of the plan. As stated on page 45 of the staff report, "Although current planning assumes a more limited buildout scenario for the community, the actual capacity of the any future water supply is not yet established." Rather than establishing a capacity limit, the suggested modifications incorporate performance standards for a future water supply project to ensure that it is designed and constructed consistent with LCP and Coastal Act requirements.

Nothing within either the plan submittal or the suggested modifications prohibit the CCSD from providing water and sewer service to Mr. Berge in the future, provided that such services are established consistent with Coastal Act and LCP requirements, as well as relevant prior Coastal Development Permits (e.g., CDP 132-18 and 132-30, as amended by CDP Amendment 428-10, regarding the Cambria Wastewater Treatment Plant). Thus, neither the Cambria development standards of the LCP as submitted, or as recommended for modification result in the taking of private property.



The Buildout Reduction Program proposed by the Cambria Community Services District and referenced by Cambria Land Use Program 5 on page 4-17 of the submittal similarly does not contain any mandatory requirements that would deprive a private property owner of a reasonable economic use based on a legitimate economic backed expectation. Rather, this program focuses on encouraging voluntary mergers, and the retirement of vacant lots through acquisition. The use of such measures to reduce buildout potential in a manner that is more protective of coastal resources has been a long-standing recommendation of the Coastal Commission, and will not result in any violation of the Constitutional takings provision.



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Prepared June 21, 2007 (for July 11, 2007 hearing)

To: Commissioners and Interested Persons

From: Charles Lester, Deputy Director
Steve Monowitz, District Manager
Jonathan Bishop, Coastal Program Analyst

Subject: San Luis Obispo County Local Coastal Program Major Amendment No. 1-06 (Part 1) Cambria and San Simeon Acres Community Plans. For public hearing and action at the California Coastal Commission's July 11, 2007 meeting to take place in San Luis Obispo.

Summary

San Luis Obispo County proposes to amend its Local Coastal Program (LCP) by incorporating the Cambria and San Simeon Acres Community Plans into the North Coast Area Plan (NCAP) segment of the Land Use Plan (LUP). The proposed LUP amendment is a comprehensive update to the policies, programs, maps, and standards that guide and regulate development within the urban areas of Cambria and San Simeon Village Acres in concert with other elements of the certified LCP. The amendment updates the background information included in the existing NCAP regarding both urban and rural areas, but does not change existing standards or programs applicable to the rural areas.

The proposed update was prepared with partial funding provided by grants from the California Coastal Commission and the California Resources Agency. In recent years the Coastal Commission has addressed coastal resource protection and LCP planning in these communities through a review of the County's North Coast Area Plan Update submittal in 1998 and a comprehensive Periodic Review of the implementation of the SLO County LCP. The current submittal attempts to address many of the Commission's modifications made to the previous North Coast Update that were not accepted by the County, as well as a number of the recommendations included in the Commission's Periodic Review of the LCP, adopted in July 2001.

Coastal Act Consistency Issues

The submitted update is the result of many years of significant effort by the County, the public, and other significant stakeholders, such as the Cambria Community Services District. Based on this work, San Luis Obispo County has effectively addressed many of the outstanding issues in Cambria and San Simeon Acres. Nonetheless, certain modifications are required to fully address consistency with the requirements of the Coastal Act. **Therefore, staff is recommending that the update be approved if modified as recommended in this staff report.** In recent months, Commission staff has worked closely with County staff to reach agreement on many of these modifications, although some disagreements remain. Major modifications are summarized below.

Development and Public Services



California Coastal Commission

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Staff: J. Bishop Approved by:

The County and the CCSD have taken significant strides to address public service limitations in Cambria, particularly concerning inadequate water supply. There is general acknowledgement that there is currently inadequate water supply to support significant new development in Cambria. The CCSD has declared a water emergency under the Water Code, and aggressively pursued a build-out reduction program to bring future development potential within existing resource constraints. The County's Resource Management System identifies current demand for water as equal to or exceeding available supply. The LCP submittal includes updated resource discussions and various changes and proposed programs to address limited public services in Cambria. Nonetheless, the proposed plans do not provide sufficient basis to fully address the requirements of Coastal Act section 30250, particularly concerning adverse cumulative impacts to the habitat and riparian values of Santa Rosa and San Simeon Creeks.

Modifications are needed to assure that new development in Cambria (and San Simeon Acres) does not exceed available public services, for example, through retrofitting of existing development to mitigate for increased water withdrawals, and to assure, among other things, the protection of the sensitive habitat of San Simeon and Santa Rosa creeks, which are the current water supply for Cambria. The proposed modifications anticipate that this limitation may be revised at such time as a new water supply project is approved to support new development in Cambria. Under the proposed modifications, such a project will also need to assure that the design capacity of the project will address both resource protection related to the creeks, and not induce growth beyond the capacity of other available public services. Finally, the CCSD has been pursuing a desalination plant to serve an identified build-out consistent with its build-out reduction program goals. Related to this potential development, modifications are recommended to address the Commission's concerns about the various resource issues related to desalination plants.

Environmentally Sensitive Habitat Area Protection

The update proposes various changes to improve protection of the native Monterey pine forest in Cambria that is already generally designated ESHA by the LCP, and to facilitate permit reviews of projects currently located in mapped Monterey pine forest ESHA. The County is also proposing a new landscaping standard that requires revegetation with native, drought and fire resistant species, and that prohibits non-native invasive species. The update changes are generally consistent with Coastal Act section 30240, but several modifications are recommended to assure that biological reviews adequate to identify Monterey pine forest and other ESHA on the ground are conducted.

Hazards

The County has proposed changes to programs and standards to address coastal hazards. However, staff is recommending significant modifications to address concerns and new information related to the adequacy of bluff setbacks, potential seawall development, and redevelopment of existing developments on blufftop lots. This includes modifications strengthening required setbacks and bluff stability analyses, prohibiting future shoreline structures for new development, and requiring conformance with current standards in major redevelopments.



Public Access and Recreation

The County has included a new Coastal Access chapter to the Cambria and San Simeon plans that includes a comprehensive inventory of existing public access and new policies related to the California Coastal Trail (CCT). The submittal is thus generally consistent with the Coastal Act requirement to provide maximum public access to and along the coast. Minor modifications are recommended to address CCT goals and objectives, and assure maximum public access in specific implementation and permit actions under the plan.

Marine Resources and Coastal Water Quality

The County has proposed minor changes to the erosion control standard of the community plans that do not fully address water quality issues related to non-point source pollution, implementation of site design and other BMP's or ocean outfalls. Therefore, modifications are recommended to assure maximum protection of water quality and marine resources through the implementation of a comprehensive set of water quality standards applicable to new development.

Conclusion

As submitted the Cambria and San Simeon Acres Community Plans include important new information, programs, and standards to address coastal resource protection. Nonetheless, modifications are necessary to fully meet the requirements of the Coastal Act. Therefore, Coastal Commission staff recommends that the LCP amendment be approved only if modified as suggested. With the suggested modifications, staff further recommends that the Commission find that the proposed Land Use Plan amendment is consistent with, and adequate to carry out the provisions of the Coastal Act.

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IV. Exhibits

- Exhibit A: County LUP Amendment Submittal - Cambria and San Simeon Acres Community Plans
- Exhibit B: County Board of Supervisors Resolution No. 2006-124
- Exhibit C: Proposed Changes to the LUP Official Maps
- Exhibit D: County/Coastal Commission Correspondence
- Exhibit E: Other Correspondence
- Exhibit F: County Suggested Revisions to Chapter 8 – Coastal Access
- Exhibit G: Ex-Parte Communications
- Exhibit H: Correspondence Received Since the April 11, 2007 Continuance
- Exhibit I: Additional Correspondence



I. Staff Recommendation – Motions & Resolutions

Staff recommends that the Commission, after public hearing, certify the proposed amendment only if modified. The Commission needs to make two motions in order to act on this recommendation.

A. Denial of Land Use Plan Amendment as Submitted

***Motion (1 of 2).** I move that the Commission certify Land Use Plan Amendment SLO-MAJ-1-06 (Part 1) as submitted by the County of San Luis Obispo.*

Staff Recommendation to Deny. Staff recommends a **NO** vote. Failure of this motion will result in denial of the amendment as submitted and adoption of the following resolution and findings. The motion to certify passes only by an affirmative vote of a majority of the appointed Commissioners.

Resolution to Deny. The Commission hereby **denies** certification of the Land Use Plan Amendment SLO-MAJ-1-05 (Part 1) as submitted by the County of San Luis Obispo and adopts the findings set forth below on the grounds that the amendment does not conform with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

B. Approval of Land Use Plan Amendment if Modified

***Motion (2 of 2).** I move that the Commission certify Land Use Plan Amendment SLO-MAJ-1-06 (Part 1) for the County of San Luis Obispo if it is modified as suggested in this staff report.*

Staff Recommendation to Certify with Suggested Modifications. Staff recommends a **YES** vote. Passage of the motion will result in the certification of the land use plan amendment with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of the majority of the appointed Commissioners.

Resolution to Certify with Suggested Modifications. The Commission hereby certifies the Land Use Plan Amendment SLO-MAJ-1-06 (Part 1) for the County of San Luis Obispo if modified as suggested and adopts the findings set forth below on the grounds that the Land Use Plan amendment with suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.



II. Suggested Modifications

The Commission suggests the following modifications to the proposed LCP amendment, which are necessary to make the requisite Coastal Act consistency findings. If San Luis Obispo County accepts and agrees to each of the suggested modifications within six months of Commission action (i.e., by January 11, 2008), by formal action of the Board of Supervisors, the LCP amendment will become effective upon Commission concurrence with the Executive Director’s finding that this acceptance has been properly accomplished. Where applicable, text in ~~cross-out~~ format denotes text to be deleted and text in underline format denotes text to be added.

CHAPTER 1 – INTRODUCTION & GOALS

1

pg. 1-3. General Goals for Cambria and San Simeon. Revise introductory paragraphs:

“The goals of this section ~~provide the direction for the communities of Cambria and San Simeon Acres.~~ These general goals, together with other parts of the Land Use Element (LUE) and Local Coastal Program (LCP), provide the basic plan for the ~~area~~ communities of Cambria and San Simeon for the next 20 years. The goals also further refine the goals found in Coastal Zone Framework for Planning. Proposed amendments and updates to the plan must be consistent with the Chapter Three policies of the California Coastal Act and should also carry out these goals.”

“The goals also function as criteria to help determine consistency of a development proposal with the policies, ordinances and standards of the LUE/LCP, which take precedence over these goals. New development should be located, designed and built in a manner that furthers these general goals, and shall comply with all other applicable regulations. The following are the general goals for planning in Cambria and San Simeon Acres:”

2

pg. 1-3 Goals for the Environment. Revise Goal 1.F. and add new Goals 1.H., 1.I., and 1.J.:

1. Environment. Maintain and protect a living environment that is safe, healthful, and pleasant for all residents by:

...

F. Preserving and protecting water quality by avoiding and mitigating ~~where feasible~~, potential adverse water quality impacts of new residential, commercial, and recreational development, among other ways through the implementation of low impact site designs that protect natural drainage courses, maximize opportunities for on-site percolation or detention and reuse of stormwater, and treat and filter runoff as necessary to remove sediments and contaminants.

...

H. Protecting cultural, archaeological, and paleontological resources.

I. Avoiding new development in hazardous areas and, where feasible, removing development threatened by hazards.



3

pg. 1-4. Goals for Orderly Development. Revise goals 2.C. and 2.D.:

2. Orderly Development. Provide for an environmentally and economically sustainable rate of orderly development within the planned capacities of resources and services by:

...

C. Establishing a growth rate consistent with the ~~growth management ordinance and the anticipated population provided for in this plan~~ protection of coastal resources.

D. Providing the lead time necessary to fund and implement the public services necessary to support population growth consistent with the protection of coastal resources, considering the County's and taxpayers' financial ability to provide them.

4

pg. 1-4. Goals for the Distribution of Land Uses. Revise Goal 3.A.:

3. Distribution of Land Uses. Encourage an urban environment that is an orderly arrangement of buildings, improvements, and open space appropriate to the size and scale of development for each community by:

A. Maintaining a stable urban/rural boundary and a clear distinction between urban and rural development.

5

pg. 1-4. Goals for Location and Timing of Urban Development. Revise Goal 4.B.:

4. Location and Timing of Urban Development. Plan for a land use pattern and population distribution that is consistent with the ability of communities to provide and maintain necessary services and facilities by:

...

B. Encouraging the voluntary transfer of potential development from antiquated subdivisions, agricultural lands, environmentally sensitive habitat areas and hazard lands to areas identified in the TDC program appropriate for development.

6

pg. 1-6. Goals for Residential Design in Cambria. Revise and supplement Goals 8.C. and 8.E.:

C. Preserve the native forest ecosystem. ~~(RDP)~~

...

2. Design structures to avoid significant trees, maintain natural drainages and habitat corridors, and accommodate the extent of upper- and lower-story canopy trees, their density and age structure. Mitigate unavoidable impacts to trees and native habitats.



...

E. Residential Setbacks and Open Areas.

...

4. Orient open areas in order to maximize opportunities for on-site percolation of stormwater or detention and reuse of stormwater.
5. Provide adequate setbacks and open areas to accommodate water quality best management practices both during and after construction.

7

p. 1-9. Goals for Circulation. Add Goal 12.E, 12.F., and 12.G:

- E. Recognize that Highway One is to remain a scenic two lane road in rural areas. Transportation improvements within the urban area, as well as new development within the urban area, should be designed and limited accordingly.
- F. Protect coastal access and recreation opportunities that rely on Highway One and other public rights-of-ways, among other ways by limiting new development to that which maintains adequate levels of service along these routes.
- G. Transportation improvements needed to accommodate new development must be designed and implemented consistent with applicable LCP and Coastal Act requirements, and should be permitted and in place before such development occurs.

8

pg. 1-14. Features of the North Coast Area Plan. Revise text of Features 1, 4, 5, and 7 as follows:

1. Background Information. The North Coast Area Plan provides information on population, land use, availability of resources and public services, and environmental characteristics. This information is the basis for many of the decisions mad in the Plan and is current at the time of the last update. Decisions made under this plan shall be based on the best available information and an assessment of resources at the time of application.
 4. Plan Maps. Land Use, combining designation, and circulation maps are shown following Chapter 7. They include the following:
 - A. Land Use Categories. The land use categories determine the allowable uses for every piece of property, including the maximum density and intensity of potential development.
- ...
5. Planning Area Standards. Specific development standards are included in Chapter 7: Planning Area Standards to address special issues and conditions relevant to individual communities. Chapter 7 standards provide criteria for detailed evaluation of proposed development projects that must be applied in conjunction with all other applicable policies contain in the LCP. The text of this Plan



may also be used ~~as a basis for~~ to guide decisions concerning development and subdivision applications. Careful reading of the planning area standards will assist in creating projects that are consistent with adopted policies and regulations.

7. Coastal Access. Chapter 8 of this Plan provides a list of County goals, policies, standards and ordinances pertinent to coastal access in the Planning Area. In addition, Chapter 8 provides a map of preferred access locations and alignments forming critical segments of a California Coastal Trail for the urban areas of Cambria and San Simeon.

9

pg. 1-16. Relationship of the NCAP to the LCP. Add sentence to 3.D. as follows:

D. Area Plans. The Area Plans replace the former community general plans, and provided goals, objectives, policies, programs, and standards unique to each area. ... In the event of conflict between the provisions of the Area Plans and the countywide standards of the Coastal Zone Land Use Ordinance or the Coastal Plan Policies Document, the Area Plan Standards shall control.

CHAPTER 2 – POPULATION, HOUSING & ECONOMY

10

pg. 2-8. Population Projections. Modify the text of the introductory paragraph, as well as subsections C.1., C.2., C.2.A, and C.2.B. as follows:

C. Population Projections

~~With countywide growth management provisions, existing shortages of important resources such as water and public services, and the inability of adverse impacts posed to the natural environment associated with population growth to sustain full buildout, there are significant unresolved issues regarding appropriate levels of North Coast Planning Area is not expected to reach buildout of the land use described by this plan in development within the North Coast Area during the 20-year term of the plan.~~

1. Land Use and Growth. Historic growth rates in the North Coast have been higher than the Countywide average. However, like the county-wide average, growth rates in Cambria and Simeon Acres have decreased during the last ten years. This reduction in growth rates is due primarily to resource constraints and development restrictions as there is still an ample supply of existing vacant lots, within both Cambria and San Simeon. [Delete paragraph break.]

~~While buildout additional growth is theoretically possible, it is not very likely because dependent upon the resolution of resource constraints such as water supply, traffic capacity, and public facility limitations. Development of the large amounts of water capacity necessary to sustain a large population would be very costly, difficult, and time consuming. The environmental sensitivity and location within the Coastal Zone makes permitting and implementation of infrastructure projects difficult.~~



...

2. Growth Management and Anticipated Growth Rates. The current county growth rate for dwelling units is set annually, pursuant to the County's Growth Management Ordinance, which is not a part of the certified LCP. Countywide, the number of new dwelling units allowed yearly is generally 2.3 percent of the existing county dwelling units. There are a few types of housing that are not subject to this limitation, such as farm worker housing and affordable housing projects. During some years, fewer allocations may be allowed due to water shortages. Since 1999, the County limited the allocations for Cambria to a maximum 1 percent rather than 2.3 percent. ~~This one percent limit will continue due to Cambria's water shortages. Due to limited water supplies and the community's support over the years for growth control, it is assumed that the average growth rate over the life of this Plan would be a maximum of one percent. The CCSD is currently in the preliminary stages of a lengthy process to permit, build, and implement a desalination plant. Once a desalination plant is implemented, it would accommodate 650 additional units in Cambria. The remaining buildout potential in Cambria is to be retired through implementation of the CCSD's Buildout Reduction Plan. Requests for allocations to build new units for San Simeon Acres and the rural area are calculated as part of the County total.~~

However, after reviewing the reliability conclusions of the Cambria Community Services District's Water Supply analysis during a November 15, 2001 meeting, the Cambria Community Services District Board declared a Water Code 350 emergency and enacted a moratorium for new connections with an exception for certain "pipeline projects" that were already in process. As a result of this action, and other related actions taken by the Coastal Commission and the County in response to the critical water supply situation, actual growth in Cambria has been well under the one percent cap established by the County pursuant to its Growth Management Ordinance. The Cambria Community Services District is currently pursuing a desalination project to provide an additional water supply for Cambria. A permit to conduct Geotechnical and Hydrogeologic Investigation Activities for a desalination project is currently under review by the Coastal Commission.

- A. Cambria. There were approximately 4,000 dwellings in 2005, with approximately 7,900 potential additional units allowed by the existing prior 1988 plan, presuming that public service constraints could be resolved and other resource protection requirements of the LCP could be met. Theoretically, all of this growth has the potential to occur during the life of the existing plan since the existing plan does not include growth rates.

With the public purchase of Fiscalini Ranch and ~~change the elimination of developable acreage~~ the Residential Single Family land use designation established by the 1988 Area Plan over portions of the Ranch to Recreation and Open Space, approximately 738 potential dwelling units were removed. Further reductions are proposed to Additional changes to the 1988 Area Plan established by the 2006 Update to this Plan may result in an approximately 31% decrease in the hypothetical buildout potential of 7,900 dwelling units, from the total potential

Should the plan never be updated again, the theoretical buildout would be approximately 6,130, again presuming that public service constraints can be resolved and other resource



protection requirements of the LCP can be met. Based on historic population rates for Cambria, this would result in a population between 10,180 and 13,790 people. However, through the standard development review process and future plan updates, development levels ~~would continue to~~ must match available resources such as water and public services. ~~For example, verification of water and sewer service from the CCSD is required prior to acceptance of an application for processing.~~

...

B. San Simeon Acres. There were approximately 320 dwelling units in San Simeon Acres in 2005. There are sufficient numbers of existing lots that are vacant or partly developed to allow approximately 530 additional dwelling units, provided that public service constraints can be resolved and other resource protection requirements of the LCP can be met. ~~Taking into account growth management at a 2.3% rate per year, the proposed plan projects a total of 530 units in San Simeon.~~ ...

11

pg. 2-11 – 2-12. Housing. Modify D.3, D.3.A.2. and D.3.B. as follows:

D.3. Housing Approaches in This Plan. ...

This Plan designates land in both Cambria and San Simeon Acres for multiple-family residential use. Both communities have ample land area and encourage mixed-use development projects, such as projects which provide rear-lot apartments behind a commercial frontage. While resource constraints such as water have been and continue to be a problem in the past, this Plan allows a limited number of water previously allocated to visitor serving uses to be reallocated to affordable housing projects in Cambria allocates specific percentages of available water supplies to affordable housing projects and programs within the urban areas of Cambria and San Simeon Acres. ...

D.3.A. Ensuring that there is sufficient land designated for multi-family housing is an important objective of this Plan.

...

2. Cambria. ~~This Plan allows a potential for 975 additional residential units to result under the 20 year term of the plan.~~ Cambria has approximately 50 acres of vacant and partially developed land in the Residential Multi-family and Commercial Retail categories, with the potential for 616 additional dwelling units within these land use categories, provide that public service constraints can be resolved and LCP resource protection policies can be met by such development.

D.3.B. Mixed Use Development. Standards in this plan allow mixed use development in the downtown areas of both Cambria and portions of San Simeon Acres on the east side of Highway One. ...

12

pg. 2-18. Economy Goals and Objectives. Revise Goal 2.B.2.:



2. Goals and Objectives. The following section reiterates the general goals for Cambria and San Simeon Acres in this Plan concerning economics:

...

B. Visitor Serving, Recreation and Resort Development. Preserve and enhance visitor opportunities in appropriate locations as an important part of the economy by:

...

2. Requiring that new destination resorts and recreational development such as hotels, conference centers and outdoor recreation to be located within or adjacent to urban village areas, ~~or to existing visitor destination points.~~

CHAPTER 3 – PUBLIC FACILITIES, SERVICES, & RESOURCES

13

pg. 3-2. Relationship to Planning Goals, Policies and Programs. Revise section A.1. and A.3.:

A. Relationship to Planning Goals, Policies and Programs. The General Plan and Local Coastal Program contain goals that apply to public facilities, services, and resources. Several goals of the plan are:

1. ~~Balancing~~ Growth and resources. Balance the capacity for ~~Limit growth potentially allowed by the Land Use Element and Local Coastal Plan consistent with the sustained availability of resources.~~

...

3. Planning and resource management. Avoid the use of public resources, services, and facilities beyond their renewable capacities. Plan for and monitor new development through the Resource Management System and Growth Management Strategies to ensure that resource demands will not exceed existing and planned capacities or service levels.

14

pg. 3-18. Recreation Services. Revise third sentence of first paragraph:

The goal of the California Coastal Trail is to provide ~~one continuous~~ a network of trails that provide continuous lateral access for a range of users along the entire coast of the State of California.

15

pgs. 3-24 – 3-25. Cambria Water Supply. Revise fifth paragraph on page 3-24 and first two paragraphs on page 3-25:

The California Coastal Commission adopted an allocation plan which provides that 20 percent of the CCSD's permitted water production capacity be reserved for visitor-serving and commercial uses. This plan identified the maximum number of units the 1,230 acre-feet per year could serve to be a total of 5,250 units (according to coastal development permit 4-28-10). ~~As future permits are considered, this number may be reevaluated to address changes in annual per capita use, percentage of leakage or other~~



factors which may identify changes in the number of persons or units which could be served. Since that time, it has become evident that the existing water demands of 4,000 units exceed available supplies in light of on-going habitat concerns for San Simeon and Santa Rosa Creeks.

~~The condition established by the Coastal Commission requiring the 20 percent reserve for nonresidential use, leaves 504 acre-feet for residential use during the dry season. Based on CCSD's Water Master Plan Phase 2 Report, the average residential use per connection is approximately 144 gallons per day. Applying this water consumption figure to the total dry season residential allocation of 504 acre-feet, indicates that the total number of dwelling units served would be approximately 4,120. This represents an increase of 120 units above the 4,000 units total for January 2005, as reported by the CCSD.~~

Accordingly, after reviewing reliability conclusions of the CCSD's Water Supply Analysis during a November 15, 2001 meeting, the CCSD Board declared a Water Code 350 emergency and enacted a moratorium for new connections with an exception for certain projects that were already in process. These "pipeline" projects amounted to approximately 202 EDU's at the time of the November 15, 2001 moratorium. Since then, In April 2006, it was estimated that approximately 80 EDUs out of the 202 EDUs have been connected.

16

pg. 3-28. Phase 3 – Potable and Recycled Water Distribution System Analysis. Revise the seventh sentence of the first paragraph:

~~Replacement of the Pine Knolls storage tanks was recently bid but is currently on hold due to permitting concerns by the Coastal Commission underway.~~

17

pg. 3-36. San Simeon Acres Water Supply. Revise last paragraph:

The theoretical buildout capacity of San Simeon Acres, based on the maximum densities allowed by the residential land use provisions in this Land Use Element, is 1,229 people. This assumes that public service constraints can be resolved, and the resource protection requirements of the LCP can be met by such development. The necessary water supply to support this population would be 160 acre-feet per year. Total build-out of both visitor-serving uses and residential growth will consequently create a substantial deficit over the allowed withdrawal of 140 acre-feet per year and the estimated safe yield of 130 acre-feet per year. This safe-yield estimate is based on the preliminary studies undertaken by the Department of Water Resources in the 1950's. Given the preliminary nature of these studies, their age, and the fact that effects on habitat were not considered, the resulting safe-yield must be viewed with caution and cannot be relied on for planning purposes. Projected water demand, based on the hypothetical buildout scenario described above, is shown in Figure 3-5.

18

pg. 3-38. San Simeon Acres Sewage Disposal. Revise last paragraph:



Based on the ~~projected~~ potential increase in residential units and tourist facilities and a corresponding increase in sewage flow from the Hearst Castle Visitors' Center, it is estimated that average dry-weather flow at the maximum hypothetical buildout allowed by the land use designations would equal or exceed the current capacity of the treatment plant. An increase in the rate of flow per capita or per motel room could result in peak flows 25 percent higher than the plant's capacity.

To handle these peak flows, that would result from the maximum hypothetical buildout under this Plan, expansion of the existing plant, or constructing a new plant at a different location, will be necessary. With modifications and upgrades, it has been estimated that the current system could handle 400,000 gpd. The hypothetical buildout flow could be accommodated by a plant of this size. However, the location of the existing treatment plant is threatened by coastal erosion, and alternative locations for the plant must therefore be pursued. If a larger plant should be needed in the future, the Master Water and Sewerage Plan identifies two alternatives: 1) a new plant designed to serve San Simeon Acres (within the Village Reserve Line); and, 2) joint use and expansion of the Cambria wastewater treatment plant. Final sizing of plant expansion or replacement plant should be limited to that needed to serve San Simeon Acres, Hearst Castle, and Department of Parks and Recreation staging area facilities. In addition, beneficial use of treated effluent should be considered rather than continuing use of the outfall line. Projected sewage flow associated with the hypothetical maximum density of development allowed by the San Simeon Acres land use designations is indicated in Figure 3-6.

19

pg. 3-42. Cambria Services Programs. Revise Program 13:

13. Fern Canyon Recreation Improvements. The County should work with the CCSD, willing land-owners, and other appropriate entities to help the CCSD acquire or obtain access easements through the remaining lots in Fern Canyon for development as a of public access trails that link to the open space trail system.

CHAPTER 4 – LAND USE

20

pg. 4-15. San Simeon Acres Land Use. Revise second paragraph:

The Village Reserve Line (VRL) encompasses approximately 80 net acres. The surrounding areas are devoted to grazing. Future residential, commercial, and ~~motel~~ visitor-serving development can occur within the presently subdivided area, provided that current limitations on public service capacities can be resolved, and such development complies with relevant LCP and Coastal Act requirements.

21

pg. 4-15. San Simeon Acres Commercial Retail. Revise last sentence of second paragraph:



Landscaping the highway frontage with trees and shrubs that are native to the area, and providing better highway crossings and pedestrian paths, would provide an attractive unifying element to the area.

22

pg. 4-15. San Simeon Acres Public Facilities. Revise Public Facilities description:

The only public facility in San Simeon Acres is the existing sewage treatment plant. No additional public facilities, other than the potential relocation of this plant, are anticipated.

23

pg. 4-16. Cambria Residential Single-Family and Multi-Family Programs. Revise Programs 1 & 2:

1. Tract 226. The County should work with the property owners in Tract 226 to resubdivided the lots (with no net addition of lots) for a multi-family or mixed use project that can be sustained by available public services and complies with LCP resource protection requirements, particularly regarding drainage and erosion control.

2. Affordable Housing. The County and the Cambria Community Services District should work together to ensure that affordable housing project proposals are ~~not unnecessarily delayed because of water allocation issues~~ allocated adequate capacity of available water supplies.

24

pg. 4-18. San Simeon Acres Village Programs. Modify Community program 1:

1. ~~Frontage road~~ View corridors and landscaping. The County should work with property owners to ~~improve the~~ protect, restore, and enhance coastal and inland views from Highway One, to the frontage road, and other public areas. ~~with~~ Sidewalks, native street trees from local stock, and decorative street lights along the frontage road are encouraged, provided that they do not block views, impact sensitive habitats, or detract from the natural scenic landscape. [Revise description of this program in Table 4-2 on page 4-19 accordingly.]

CHAPTER 5 – CIRCULATION ELEMENT

25

pg. 5-1 – 5-2. Introduction. Revise the introduction to Chapter 5:

Land use and transportation planning support each other so that development is served by a defined system of circulation. Highways, roads, airports, railroads, bikeways, walking paths, and other methods of transportation make up the circulation system in the County and provide the means by which the public gains access to the coast and its unique recreational opportunities.

...

The overall goal for circulation in Cambria and San Simeon Acres is to provide a comprehensive, integrated, multi-modal transportation system that allows convenient, flexible, and efficient use of all transportation alternatives. Transportation improvements shall comply with LCP resource protection



requirements and maximize public access to the coast, among other means, by facilitating the provision or extension of transit service and providing for and enhancing non-automobile circulation.

26

pg. 5-3. Circulation Issues and Objectives. Revise first sentence and sections 1.A. and 2.B.:

The circulation system for the North Coast Planning Area, as described in this chapter, is intended to accommodate growth anticipated by this Plan, in a manner that enhances public access to the coast and is consistent with the protection coastal resources.

...

1.A. Monitoring. Monitor roadway capacities and land use to insure that future growth does not contribute to the erosion of safe and convenient traffic levels. Coordinate proposed development with monitoring by the Resource management System, and phase necessary improvements as growth occurs limit new development to that which can be accommodated by a transportation system that protects coastal resources and public access. Strive to maintain or improve levels of service as the area grows.

...

2.B. Proposed visitor-serving development such as hotels, motels, visitor-attractions, and other resort development should provide non-automobile forms of access (e.g., public transit, shuttle systems, trail connections), and improve ensure adequate roadway capacity when development occurs. Where resource constraints limit opportunities to accommodate roadway improvements, development densities shall be restricted accordingly.

27

pg. 5-11. Highway One. Revise last sentence of third paragraph and delete last sentence of fourth paragraph:

In order to maintain the scenic quality of the highway, and to protect the State scenic highway status, only minor safety improvements are proposed, such as adding signals; and channelizing traffic, ~~and adding a limited number of passing lanes.~~

~~...Because the highway also carries a substantial amount of local traffic in the urban area, the installation of passing lanes, where possible, is recommended in the *North Coast Circulation Plan*.~~

28

pg. 5-12. Windsor Blvd. Extension. Revise:

This extension is limited to emergency vehicles, bicycles, and pedestrians. ~~The extension in the short term~~ and serves an emergency/fire access road linking Lodge Hill and Park Hill.

29

pg. 5-14. Figure 5-1. Revise Figure 5-1: Existing Roadways & Proposed Windsor Blvd. Extension to delete reference to “new street”.



30

pg. 5-15. Circulation Programs. Modify the text of Areawide Circulation Programs 1, 2, and 3:

1. Directional Signing. The availability of tourist services such as food and lodging facilities, recreational areas, and coastal access should be clearly indicated by State or County highway signs consistent with the County's sign ordinance, ~~to reduce or eliminate the need for conspicuous on-site signs.~~ (Medium priority/Long Term)
2. Trails. To maximize the provision of public trails, the County should work with interested property owners, agriculturalists, and other groups to determine if access may be secured to serve this need while respecting adjacent uses and ownerships. The County should also work with interested groups to implement a program for the development, signage, management, and maintenance of the California Coastal Trail system. Opportunity exists to establish the California Coastal Trail system, connecting each end of the Planning Area. More discussion is found in Chapter 8: Coastal Access. (Medium priority/Long Term)
3. Highway One. Highway One shall remain a two-lane highway in rural areas, and should be improved to ensure safe flow of traffic, yet not detract from the scenic nature of the highway nor cause adverse impacts to sensitive coastal resources.

31

pg. 5-17 The Cross-Town Trail. Add text to Cambria Circulation Program 8:

8. Pedestrian Improvements – The Cross-Town Trail. The County and the community should continue to provide pedestrian trails, walkways, and sidewalks where appropriate to serve residents and visitors in the community. The County should work with the community to connect segments of the California Coastal Trail to the community trail network and other pedestrian facilities. (Medium priority/On-going)

32

pg. 5-18 Pedestrian Improvements. Add text to San Simeon Acres Circulation Program 1:

1. Pedestrian Improvements. The San Simeon Acres Community Services District and the County should work with motel owners and residents to develop a clearly-defined blufftop walkway system that links residences, motels, ~~and~~ beach areas, and segments of the California Coastal Trail. The network may include sidewalks, bikeways, street lights, landscaping, and beach stairs. (Medium priority/Medium term)

CHAPTER 6 – COMBINING DESIGNATIONS

33

pg. 6-1. Combining Designations. Add the following sentence to the end of the introductory



paragraph:

The precise location and extent of Combining Designations shall be determined based on the best available information and an assessment of site conditions at the time of application.

34

pg. 6-2. North Coast Creek (FH). Include Arroyo Del Padre Juan in list of North Coast creeks subject to potential flood hazards.

35

pg. 6-3. North Coast Creeks (SRA)(ESHA). Include Arroyo Del Padre Juan in list of North Coast creeks as ESHA.

36

pg. 6-3. Bluff Erosion GSA. Modify text of Bluff Erosion (GSA) #7 as follows:

7. Bluff Erosion (GSA) Portions of the coastline where bluff erosion poses a concern for siting new development have been noted. Development should be accompanied by slope stability studies and located so that it can withstand ~~75~~ 100 years of bluff erosion.

37

pg. 6-11. Combining Designation Program 1 for Shoreline Access – Vista Points. Revise 1.A. (allowed improvements):

A. Non-Structural Bluff Protection Stabilization. Bluff revegetation with native plants of local stock.

38

pg. 6-12. Coastal Bluffs. Modify Combining Designation Program 5:

5. Coastal Bluffs. The County Planning and Building Department should seek grant funding for and prepare a program to remove armoring where feasible, avoid permanent armoring of the shoreline, and minimize impacts to the shoreline in developed areas using a long-term, comprehensive approach. The program should include preparation of an area shoreline erosion and bluff management and restoration plan focusing on annual bluff stability, erosion rates, and sand supply; bluff retreat and setbacks; emergency armoring procedures; and shoreline protection design, engineering, monitoring, and maintenance; and options for relocating development away from hazardous areas (shoreline retreat) and restoring areas that have been impacted by shoreline armoring.

39

pg. 6-13. Shoreline Access–Street Improvements–West Lodge Hill. Add text to Cambria Combining Designation Program 8:

8. Shoreline Access – Street Improvements – West Lodge Hill (LCP). The County should work with interested groups to develop accessways and provide public pathways and overlooks throughout Cambria. The County or other appropriate entity should provide a public pathway and overlook at the following street ends west of Sherwood Drive when development and maintenance funds are available:



Castle Street, Emmons Road and Jean Street.

40

pg. 6-18. Shoreline Access – Pico Avenue Stairway. Add text to San Simeon Acres Combining Designation Program 19:

19. Shoreline Access – Pico Avenue Stairway (LCP). The County should work with interested groups to develop new accessways and provide public pathways and overlooks throughout San Simeon Acres. The San Simeon Acres Community Services District should continue to maintain the stairway at Pico Avenue for public access. Public parking should be provided.

CHAPTER 7 – PLANNING AREA STANDARDS

A1. SUGGESTED MODIFICATIONS TO CAMBRIA URBAN AREA STANDARDS

41

pg. 7-5. Combining Designations. Modify Combining Designations header box as follows:

The following standards apply to ~~areas of special concern as shown on official maps~~ lands in the Local Coastal Plan (LCP) combining designations, as listed below.

42

Pg. 7-5. Marine Habitat Protection - Point Source Discharges. Move Cambria Urban Area Combining Designation Standard 1 to the Communitywide standard section, and modify as follows:

1. Marine Habitat Protection ~~(SRA)~~ – Projects with Point-Source Discharges. The richness, sensitivity, and unspoiled character of the marine habitats ~~within the~~ in Cambria ~~URL~~ demand particularly rigorous measures to ~~ensure the protection of~~ protect, maintain, enhance, and restore these special resources. Accordingly, no surface point-source discharges into the marine environment are allowed, except as follows:

Exceptions:

- A. Cambria Community Services District. ~~Any capacity expansions needed to serve permitted growth within the existing~~ Discharges by the Cambria Community Services District (CCSD) service areas, provided that any new outfall that have been properly permitted, when permits are required, by the County, the California Coastal Commission (CCC), Regional Water Quality Control Board (RWQCB), State Lands Commission (SLC), Environmental Protection Agency (EPA), and is consistent with Monterey Bay National Marine Sanctuary (MBNMS) provisions.

- B. ~~Proposed CCSD desalination project. Any brine~~ Any discharge of brine from desalination facilities provided that: directly into the marine environment shall be prohibited unless the following



criteria have been satisfied:

1. ~~B~~The brine discharge is consistent with MBNMS, Environmental Protection Agency (EPA) and Regional Water Quality Control Board (RWQCB) regulations receives all legally required approvals from the agencies listed above.
 2. The discharge point is located south of San Simeon Point, and where it will not adversely impact any kelp bed or intertidal habitat.
 3. The discharge point is designed to maximize rapid mixing of the brine with ambient seawater in order to minimize hypersaline conditions.
 4. Other locations or types of discharges (e.g., subsurface discharges, co-locating new discharges with existing discharges) are infeasible or more environmentally damaging.
 5. The discharge sustains the biological productivity of coastal waters and maintains healthy populations of all species of marine organisms.
 6. The adverse effects of discharges are minimized and mitigated.
- B. Stormwater Outfalls. Stormwater outfalls that discharge to the beach, intertidal area, or marine environment are prohibited unless it has been demonstrated that it is not possible to detain the stormwater on-site, or direct the stormwater to pervious land areas or the street, without causing flooding problems or erosion hazards. In such instances, stormwater outfalls shall include filtration and treatment systems necessary to protect coastal water quality; be screened from public view using underground pipes and/or native vegetation of local stock; and receive all necessary approvals from the agencies listed above. Consolidation of existing outfalls shall be pursued where feasible.
- C. Passthrough Discharges. Aquaculture seawater passthrough discharges that are consistent with LCP requirements, and provided that:
1. Discharge is ~~consistent~~ in compliance with CCC, SLC, MBNMS, EPA, RWQCB and California Department of Fish and Game (CDFG) laws and Rregulations.
 - ...
- D. Seawater Passthrough Devices. Seawater passthrough devices for public aquaria, and for scientific research facilities that are consistent with LCP requirements, and provided that:
1. Discharge is consistent with CCC, MBNMS, EPA, CDFG, SLC, and RWQCB, laws and Rregulations.
 - ...
- E. Water Quality Enhancement. Discharges to streams, for the purposes of hydrologic replenishment and/or stream water quality enhancement, that are consistent with LCP requirements, and provided that: ...



43

pg. 7-7. Monterey Pine Forest Habitat (SRA)(TH). Modify Cambria Urban Area Combining Designation Standard 2 as follows:

2. Monterey Pine Forest Habitat (SRA) (TH) - Purpose: ~~The following standards and procedures provide guidance for development in the Monterey Pine Forest in Cambria.~~ The purpose of these standards is to minimize tree removal and avoid impacts to the sensitive Monterey pine forest habitat. Applications for development within this SRA may require the preparation of a biological report, depending on the result of a mandatory site review. In the event that the site review indicates that the site may contain environmentally sensitive habitat areas as defined in Coastal Act section 30107.5, a biological report that includes the information identified in Section 23.07.170 of the Coastal Zone Land Use Ordinance, as well as any additional information needed to address the development standards below, shall be required. The determination of the need for a biology report shall consider factors including but not limited to the size and connectivity of the forest area, potential presence of special status plant or animal species, and the health and condition of the forest area. While the intent of these standards is to reduce redundancy and provide consistency in the planning process, a biological report may be required pursuant to the Coastal Zone Land Use Ordinance.

~~A. The project applicant shall demonstrate that no native vegetation outside the "project limit area" shall be removed, except for removal consistent with fire safety standards or trees identified as hazardous by a qualified professional.~~

All development within Monterey pine forest (TH) shall include the following minimum standards:

A. A "project limit area" shall be established in a manner that avoids Monterey pine forest impacts to the maximum extent feasible, is located on the least sensitive portion of the site, and safeguards the biological continuance of the habitat. Particular attention must be given to locations which are part of larger contiguous undisturbed forested areas, show signs of forest regeneration, include a healthy assemblage of understory vegetation, support other sensitive species, provide a solid tree canopy and species nesting areas, and that will minimize loss of Monterey Pines, oaks, and forest habitat. The project limit area shall include all areas of the site where vegetation will need to be trimmed or removed for fire safety purposes.

~~B. Where a report is required by CZLUO Section 23.07.170, the required topics shall be supplemented with an analysis and map of the site constraints that should be considered, and a recommendation of alternative design measures that will minimize loss of Monterey Pines, oaks and forest habitat~~

B. Applications for new development within the Monterey pine forest shall demonstrate that no native vegetation outside the "project limit area" shall be removed, except for trees identified as hazardous by a qualified professional. New development shall be sited to ensure that any required vegetation removal will be done fully on private property and will not encroach on any public lands or sensitive habitat areas. If development cannot be sited to avoid encroachment within sensitive habitat areas, such



encroachments shall be minimized to the maximum extent feasible and appropriate mitigation in support of habitat restoration shall be required.

C. Plan Requirements. ...

1. The “project limit area” shall include all areas of grading (including cut and fill areas, utility trenching and offsite improvements) and vegetation removal, the development footprint (i.e., all structures and/or site disturbance ~~within the “project limit area”~~) necessary fire clearances and staging areas for all construction activities, the location of those activities, and areas for equipment and material storage.

...

H. Clustering of Development Required. Clustering shall be required for new land divisions or multi-family residential development projects within the Monterey Pine Forest Habitat areas. New land divisions or multi-family residential development shall ensure that all future development shall be located entirely outside of ESHA and necessary buffers consistent with Coastal Zone Land Use Ordinance Section 23.07.170. All of the ESHA and buffers shall be retained and protected as Open Space. When feasible, new development shall be restricted to slopes less than 20 percent.

44

pg. 7-11. Flood Hazards and Santa Rosa Creek (FH). Revise Standard 3 and 4.B., and add standard 4.E.:

3. Flood Hazards (FH). New development shall comply with Coastal Plan Policies for Hazards and the Flood Hazard provisions of the Coastal Zone Land Use Ordinance, and shall be reviewed for its relation to the Cambria Flood Mitigation Project. ~~Approval of~~ No new or expanded development shall be contingent upon a finding that the proposed development will not interfere with occur within Flood Hazard areas until the County has implemented Phase 1 of the Cambria Flood Mitigation Project.

4. Santa Rosa Creek (FH). The following standards affect all land use categories in and adjacent to Santa Rosa Creek, as shown on Figure 7-2.

...

B. ~~Except for minor fill for public serving activities or uses (e.g., trails, roads, stream bank restoration, County flood mitigation projects, and utilities, channelization or fill in the undeveloped floodway (active channel) and floodway fringe (flood plain) of Santa Rosa Creek shall be prohibited unless such development is consistent with Coastal Act Section 30236 and other applicable provisions of the LCP (see Figure 7-2).~~

...

E. West Village. No new development except necessary public services shall be approved until the County has certified and implemented Phase I of the Cambria Flood Mitigation Project in a manner that is consistent with the protection of the coastal stream.

45



pg. 7-15. Reservation of Service Capacity. Modify Cambria Communitywide Standard 1 as follows:

1. Reservation of Service Capacity. The Cambria Community Service District (CCSD) shall reserve available water and sewer treatment capacity ~~on a yearly basis~~ for the following priority uses:
 - A. Visitor-Serving Uses. To preserve and allow for continued growth of visitor-serving facilities, 20 percent of water and sewer capacity shall be reserved and maintained for visitor-serving and commercial uses.
 - B. Affordable Housing - Program Required. The CCSD shall reserve sufficient water and sewer capacity to serve affordable housing. ~~If consistent with other permits, an amount not to exceed 25 percent of the Visitor Serving reservation may be allocated to a qualified affordable housing program.~~

Prior to issuance of any further water will-serve letters, the District shall propose to the County a program to accommodate a limited number of affordable housing units each year. The program shall be consistent with definitions of affordable housing in the County Housing Element. The exact number shall be determined based on unmet housing needs, and availability of water. ~~Under this program and to meet the need of affordable housing units, the District may divert part of the water which otherwise would have been allocated to the Visitor Serving, Commercial, or Multi-Family Residential water waiting list.~~

46

pg. 7-15. Limitation on Residential Construction. Modify Cambria Urban Area Communitywide Standard 2 as follows:

2. Limitation on Residential Construction. In accordance with the Environmental Protection Agency's concern for environmental protection (as expressed in the condition on the sewer treatment facility expansion permit), and the terms of Coastal Commission Coastal Development Permit #428-10 (an amendment to CDP's 132-18 and 132-20, conditions 2 and 4 of respectively), the maximum number of residential permits shall not exceed 125 per year. This shall remain in effect as long as the EPA requires this condition, and unless and until the conditions of Coastal Development Permit #428-10 are amended or superseded by action of the Coastal Commission.

47

pg. 7-16. Service Extensions Outside the USL/URL. Delete Cambria Urban Area Communitywide Standard 3.

48

Pg. 7-16 Limitation on Development. Add new Communitywide Standard 3 as follows:



1. **Water Service in Cambria.** Until such time as may be otherwise authorized through a coastal development permit approving a major public works water supply project for Cambria, new development not using CCSD connections or water service commitments existing as of November 15, 2001 (including those recognized as “pipeline projects” by the Coastal Commission on December 12, 2002 in coastal development permits A-3-SLO-02-050 and A-3-SLO-02-073, shall assure no adverse impacts to Santa Rosa and San Simeon Creeks.
2. **Water Conservation Requirements.** Unless this requirement is otherwise modified through a coastal development permit authorizing a major public works water supply project for Cambria, new development resulting in increased water use shall offset such increase through the retrofit of existing water fixtures within the Cambria Community Service District’s service area, or through other verifiable actions to reduce existing water use in the service area (e.g. the replacement of irrigated landscaping with xeriscaping). Accordingly, all coastal development permits authorizing such development shall be conditioned to require applicants to provide to the Planning Director (or the Coastal Commission Executive Director where applicable) for review and approval prior to construction, written evidence of compliance with CCSD Ordinance 1-98, as approved by the CCSD Board of Directors on January 26, 1998, and modified on November 14, 2002, and as codified in CCSD Code Chapter 4.20 in 2004; however, no retrofit credits may be obtained by extinguishing agricultural water use, or funding leak detection programs. Such permits shall also be conditioned to require written confirmation from the CCSD that any in-lieu fees collected from the applicant have been used to implement projects that have reduced existing water use within the service area in an amount equal or greater to the anticipated water use of the project.
3. **Supplemental Water Supply Standards.** Any major public works water supply project to support new development within the CCSD service area shall be subject to the following approval standards and findings:
 - a) **Maximum Capacity.** The maximum service capacity of the project will not induce growth inconsistent with the protection of coastal resources and public access and recreation opportunities.
 - b) **Creek Withdrawals.** The project shall assure that CCSD water withdrawals from Santa Rosa and San Simeon Creeks will be sufficiently limited to protect: (1) adequate instream flows necessary to support sensitive species and other riparian/wetland habitats; (2) underlying groundwater aquifers; and (3) agricultural resources.
 - c) **Priority Uses.** The project shall demonstrate that water capacity is available and allocations are reserved for Coastal Act priority uses.
 - d) **Fire Safety.** The project shall demonstrate that water storage and delivery systems will be adequate to meet the fire safety and other public health and safety needs of new development supported by the project, consistent with the protection of other coastal resources.
 - e) **Other Public Service Capacities.** The maximum level of development supported by the project shall not exceed that supported by other available public services, including wastewater treatment capacity and road capacity. The project shall not induce growth beyond



that level necessary to maintain acceptable road Levels of Service and circulation to protect coastal access and recreation opportunities, and provide for public safety (e.g., fire evacuation).

- f) **Water Supply Management Planning.** The project shall demonstrate that it is an element (where economically and environmentally appropriate) of a balanced water supply portfolio that also includes other supply alternatives, including conservation and water recycling to the maximum extent practicable.
- g) **Build Out Reduction.** That reasonable progress is being made to implement a build out reduction program within the boundaries of the CCSD.

4. Desalination Standards. Desalination facilities must:

- a) Be public;
- b) Avoid or fully mitigate any adverse environmental impacts to coastal resources;
- c) Be consistent with all LCP and Coastal Act policies, including those for concentrating development, supporting priority coastal uses, and protecting significant scenic and habitat resources;
- d) Be designed and sized based upon adopted community planning documents, which may include General Plans, Urban Water Management Plans, Regional Water Supply Plans, Local Coastal Programs, and other approved plans that integrate local or regional planning, growth, and water supply/demand projections;
- e) Use technologies that are energy-efficient. Estimates of the projected annual energy use and the environmental impacts that will result from this energy production, and evidence of compliance with air pollution control laws for emissions from the electricity generation, shall be submitted with permit applications;
- f) Use, where feasible, sub-surface feedwater intakes (e.g., beach wells) instead of open pipelines from the ocean, where they will not cause significant adverse impacts to either beach topography or potable groundwater supplies;
- g) Use technologies and processes that eliminate or minimize the discharges of hazardous constituents into the ocean and ensure that the least environmentally damaging options for feedwater treatment and cleaning of plant components are selected. Opportunities for combining brine discharges with other discharges (e.g., from a sewage treatment facility or power plant) should be considered and the least environmentally damaging alternative pursued. Applicants should provide information necessary to determine the potential impacts to marine resources from the proposed intake and discharge. Obtaining this information may require new or updated engineering, modeling and biological studies, or in some cases may be obtained from pre-operational monitoring, monitoring results from other desalination facilities, and pilot studies conducted before building a full-scale facility;
- h) Be designed and limited to assure that any water supplies made available as a direct or indirect



result of the project will accommodate needs generated by development or uses consistent with the kinds, location and densities specified in the LCP and Coastal Act, including priority uses as required by PRC 30254, and:

i) Be an element (where economically and environmentally appropriate) of a balanced water supply portfolio that also includes conservation and water recycling to the maximum extent practicable.

49

pg. 7-16. Cambria Urban Area Communitywide Standard 5. Modify Standard 5 as follows:

5. New Residential Land Divisions. Projects creating new residential lots shall be required to permanently retire an equivalent legal building site located within the Cambria URL on a 1:1 basis. Determination of equivalent legal lot would occur through the discretionary land use and environmental review process with a consideration of factors including, but not limited to: habitat areas, topography, public views, development potential, and other site characteristics. Proof of the required retirement shall be submitted prior to recordation of the final parcel or subdivision map. Retired lots shall have an open space or conservation easement recorded against the title of the property to prohibit development in perpetuity. Easements may be held by the County or the County may grant them to another public agency or qualified non-profit organization.

50

pg. 7-17. Site Review. Modify Urban Area Communitywide Standard 8 as follows:

8. Site Review. Based on the results of a site review, all projects determined to have the potential to adversely impact a sensitive resource ~~may be subject to discretionary review. If discretionary review is triggered,~~ shall require a biologic assessment report consistent prepared in accordance with Coastal Zone Land Use Ordinance Section 23.07.170 ~~may be required.~~

51

pg. 7-17. Erosion Control. Modify Cambria Urban Area Communitywide Standard 9 by moving RSF Standards 10A and 10D (1& 2) from pg. 7-80 to pg. 7-17.

9. Erosion Control. In addition to other applicable requirements of the CZLUO, all runoff from impervious surfaces such as roofs, driveways, walks, patios, and/or decks, shall be collected and retained on-site to the greatest extent possible. Run-off not able to be retained on-site shall be passed through an effective erosion control device or ~~drainage~~ filtration system approved by the Public Works Department. The following guidelines shall be followed to the maximum degree feasible:

A. Impermeable Surfaces. Impermeable surfaces should be minimized in order to maximize the amount of on-site runoff infiltration.

B. Drainage. Drainage systems should be designed to retain water on-site encourage infiltration when feasible.



C. Natural Drainage Patterns. Natural drainage patterns should be retained and remediated if retention is infeasible on-site.

D. Downhill Sites. On downhill sites, encourage drainage easements on lower properties so that drainage can be released on the street or other appropriate land area below.

52

pg. 7-19. Site and Project Design Development Within View Of Highway One. Revise the introductory paragraph of Cambria Areawide Standard 13:

New development shall be screened from view from Highway One in accordance with the criteria below, and shall preserve and enhance views if the ocean, shoreline, or other scenic areas. ...

53

pg. 7-48. Shoreline Development. Add new Communitywide Standard 14 regarding shoreline development:

14. Shoreline Development. New development or expansion of existing uses proposed to be located on or adjacent to a beach or coastal bluff are subject to the following standards:

A. Application Content: In addition to the application requirements of the Coastal Zone Land Use Ordinance and other Cambria Urban Area Plan Standards, applications for new development or expansion of existing uses proposed to be located on or adjacent to a beach or coastal bluff shall include the following:

1. An analysis of beach erosion, wave run-up, inundation and flood hazards prepared by a licensed civil engineer with expertise in coastal engineering and a slope stability analysis, prepared by a licensed Certified Engineering Geologist and/or Geotechnical Engineer or Registered Civil Engineer with expertise in soils, in accordance with the procedures detailed by Appendix A1 of this Plan. The report shall include an alternatives analysis to avoid or minimize impacts to public access.

On lots with a legally established shoreline protective device, the analysis shall describe the condition of the existing seawall; identify any impacts it may be having on public access and recreation, scenic views, sand supplies, and other coastal resources; and evaluate opportunities to modify or replace the existing armoring device in a manner that would eliminate or reduce these impacts. The analysis shall also evaluate whether the development, as proposed or modified, could be safely established on the property for a one hundred year period without a shoreline protective device.

2. Measurements for the form, mass, scale, and roofing and yard features (such as fencing). To the maximum extent feasible, new development shall be compatible with the character of the surrounding neighborhood.



3. Surveyed location of all property lines and the mean high tide line by a licensed surveyor along with written evidence of full consent of any underlying land owner, including, but not limited to the County, State Parks, and State Lands. If application materials indicate that development may impact or encroach on tidelands or public trust lands, the County shall consult with Coastal Commission staff regarding the potential need for a Coastal Development Permit from the Coastal Commission.
4. A preliminary drainage, erosion, and sedimentation plan which demonstrates that no stockpiling of dirt or construction materials will occur on the beach; erosion, runoff, and sedimentation measures to be implemented at the end of each day's work; all construction debris will be removed from the beach daily and at the completion of development; and no machinery will be allowed in the intertidal zone. If there is no feasible way to keep machinery out of the intertidal zone, authorization from the Coastal Commission is required.

B. Bluff Setbacks. The bluff setback is to be determined by the engineering geology analysis required in A.1. above adequate to withstand bluff erosion and wave action for a period of 100 years. In no case shall bluff setbacks be less than 25 feet. Alteration or additions to existing non-conforming development that equals or exceeds 50 percent of the size of the existing structure shall not be authorized unless the entire structure is brought into conformance with this setback requirement and all other policies and standards of the LCP. On parcels with legally established shoreline protective devices, the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design, condition, and routine repair and maintenance that maintain the seawall's approved design life. Expansion and/or other alteration to the seawall shall not be factored into setback calculations.

C. Seawall Prohibition. Shoreline and bluff protection structures shall not be permitted to protect new development. All permits for development on blufftop or shoreline lots that do not have a legally established shoreline protection structure shall be conditioned to require that prior to issuance of any grading or construction permits, the property owner record a deed restriction against the property that ensures that no shoreline protection structure shall be proposed or constructed to protect the development, and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235 and the San Luis Obispo County certified LCP.

D. Liability. As a condition of approval of development on a beach or shoreline which is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff, the property owner shall be required to execute and record a deed restriction which acknowledges and assumes these risks and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.



pg. 7-50. Bridge Repairs/Replacements. Add new Communitywide Standard 23 as follows:

23. Bridge Replacement and Repair projects shall evaluate designs that provide adequate space for bikes and pedestrians. Class 2 bikeway connectors shall be analyzed and provided if feasible for bridge replacements at Leffingwell Landing and Windsor Blvd.

55

pg. 7-60. Tract 226. Modify the text for Tract 226 and add 5C as follows:

A. Permit Requirement – Tract 226. Prior to development or land division in Tract 226, a Development Plan or Specific Plan shall be approved for the entire tract, including each ownership within the tract. The Development Plan or Specific Plan application is to include specific provisions for resolving the following issues:

...

C. Drainage Plan Required. All development within Tract 226 shall avoid causing flooding of downhill lots, erosion, and water quality impacts through the use of on-site methods (ex. percolation and detention). All drainage plans are subject to the review and approval of the County Public Works Department.

56

pg. 7-76. All Lots with a Coastal Bluff. Delete Cambria Residential Single Family Standard 8.A.1.

A2. SUGGESTED MODIFICATIONS TO CAMBRIA LAND USE CATEGORY MAP 8

57

#2) Connelly & Childs – Both parcels to RMF

58

#11a and 11b) South Cambria – Change both to OS

59

#12) West Ranch – To remain outside of the USL

60

#15) CCSD/Bahringer – To remain MFR

A3. SUGGESTED MODIFICATIONS TO CAMBRIA CIRCULATION MAP #11

61

#6. Windsor Blvd. Extension. Delete Windsor Blvd. Extension from Map #11



B1. SUGGESTED MODIFICATIONS TO SAN SIMEON ACRES VILLAGE STANDARDS

62

pg. 7-97. Marine Habitat (SRA). Move San Simeon Acres Urban Area Combining Designation Standard 1 to the Communitywide standard section, and modify as follows:

- 1. Marine Habitat Protection (~~SRA~~) – Projects with Point-Source Discharges. The richness, sensitivity, and unspoiled character of the marine habitats in San Simeon Acres demand particularly rigorous measures to ~~ensure the protection of~~ protect, maintain, enhance, and restore these special resources. Accordingly, no surface point-source discharges into the marine environment are allowed, except as follows:

Exceptions:

- A. San Simeon Acres Community Services District. ~~Any capacity expansions needed to serve permitted growth within the existing Discharges by the San Simeon Acres Services District (CCSD) service areas, provided that any new outfall have been properly permitted, when permits are required, by the County, the California Coastal Commission (CCC), Regional Water Quality Control Board (RWQCB), State Lands Commission (SLC), Environmental Protection Agency (EPA), and is consistent with Monterey Bay National Marine Sanctuary (MBNMS) provisions.~~

- B. Stormwater Outfalls. Stormwater outfalls that discharge to the beach, intertidal area, or marine environment are prohibited unless it has been demonstrated that it is not possible to detain the stormwater on-site, or direct the stormwater to pervious land areas or the street, without causing flooding problems or erosion hazards. In such instances, stormwater outfalls shall include filtration and treatment systems necessary to protect coastal water quality; be screened from public view using underground pipes and/or native vegetation of local stock; and receive all necessary approvals from the agencies listed above. Consolidation of existing outfalls shall be pursued where feasible.

- ~~B~~ C. Passthrough Discharges. Aquaculture seawater passthrough discharges that are consistent with LCP requirements, and provided that:

- 1. Discharge is ~~consistent~~ in compliance with CCC, SLC, MBNMS, EPA, RWQCB and California Department of Fish and Game (CDFG) laws and Regulations.

...

- ~~C~~ D. Seawater Passthrough Devices. Seawater passthrough devices for public aquaria, and for scientific research facilities that are consistent with LCP requirements, and provided that:

- 1. Discharge is consistent with CCC, MBNMS, EPA, CDFG, SLC, and RWQCB, laws and Regulations.

...

- ~~D~~ E. Water Quality Enhancement. Discharges to streams, for the purposes of hydrologic



replenishment and/or stream water quality enhancement, that are consistent with LCP requirements, and provided that:

...

63

pg. 7-98. Arroyo del Padre Juan. Add new San Simeon Acres Village Combining Designations Standard 2 as follows:

2. Arroyo del Padre Juan - Arroyo del Padre Juan creek, including associated riparian habitat areas and beach lagoon, shall be protected, enhanced, and where feasible, restored. All new development shall be setback a minimum of 100 feet from the upland edge of riparian vegetation. Setbacks of less than 100 feet are allowed only in accordance with Section 23.07.174d.2.of the CZLUO. Removal of riparian vegetation on the banks of the creek is prohibited.

64

pg. 7-98. Service Capacity. Modify San Simeon Acres Village Communitywide Standard 1 as follows:

1. Service Capacity. The San Simeon Acres Community Service District (SSCSD) shall maintain and reserve available water and sewer treatment capacity ~~on a yearly basis~~ for the following priority uses:

A. Visitor-Serving Uses. A minimum of 50 ~~75~~ percent of available water and sewer capacity.

B. Affordable Housing – Program Required. Of the remaining ~~25 percent~~ of capacity, the SSCSD shall reserve sufficient water and sewer capacity to serve affordable housing. ~~If consistent with other permits, the amount of water and sewer capacity required to serve affordable housing units may be re-allocated from the Visitor-Serving category.~~

~~Prior to issuance of any further water will-serve letters, the District shall propose to the County a program to accommodate a limited number for affordable housing units each year. The exact number shall be determined based on unmet housing needs, and availability of water. Under this program and to meet the need of affordable housing units, the District may divert part of the water which otherwise would have been allocated to the Visitor-Serving water waiting list.~~

65

pg. 7-100. San Simeon Acres Village Communitywide Standard 2. Replace Standard 2 as follows:

2. Shoreline Development. New development or expansion of existing uses proposed to be located on or adjacent to a beach or coastal bluff are subject to the following standards:

A. Application Content: In addition to the application requirements of the Coastal Zone Land Use Ordinance and other Cambria Urban Area Plan Standards, applications for new development or



expansion of existing uses proposed to be located on or adjacent to a beach or coastal bluff shall include the following:

1. An analysis of beach erosion, wave run-up, inundation and flood hazards prepared by a licensed civil engineer with expertise in coastal engineering and a slope stability analysis, prepared by a licensed Certified Engineering Geologist and/or Geotechnical Engineer or Registered Civil Engineer with expertise in soils, in accordance with the procedures detailed by Appendix A1 of this Plan The report shall include an alternatives analysis to avoid or minimize impacts to public access.

On lots with a legally established shoreline protective device, the analysis shall describe the condition of the existing seawall; identify any impacts it may be having on public access and recreation, scenic views, sand supplies, and other coastal resources; and evaluate opportunities to modify or replace the existing armoring device in a manner that would eliminate or reduce these impacts. The analysis shall also evaluate whether the development, as proposed or modified, could be safely established on the property for a one hundred year period without a shoreline protective device.

2. Measurements for the form, mass, scale, and roofing and yard features (such as fencing). To the maximum extent feasible, new development shall be compatible with the character of the surrounding neighborhood.
3. Surveyed location of all property lines and the mean high tide line by a licensed surveyor along with written evidence of full consent of any underlying land owner, including, but not limited to the County, State Parks, and State Lands. If application materials indicate that development may impact or encroach on tidelands or public trust lands, the County shall consult with Coastal Commission staff regarding the potential need for a Coastal Development Permit from the Coastal Commission.
4. A preliminary drainage, erosion, and sedimentation plan which demonstrates that no stockpiling of dirt or construction materials will occur on the beach; erosion, runoff, and sedimentation measures to be implemented at the end of each day's work; all construction debris will be removed from the beach daily and at the completion of development; and no machinery will be allowed in the intertidal zone. If there is no feasible way to keep machinery out of the intertidal zone, authorization from the Coastal Commission is required.

- B. Bluff Setbacks. The bluff setback is to be determined by the engineering geology analysis required in A.1. above adequate to withstand bluff erosion and wave action for a period of 100 years. In no case shall bluff setbacks be less than 25 feet. Alteration or additions to existing non-conforming development that equals or exceeds 50 percent of the size of the existing structure shall not be authorized unless the entire structure is brought into conformance with this setback requirement and all other policies and standards of the LCP. On parcels with legally established



shoreline protective devices, the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design, condition, and routine repair and maintenance that maintain the seawall's approved design life. Expansion and/or other alteration to the seawall shall not be factored into setback calculations.

- C. Seawall Prohibition. Shoreline and bluff protection structures shall not be permitted to protect new development. All permits for development on blufftop or shoreline lots that do not have a legally established shoreline protection structure shall be conditioned to require that prior to issuance of any grading or construction permits, the property owner record a deed restriction against the property that ensures that no shoreline protection structure shall be proposed or constructed to protect the development, and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235 and the San Luis Obispo County certified LCP.
- D. Liability. As a condition of approval of development on a beach or shoreline which is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff, the property owner shall be required to execute and record a deed restriction which acknowledges and assumes said risks and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.

66

Pg. 7-100 Shoreline Access in New Visitor-Serving Developments. Modify Communitywide Standard 3 and add new Standard 4 as follows:

3. Shoreline Access in New Visitor-Serving Developments. New Visitor-serving developments, including demolition, remodel, or change of use of existing facilities located between the first public road and the sea shall be required to provide the following public access improvements:
 - A. Access from the Road to the Beach. A vertical access easement for public pedestrian use.
 - B. Parking Areas. Areas available for public parking.
 - C. Blufftop Lateral Access. Designation, construction, and maintenance of minimum 10 foot wide lateral blufftop access trail corridor for public use. In order to maintain at all times the 10-foot width of the trail corridor, relocation of the trail overtime as the bluff erodes shall be addressed.
4. Shoreline Access in Public Facility Development. New public facility development, including expansions of existing facilities located between the first public road and the sea shall be required to provide the following public access improvements:
 - A. Access from the Road to the Beach. A vertical access easement for public pedestrian use.
 - B. Parking Areas available for public parking.



- C. Arroyo del Padre Juan Bridge Crossing. The existing pipe bridge crossing Arroyo del Padre Juan shall be improved to provide a public bike and pedestrian crossing.

67

pg. 7-100. Shoreline Access in Residential Development. Modify Communitywide Standard 4 as follows:

4. Shoreline Access in Residential Development. At least One additional vertical access, a minimum of 10 feet wide, shall be required to serve the public and new residential development at the southern end of the Arbuckle Tract on Balboa Avenue. Lateral access dedications from the toe of the bluff to the mean high tide line shall be required for any new development on the blufftop west of Balboa Avenue.

68

pg. 7-103. Mixed Use Projects. Modify San Simeon Acres Village Communitywide Standard 12 as follows:

12. Mixed Use Projects. To encourage employee housing in commercial areas, multi-family dwellings are allowed permitted in Commercial Retail and Visitor-Serving Areas on the east side of Highway One and subject to the following requirements:
- a. Location. The units shall be subordinate to the primary commercial or visitor-serving use of the site (residential uses are limited to a floor area of no more than 50% of the total floor area), located on the upper story or on the rear half of a lot developed with commercial development.
 - b. Density. Density shall be limited to 26 units per acre, calculated using the area of the rear half of the lot. For purposes of this standard, the front half of the lot is defined as the area located between the front property line and a line drawn parallel to the street through the midpoint of lot depth. The maximum floor area and minimum open area requirements in CZLUO Chapter 23.04 shall not apply. Instead, the land use permits shall require at least one studio unit and an amount of private open space and common area for privacy, recreation, light, and air that is appropriate for the nature of the project.
 - c. Required findings for permit approval. ~~Visitor-serving Areas (V). Multi-family housing consistent with other standards in this section may be allowed in "V" areas; Permit approval for a proposed residential uses shall require that the Review Authority first find that the proposed residential use:~~
 1. Will not result in the conversion of existing visitor-serving uses.
 2. ~~provided it~~ Is designed for employee housing, ~~and that the County finds and determines that the proposed housing~~



3. Will not displace ~~existing~~ or potential future visitor-serving uses. This finding must be made based on a detailed analysis which projects future demand and need for visitor-serving uses.

69

pg. 7-103. Lot Creation in Hazard Areas. Add new San Simeon Acres Village Communitywide Standard 12 as follows:

12. Lot Creation in Hazard Areas. New subdivisions, including lot line adjustments and lot legalizations that create new lots, are prohibited in high wave and flood hazard areas.

70

pg. 7-103. Site Review. Add new San Simeon Acres Village Communitywide Standard 13 as follows:

13. Site Review. Based on the results of a site review, all projects determined to have the potential to adversely impact a sensitive resource ~~may be subject to discretionary review. If discretionary review is triggered,~~ shall require a biologic assessment report consistent prepared in accordance with Coastal Zone Land Use Ordinance Section 23.07.170 ~~may be required.~~

B2. SUGGESTED MODIFICATIONS TO SAN SIMEON ACRES LAND USE CATEGORY MAP #5

71

#4) Sansone – Vista del Mar. Retain .52-acre Sansone parcel on Vista Del Mar as CR.

CHAPTER 8 – PUBLIC ACCESS

72

Chapter 8 – Public Access. Replace Chapter 8 in its entirety with the County's suggested revisions (as shown in Exhibit F), except with the following edits:

- Show preferred blufftop lateral access in commercial areas of San Simeon Acres on Figure 8-2.
- Show vertical accessway adjacent to the south side of sewage treatment plant (Stinson 42-02/125-29) on San Simeon Acres Figure 8-2.
- Show preferred pedestrian alignment (cross hatched line) crossing the Arroyo del Padre Juan pipe-bridge and continuing along Balboa Avenue to Vista Del Mar on San Simeon Acres Figure 8-2.
- Show additional preferred vertical access at the end Vista del Mar on San Simeon Acres Figure 8-2.



- Add “blufftop trail” to improvements for San Simeon Acres in Table 8-1 (County suggestions Pg. 8-7).
- Delete “~~This alignment is consistent with Coastwalk’s identified route for the area~~” both on pg. 8-9 and 8-10 of County suggestions.
- Add reference to preferred vertical accessways adjacent to the sewage treatment plant and at the end of Vista del Mar in Table 8-3.
- Add reference to new Blufftop Access Standard 3(c) and Communitywide Standards 3 and 4 in Table 8-3 for lateral access implementation.

OTHER SUGGESTED MODIFICATIONS

73

Appendix A1 – Slope Stability Analysis. Add new Appendix Section A1 and attach to Plan:

Appendix A1: Slope Stability and Bluff Erosion Rate Determination Requirements.

Quantitative slope stability analyses and erosion rate estimates shall be undertaken as follows:

1. The analyses shall demonstrate a factor of safety greater than or equal to 1.5 for the static condition and greater than or equal to 1.1 for the seismic condition. Seismic analyses may be performed by the pseudostatic method, but in any case shall demonstrate a permanent displacement of less than 50 mm.
2. Slope stability analyses shall be undertaken through cross-sections modeling worst case geologic and slope gradient conditions. Analyses shall include postulated failure surfaces such that both the overall stability of the slope and the stability of the surficial units are examined.
3. The effects of earthquakes on slope stability (seismic stability) may be addressed through pseudostatic slope analyses assuming a horizontal seismic coefficient of 0.20g, and should be evaluated in conformance with the guidelines published by the American Society of Civil Engineers, (ASCE/SCEC), “Recommended Practices for Implementation of DMS Special Publication 117, Conditions for Analyzing and Mitigating Landslide Hazards in California.”
4. All slope analyses shall be performed using shear strength parameters (friction angle and cohesion), and unit weights determined from relatively undisturbed samples collected at the site. The choice of shear strength parameters shall be supported by direct shear tests, triaxial shear test, or literature references.
5. All slope stability analyses shall be undertaken with water table or potentiometric surfaces for the highest potential ground water conditions.



6. If anisotropic conditions are assumed for any geologic unit, strike and dip of weakness planes shall be provided, and shear strength parameters for each orientation shall be supported by reference to pertinent direct shear tests, triaxial shear test, or literature.

7. When planes of weakness are oriented normal to the slope or dip into the slope, or when the strength of materials is considered homogenous, circular failure surfaces shall be sought through a search routine to analyze the factor of safety along postulated critical failure surfaces. In general, methods that satisfy both force and moment equilibrium (e.g., Spencer, Morgenstern-Price, and General Limit Equilibrium) are preferred. Methods based on moment equilibrium alone (e.g., Bishop's Method) also are acceptable. In general, methods that solve only for force equilibrium (e.g., Janbu's method) are discouraged due to their sensitivity to the ratio of normal to shear forces between slices.

8. If anisotropic conditions are assumed for units containing critical failure surfaces determined above, and when planes of weakness are inclined at angles ranging from nearly parallel to the slope to dipping out of slope, factors of safety for translational failure surfaces shall also be calculated. The use of a block failure model shall be supported by geologic evidence for anisotropy in rock or soil strength. Shear strength parameters for such weak surfaces shall be supported through direct shear tests, triaxial shear test, or literature references.

9. The selection of shear strength values is a critical component to the evaluation of slope stability. Reference should be made to the ASCE/SCEC guidelines (see Section 9.4.D.3) when selecting shear strength parameters and the selection should be based on these guidelines. Generally, one of two conditions will exist:

- a. If the bluff exhibits a factor of safety of less than 1.5 for either gross or surficial landsliding, then the location on the bluff top at which a 1.5 factor of safety exists shall be determined. Development shall be set back a minimum distance equal to the distance from the bluff edge to the 1.5 factor-of-safety-line, plus the distance that the bluff might reasonably be expected to erode over 100 years. These determinations, to be made by a state-licensed Certified Engineer Geologist, Registered Civil Engineer, or Geotechnical Engineer, shall be based on a site-specific evaluation of the long-term bluff retreat rate at this site and shall include an allowance for possible acceleration of historic bluff retreat rates due to sea level rise.
- b. If the bluff exhibits both a gross and surficial factor of safety against landsliding of greater than 1.5, then development shall be set back a minimum distance equal to the distance that the bluff might reasonably be expected to erode over 100 years. The determination of the distance that the bluff might be expected to erode over 100 years is to be made by a state licensed Certified Engineer Geologist, Registered Civil Engineer or Geotechnical Engineer, and shall be based on a site-specific evaluation of the long-term bluff retreat rate at the site and shall include an allowance for possible acceleration of historic bluff retreat rates due to sea level rise.

For the purpose of this section, the long-term average bluff retreat rate shall be determined by the examination of historic records, surveys, aerial photographs, published or unpublished studies, or other



evidence that unequivocally show the location of the bluff edge, as defined below, through time. The long-term bluff retreat rate is an historic average that accounts both for periods of exceptionally high bluff retreat, such as during extreme storm events, and for long periods of relatively little or no bluff retreat. Accordingly, the time span used to calculate a site-specific long-term bluff retreat rate shall be as long as possible, but in no case less than 50 years. Further, the time interval examined shall include the strong El Niño winters of 1982-1983, 1994-1995 and 1997-1998.

74

Cambria and San Simeon Planwide changes.

A. Delete parenthetical references to the Residential Design Plan, Commercial Design Plan, Periodic Review recommendations, and previous modifications adopted by the Commission in response to the 1998 North Coast Update.

B. Replace “Cambria and Simeon Acres Community Plan” in document footer with “North Coast Area Plan”.

III. Findings and Declarations

The Commission finds and declares as follows:

A. Overview of LUP Amendment

1. Cambria and San Simeon Acres Community Plans

The San Luis Obispo County submittal of the Cambria and San Simeon Acres Community Plans is a comprehensive update of the standards, programs, land use map designations, and combining designations for the urban areas of Cambria and San Simeon Acres. Many of the proposed amendment changes reflect provisions of the Cambria Design already certified by the Coastal Commission in the year 2000, which are now to be incorporated into the community plans. No changes to the rural area standards, programs, or combining designations are proposed as part of this submittal. Narrative descriptions and background data for the entire North Coast Area is included to provide context based on updated information.

2. Relationship to the San Luis Obispo County LCP

Operation of the LCP

The Cambria and San Simeon Acres Community Plans operate in conjunction with other components of the San Luis Obispo County Local Coastal Program (LCP). The County’s LCP is composed of multiple parts: the Coastal Zone Land Use Ordinance (CZLUO), which is the County’s coastal zoning ordinance; Title 8 for water Wells; Title 19 for Building and Construction; and Title 21 for Real Property Division make up the ordinance sections of the LCP; the Framework for Planning; the Coastal Plan Policies, and four Area Plans (one of which is the subject North Coast Area Plan). Combined, the Framework for



Planning, Coastal Plan Policies, and four area plans make up the Land Use Plan; and finally the Post Certification Appeals Maps and Categorical Exclusions are included as part of the certified LCP.

To determine the requirements for development on a particular site, each of the components of the LCP must be consulted. Some policies are implemented through a specific CZLUO section referenced at the end of a Coastal Plan Policy. In these cases, the ordinance is controlling if there is a conflict with the overarching policy. Other policies, though, state that they shall be implemented as a standard, that is, equivalent to an area plan standard.

The Cambria and San Simeon Acres Community Plan Standards are the most specific of the LCP's regulations, governing land use in for these specific communities within the North Coast Area Plan. In the current amendment submittal, the regulations apply only in the urban areas. Some standards apply area-wide, but most are specific to individual sites within a particular land use category designation. Because of this specificity, should an area plan standard conflict with a policy of a CZLUO section, the area plan standard prevails.

In addition to the area plan standards, an extremely important part of the North Coast Area Plan is the combining designation map. The combining designations are areas where, for example, environmentally sensitive habitats (ESHA), geological hazards, flood hazards, etc., have been identified and mapped. These designations indicate where special studies and/or development requirements apply, based on a particular combining designation. However, the combining designations often do not reflect on-the-ground resources, either because they were not mapped originally, or because the presence of a particular resource or hazard was not known at the time. Language has been added in this submittal through suggested modifications to further clarify this point and updates to the combining designation maps are suggested to bring them up to date with existing resources and knowledge.

Implementation: The One-Map System

Most local governments use a "two-map" system in their land use planning. One map shows the general land use designations which, by themselves, have no particular uses associated with them. They indicate intended long-term, general land uses. The other map shows specific zone districts which list specific uses that may be established in each zone district. Within each land use designation, only certain zone districts apply, although it is possible for a zone district to appear in more than one land use designation. A variety of land uses might be able to be established in each zone district. To know what uses might be allowed in a given land use designation, it is necessary to determine the zone district within which a parcel lies. Under a "two-map" system, if the land use designation changes, the zone district map must be also changed.

An alternative to the "two-map" system is the "single" or "one-map" system, which is what San Luis Obispo County uses. Under this system, there is only one map, the land use designation map. There is no zone district as such under this system. The land use designation map and the zone district map are essentially combined into one. In the "one-map" system there aren't separate zone districts which implement the land use designations. Each land use designation lists the potentially allowable land uses. Thus, proposed changes to land use designations in the North Coast Area Plan do not have any corresponding zone district map changes.



3. Procedure/Standard of Review for LCP Amendments

The relationship between the Coastal Act and the 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 be implemented 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 amendment affects the LUP component of the San Luis Obispo County certified LCP. Thus, the standard of review for the amendment is consistency with the Coastal Act.

B. Coastal Act Consistency

This section evaluates the submitted LCP amendment in six Coastal Act policy areas: new development and public services, environmentally sensitive habitat areas (ESHA), including marine resources and water quality related issues, coastal hazards, public access and recreation, scenic resources, and cultural resources. As discussed previously, the standard of review for evaluating Land Use Plan amendment submittals is consistency with Chapter Three of the Coastal Act.

1. New Development and Public Services

A. Coastal Act Policies

The Coastal Act includes several policies that address the location, type, and intensity of new development to ensure the protection of coastal resources. To limit urban sprawl, the Coastal Act requires the establishment of stable urban-rural boundaries. New development must also be located within, contiguous to or in close proximity to existing developed areas with adequate public works facilities such as water supply, and wastewater treatment. Where such areas are not available, any approved development must be located where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. This includes the protection of groundwater basins and sensitive habitats that may be affected by water withdrawals, wastewater disposal, and polluted runoff.

The Coastal Act also provides that new or expanded public works facilities be sized to serve planned development and not induce additional, unplanned development. Where resources or services are limited, coastal dependent land uses, essential public services, basic industries, public and commercial recreation and visitor-serving land uses shall not be precluded by other development. The Coastal Act also encourages the protection of existing and the provision of new affordable housing opportunities in the coastal zone. Collectively, these requirements reflect a fundamental goal of the Coastal Act: protection of coastal resources by concentrating new development in existing developed areas able to accommodate it.

Priority Use Policies



The Coastal Act places a high priority on coastal-dependent and coastal-related development. Coastal Act Sections 30222 and 30222.5 state:

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 30222.5. *Ocean front land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.*

Coastal Act Section 30255 also provides:

Section 30255. *Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.*

The Coastal Act defines coastal-dependent and coastal-related as follows:

Section 30101. *"Coastal-dependent development or use" means any development or use which requires a site on, or adjacent to, the sea to be able to function at all.*

Section 30101.3. *"Coastal-related development" means any use that is dependent on a coastal-dependent development or use.*

Public Services Policies

General development siting and public service issues are mainly the purview of Coastal Act Sections 30250, 30252 and 30254.

Coastal Act Section 30250 states:

Section 30250(a). *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

Section 30250(b). *Where feasible, new hazardous industrial development shall be located away from existing developed areas.*



Section 30250(c). *Visitor-serving facilities that cannot be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*

Coastal Act Section 30252 states:

Section 30252. *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

Coastal Act Section 30254 states:

Section 30254. *New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.*

Affordable Housing Provisions

Affordable housing is within the purview of Coastal Act Section 30604. Coastal Act Sections 30604 (f) and (g) state:

Section 30604(f). *The commission shall encourage housing opportunities for persons of low and moderate income. In reviewing residential development applications for low-and moderate-income housing, as defined in paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code, the issuing agency or the commission, on appeal, may not require measures that reduce residential densities below the density sought by an applicant if the density sought is within the permitted density or range of density established by local zoning plus the additional density permitted under Section 65915 of the Government code, unless the issuing agency or the commission on appeal makes a finding, based on substantial evidence in the record, that the density sought by the applicant cannot feasibly be accommodated on the site in a manner that is in conformity with Chapter 3 (commencing with Section 30200) or the certified local coastal program.*

Section 30604(g). *The Legislature finds and declares that it is important for the commission to*



encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.

B. Overview of Development for Cambria and San Simeon Acres

Cambria and San Simeon Acres are the only urbanized portions of the North Coast Planning Area of San Luis Obispo County. These communities are small, encompassing only 2% of the total planning area. Highway One is the only north-south access route linking these areas to the Monterey Peninsula in the north, and the other urban centers of San Luis Obispo County to the south. Because of their relative isolation, Cambria and San Simeon Acres depend on their own resources for services such as water supply and sewage disposal.

Cambria supports a variety of visitor-serving amenities and is an attractive residential center. The Urban Reserve Line (URL) of Cambria encompasses approximately 2,400 gross acres. According to the County, approximately 1,800 net acres of this land individually owned and generally available for development. As described in the submitted plan, in 2005 there were approximately 4,000 dwellings in Cambria supporting a population of 6,400 people. One of the Commission's long-standing concerns in Cambria is managing the potential build-out of the community in light of various coastal resource constraints. Much of Cambria was historically subdivided into a grid of small lots (typically 25' X 75') regardless of slope, the need for services, or the effect on the natural environment. The County estimates that as of 2005 there were approximately 7,900 potential additional dwelling units if existing vacant lots could be developed to their full potential. This estimate is a theoretical maximum based on the simple multiplication of available acreage and maximum density under the current plan assuming no resource constraints on those properties that would affect the maximum allowable density.

The Cambria urban area also includes the Fiscalini Ranch in the heart of the community, which is planned for public recreation and open space uses. Commercial activities are concentrated in two main areas, East Village and West Village. Issues affecting commercial development in Cambria include a lack of adequate parking, increased traffic flows, and a shortage of overall land area within the downtown core. Part of the downtown area is in the floodplain of Santa Rosa Creek, and is not suitable for some types of development.

San Simeon Acres, a few miles north of Cambria, is a small commercial village developed to provide tourist and recreation services along the coast. San Simeon Acres provides food and lodging facilities for Hearst Castle visitors as well as tourists driving the scenic Highway One route. The Village Reserve Line (equivalent to the USL) of San Simeon Acres contains about 80 acres of land. Commercial uses are concentrated on frontage roads along Highway One. The areas beyond the commercial frontage are designated for multi-family residential uses. Surrounding land areas outside of the village are devoted to agricultural grazing. Through plumbing retrofits and other system upgrades, the community has made substantial efforts to reduce water usage and sewage generation. However, constraints such as water supply, sewage disposal, school capacity, and Highway One road capacity will continue to limit growth in San Simeon Acres.

C. Issues and Analysis



1. New Development in Cambria

The principal problem facing Cambria is the significant disparity between the number of vacant lots within the urban boundary and the ability of the community to provide sustainable urban services for potential development of these lots. This conclusion is supported by the current LUP amendment submittal, which indicates that as of 2004, the demand for various services was equal to or exceeded the available supply of water supply, schools, and roads and circulation (pg. 3-8).

The County has made progress in recent years to reduce buildout potential in Cambria. With the purchase of the Fiscalini Ranch (previously the East-West Ranch) for recreational and open space purposes, which is reflected in the updated plan, the County estimates that approximately 738 potential dwellings were removed assuming these lands could have been subdivided to maximum potential. Reductions in full residential build-out will also result from specific land use changes proposed in the LCP amendment (see below). Finally, according to the County, other changes to development standards, as well as the addition of new programs like the creation of a small-lot open space district (Cambria Program #13), may combine to further reduce the number of potential dwellings by approximately 4,717 units. According to the County, should the plan never again be updated after this update, the theoretical buildout of Cambria would be approximately 6,130 residential units supporting a population between 10,180 and 13,790 people. Although this level of buildout is theoretically possible, the immediate need in Cambria is to address the significant resource constraints such as water supply, public facility limitations, and traffic capacity that currently make such buildout unlikely.

Conformance with Coastal Act Policies

As described, Coastal Act Section 30250 limits development to already developed areas that have the public service capacity to accommodate such growth. Although Cambria is an existing developed area, it is also constrained by the lack of services for the potential buildout of its many small lots. As such, new development in Cambria is problematic under the Coastal Act.

Water Supply

The issue of water supply in Cambria has been significant since the early days of implementing the Coastal Act. Cambria's water is supplied by wells that pump water from Santa Rosa and San Simeon creeks. A primary concern for the Commission historically has been assuring that the pumping of these creeks to serve existing and planned development does not adversely impact riparian habitats or otherwise negatively impact groundwater sources. These concerns have been well documented in both the 1998 North Coast Area Plan LCP Update findings and the adopted 2001 Periodic Review of the SLO County LCP (see Adopted Findings for 1998 North Coast Area Plan LCP Update and 2001 Periodic Review of the SLO County LCP, in the project file). In both of these actions, the Commission advised that new development in Cambria not be approved without a more serious effort to address the water supply constraints, including the provision of adequate storage and delivery. This also included recommending that the in-stream flows and riparian habitat requirements of the creeks be fully evaluated, and that the County and community complete a water management strategy with recommendations incorporated into the LCP. In addition, the Commission recommended that the County consider strategies to identify and achieve a reduced potential buildout of Cambria that would better protect coastal resources.



The Cambria Community Services District (CCSD) has been moving forward in recent years to address the various water supply issues that it faces. In addition to producing a number of reports addressing aspects of the water supply system, including a water management plan, the CCSD Board of Directors declared a Water Code 350 emergency and is currently implementing a moratorium on new water connections because of the severe water supply constraints in the current system. These constraints include inadequate water storage and fire fighting flows as well as constraints associated with water withdrawals from San Simeon and Santa Rosa Creeks. The Coastal Commission also has worked with the CCSD through several coastal development permit appeals on a “retrofit” condition to assure that new development in Cambria that is not subject to the CCSD moratorium would not require new water withdrawals from San Simeon and Santa Rosa creeks.

The CCSD is also evaluating a desalination project that could provide additional water supplies to the community. In conjunction with the desalination project, the CCSD has crafted a buildout reduction plan (November 2006) that assumes a maximum of 4,650 total residential water connections to help ensure that new development in Cambria does not outstrip limited public services and protection of natural resources, such as the native Monterey pine forest in Cambria. Although current planning assumes a more limited buildout scenario for the community, the actual capacity of any future water supply is not yet established.

As submitted, the proposed amendment is inconsistent with Coastal Act policies because it does not clearly limit new development in accordance with Coastal Act 30250 to assure adequate public services for development consistent with the protection of coastal resources. As analyzed in depth by the Commission in both the 1998 NCAP and the 2001 Periodic Review, new development in Cambria cannot be accommodated consistent with the Coastal Act absent a new water supply and a comprehensive analysis of the coastal resource protection requirements of San Simeon and Santa Rosa creeks, the underlying groundwater, and other coastal resources. As described in the findings below, modifications are necessary to bring the Community Plans into conformance with the Coastal Act.

In order to find the proposed LUP amendment consistent with the Coastal Act, new development standards, beyond the programmatic requirements proposed by the County, are needed that better reflect the reality of existing service capacity deficits in Cambria. Under Water Code section 350, the CCSD has declared a water emergency and not allowed any new water connections since that time. The County’s Resource Management System recognizes this severe resource constraint by indicating that for water supply “Level III” has been exceeded, meaning demand for water is equal to or exceeds supply. In short, adequate public water supplies are not currently available for new development in Cambria.

As the Commission has consistently found in recent years, one of the coastal resource impacts of concern are impacts to the riparian and wetland habitat values of Santa Rosa and San Simeon Creeks. To ensure consistency with Coastal Act sections 30231, 30240 (see below), as well as Coastal Act policies requiring the protection of coastal agriculture (30241, 30242), and to ensure that additional water withdrawals will not adversely impact riparian/wetland habitats in the short-term, a new communitywide planning standard must be added that limits new development to available water supplies, absent an assurance of no adverse impacts to Santa Rosa and San Simeon Creeks. Available water supplies consist of existing water service connections and commitments including those projects



previously recognized by the Commission as “pipeline projects” with water service commitments from the CCSD that pre-date the CCSD’s declaration of a water emergency. A suggested modification includes such a standard, as well as a requirement that all new development that results in an increase in water use offset the amount of anticipated water use through retrofitting or some other verifiable action coordinated with the CCSD. This proposed standard also mirrors current requirements of the CCSD. Under the modification, these requirements may be changed when a supplemental water supply is approved that addresses this concern more comprehensively.

To address water supply and general buildout issues in the longer term, suggested modifications requires that any new major public works water supply project be subject to various standards to assure that the capacity of the new source is not growth inducing so as to adversely impact coastal resources or otherwise be out of phase with other existing public service capacities. In particular, a new water supply project must assure the protection of adequate instream flows in San Simeon and Santa Rosa Creeks in order to protect sensitive riparian and wetland habitats, groundwater basins and agricultural resources. Proposed standards also require the new supply establish that the level of development supported by the project would not go beyond available public service capacities, including wastewater treatment capacity and water storage and delivery systems and road capacity to provide for public safety, such as fire evacuation routes and capacities. Adequate water capacity for priority Coastal Act uses, such as visitor-serving developments, must also be established.

At this time the most likely water supply project in Cambria’s future is a desalination plant being pursued by the CCSD. The Commission has worked extensively on issues related to desalination in the coastal zone and the protection of coastal resources (see the Commission’s report on desalination (<http://www.coastal.ca.gov/energy/14a-3-2004-desalination.pdf>). Such projects raise a host of coastal resource protection issues, including growth inducement, water quality and marine habitat impacts, and public water supply management. To assure that any future desalination plant addresses these concerns, a proposed modification is needed to add a standard concerning desalination.

Finally, several text changes are necessary in the background chapters of the plan to make the community plans internally consistent with the suggested modifications.

Wastewater Treatment

In 1995, major improvements were completed that increased the existing sewer plant capacity in Cambria to one million gallons per day. The current dry weather flow average is between 650,000 and 700,000 gallons. The wastewater disposal process entails pumping effluent to a reservoir pond and then into four percolation ponds located near San Simeon Creek where it percolates into the groundwater basin below. Discharge into the basin also serves as a “water dam” to prevent seawater intrusion into existing drinking water wells. Reuse of wastewater for non-potable uses is limited to withdrawals from an extraction well located in the middle of the effluent field.

There are no current deficiencies or capacity problems for the wastewater system in Cambria. Ample capacity exists and preliminary calculations indicate that up to 6,150 connections may be provided prior to exceeding capacity. The only suggested modification regarding wastewater treatment involves text clarifications to Communitywide Standard 2. Cambria Communitywide Standard 2 establishes a maximum number of 125 residential permits per year in accordance with a 1981 permit approval form



the CCC and the EPA for wastewater treatment system upgrades. This permit is now 25 years old and it no longer reflects current conditions. As described above, in the time since the permit was issued the CCSD has made upgrades to its treatment plant and the number may no longer be appropriate for the current LCP. A maximum of 125 units is equivalent to a 3% growth rate, which is significantly greater than the current rate of 1% adopted by the County. This number also does not take into account the fact that the CCSD is currently operating under a moratorium on new water connections. Although these facts might argue in favor of deleting the standard completely, the County believes that while not currently applicable, it does provide some security in case a higher growth rate is contemplated or the moratorium on new water connections is lifted by the CCSD. Rather than deleting the standard, the suggested modifications update the text to better reflect current conditions. Most importantly, the modified language recognizes that this rate can be superseded by future CCC actions.

Stable Urban-Rural Boundaries

The urban-rural boundary of Cambria has generally been maintained, but with some significant exceptions (see the Commission's Periodic Review of SLO County LCP Implementation for detail). Recent changes to the underlying land use categories on certain properties has also led to a stronger urban-rural boundary. Together, these changes have diminished the potential for intensified urban development into rural lands particularly on the Cambria southern fringe. The most notable example was the Coastal Commission's 2005 approval of a land use category change on the 32-acre Wells Fargo Bank Trust property from Residential Suburban (RS) to Open Space (OS). Included in this approval was the removal of the property from within the USL (SLO-MAJ-1-04 Part 2). In a recent effort to protect coastal resources, the County approved the relocation of the USL to include the Camp Ocean Pines property on the southern edge of town. Failing septic systems at the camp were having adverse water quality impacts and hooking into the community sewer system was intended to improve coastal water quality.

The LUP amendment includes a number of significant changes where the County has proposed rezoning properties and relocating the USL/URL to better guide future development potential consistent with available services and resource protection. The most notable is the re-designation of 170 acres of the West Ranch (Fiscalini Ranch) from Residential Single Family (RSF) to Open Space (OS). According to the County, the public purchase and protection of this property results in the removal of approximately 738 potential residential dwellings with the added benefit of preserving a large swath of land containing important coastal resources. A second LCP change is the proposal to change the 15.5-acre Rhodes/Crawford parcel located on the eastern side of town from Residential Multi-Family (RMF) and Residential Single-Family (RSF) to Agriculture (AG), and to remove this acreage from the URL. The third involves rezoning approximately 43 acres on the southern fringe of Cambria from Residential Suburban (RS) to Rural Lands (RL) and removes this property from the USL/URL (see Map 8 of the community plan). These changes will help to concentrate urban development and protect resources consistent with Coastal Act Section 30250.

On the other hand, the LUP amendment contains a single new development standard that appears to weaken the policy goals of the Coastal Act. As proposed, Cambria Urban Area Communitywide Standard 3 allows the CCSD to provide services outside of the USL or URL under certain limited circumstances (see LUP amendment pg. 7-16). The overarching concern with this standard is the



potential for new development to occur outside of existing developed areas and further weaken the “hard edge” of the urban area. The impact of this new standard in relation to the USL/URL and the cumulative effects of the standard on Cambria’s service capacities and natural landscape have yet to be fully understood. Commission staff has requested from the County and the CCSD the basis for the exception categories, including a detailed mapping and inventory of the specific sites that are believed fall into the exception categories, but have yet to receive the information. Until the implications of this proposed new standard are understood, it is not appropriate to include it in the LCP at this time. For these reasons, the suggested modifications delete the proposed standard.

New Subdivisions

Increasing potential buildout through new subdivision development is an important issue that is partially addressed through the proposed LUP amendment. Proposed Cambria Communitywide Standard 5 (LUP amendment pg. 7-16) attempts to ensure that there is no net increase in development potential through new subdivisions by requiring that new residential land divisions retire an “equivalent legal building site” within the Cambria URL on a 1:1 basis. While this proposed standard appears to be a positive step in eliminating additional lots through land divisions, the term “equivalent legal building site” needs to be articulated in order to be effective. The standard should be clear that this means not only an equivalent number of sites, but that the site proposed for retirement should also be equivalent in terms of actual development potential. For example, retirement of a small lot with little or no development potential due to limited access or its location in a wetland does not mitigate for the creation of a new lot on a flat infill lot served by existing roads and utilities. The retirement of equivalent building sites under this provision should consider factors such as the presence of ESHA, steep slopes, scenic views, or other development constraints to ensure an equitable retirement. Retiring lots that are already unbuildable, or are not comparable in terms of development potential, does little to effectively avoid new development impacts and ensure adequate service capacities consistent with the Coastal Act.

To address this concern, the suggested modifications add clarifying language to the standard to ensure an equitable offset of development potential for any new subdivisions proposed within the Cambria URL.

2. New Development in San Simeon Acres

The Village Reserve Line (equivalent to the Urban Services Line (USL)) of San Simeon Acres contains approximately 80 acres of land. The majority of property in San Simeon Acres is within the CR or RMF land use categories. There are 706 visitor-serving hotel and motel rooms currently in San Simeon Acres and approximately 320 residential units. According to the County, there are sufficient numbers of existing lots that are vacant or partly developed to allow approximately 530 additional dwelling units. Based on the range of historic population rates, this would result in a population between 400 and 740 people in San Simeon Acres.

Conformance with Coastal Act Policies

Similar to Cambria, the anticipated level of development under the LCP is poorly matched with the infrastructure and services needed to support buildout. This situation is potentially exacerbated in the proposed LUP amendment by allowing additional residential development beyond that permitted in the



existing plan. San Simeon Acres Communitywide Standard 12 (pg. 7-103) adds high density residential use (26 dwelling units per acre) to the rear half or upper story of commercial development on all land designated for commercial retail use (approximately half the acreage in San Simeon Acres). Under the proposal, this residential use may be built in conjunction with the commercial use and has the potential to add hundreds of units to the current housing stock.

Water Supply

Like Cambria, water supply is tenuous in San Simeon Acres. The San Simeon Community Services District (SSCSD) provides community water from two wells along Pico Creek. The safe yield of the Pico Creek groundwater basin is estimated to be about 120-130 acre feet per year. The 1998-99 withdrawal by the SSCSD was approximately 107 acre feet. In addition, the Hearst Corporation withdraws about 16 acre feet per year from the Pico Creek basin for the watering of livestock. Due to water consumption approaching and exceeding the basins' identified safe yield, San Simeon has been under a SSCSD building moratorium since January 1986. In August 1989, outdoor water usage was restricted and in December 1998, it was prohibited completely. In May 1989, a program was initiated which mandated that all bathrooms be retrofitted with positive shut-off ultra low flush toilets. Also, beginning in June 1989, many establishments began purchasing irrigation water from outside sources. All of these measures have been necessary to maintain *existing* levels of development in San Simeon Acres.

The County has proposed several standards for San Simeon Acres that would, among other things, reserve 75% of available water and sewer capacity for visitor-serving uses; and that would prohibit new development that relies on water from Pico Creek until a study of instream flows and habitat impacts is completed for the creek (Communitywide Standard 1, pg. 7-98). A three year deadline is placed on the SSCSD to perform such a study. This standard is similar to, although not completely consistent with, the modification adopted by the Commission in the 1998 North Coast Area Plan update, which required that the instream flow study be incorporated into the LCP and which did not include the three-year deadline.

A recent analysis of the amount of water and sewer capacity needed at projected buildout indicates that the allocation proposed by the County (75% for Visitor-Serving Uses) is excessive (see Exhibit D for the County's June 15th, 2007 analysis of water and sewer allocations). Modifications are proposed to water allocation standards in San Simeon Acres to bring the allocation of available water and sewer capacity more in line with the communities underlying land use designations. To address this concern, the suggested modifications allocate 50 percent of available water and sewer to visitor-serving uses. With this change, services will be adequate to accommodate potential future planned development.

Wastewater Treatment

The San Simeon Acres Community Services District provides sewer service in the area. The wastewater treatment facility has a capacity of 200,000 gallons per day (GPD). An ocean outfall line is used for disposal. One-fourth of the capacity (50,000 GPD) has been purchased by the state to serve the Hearst San Simeon State Historical Monument. In 1989, the plant was operating at 98 percent of its capacity. By 1992, in response to the toilet replacement program and water use restrictions, average dry-weather flow had dropped to 44 percent of capacity. During the June-October dry season, which coincides with



the peak tourism season, average daily flows were 88,000 gallons for both 1993 and 1994. During 2002-2003, the average daily flow was estimated at 84,000 GPD. It is estimated about 35 percent of the flow is contributed by San Simeon Acres permanent and seasonal population, 49 percent by motels and business patronized by tourists, and 16 percent by Hearst Castle.

Based on the projected increase in residential units and tourist facilities and a corresponding increase in sewage flow from Hearst Castle Visitors' Center, it is estimated that average dry-weather flow at buildout would equal or exceed the current capacity of the treatment plant. An increase in the rate of flow per capita or per motel room could result in peak flows roughly 25 percent higher than the plant's capacity. To handle these peak flows, expansion of the facility will be necessary. According to the County, with modifications and upgrades, the current system could handle 400,000 gallons per day. The buildout flow could theoretically be handled by a plant of this size. According to the LUP amendment submittal, the final sizing of plant expansion should be limited to that needed to serve San Simeon Acres, Hearst Castle, and the Department of Parks and Recreation staging area facilities. In addition, the Community Plan suggests that beneficial use of treatment effluent should be considered rather than continuing use of the ocean outfall line.

In order to maintain consistency with the Coastal Section 30254, which limits public works to the size needed to accommodate planned development, the suggested modifications include a requirement to limit future plant capacity accordingly. Finally, several text changes are necessary in the background chapters to make the San Simeon Acres Community Plan internally consistent with the suggested modifications.

Urban-rural Boundary

Constraints such as water supply, sewage disposal, and Highway One capacity have severely limited growth in San Simeon Acres over the years. As a result, development has remained concentrated in existing developed areas within the established Village Reserve Line (equivalent to an USL). The LUP amendment does not propose any changes to the location of the Village Reserve Line around San Simeon Acres, nor does the proposed amendment include any new policy changes that would lead to new development beyond the service boundary.

6. Priority Uses

The Coastal Act gives priority to coastal-dependent and coastal-related development over other types of development proposed along the shoreline. As proposed, the LUP amendment falls short in accounting for the Coastal Act's priority use provisions in both Cambria and San Simeon Acres. By prematurely establishing development standards for future growth without the resources necessary to support them, the County, in effect, is reserving future service capacity for non-priority residential use that otherwise may be needed to accommodate higher priority visitor-serving and commercial use.

Cambria

Specifically, Cambria Communitywide Standard 1 – Reservation of Service Capacity (LUP amendment page 7-15) currently reserves on a yearly basis 20% of the sewer and water capacity to visitor-serving and commercial uses. Under the proposed update, an amount not to exceed 25% of the Visitor-Serving



reservation may be allocated to affordable housing projects. Therefore, this policy reduces to 15% the capacity of resources reserved for visitor-serving and commercial uses. The County has not justified this reallocation of capacity based on a comprehensive analysis of visitor-serving land uses, demand and supply, etc. Nor is it clear why affordable housing opportunities cannot be made a higher priority within the 80% allocation of services to non-visitor-serving uses. Although the Commission is supportive of providing affordable housing in the Coastal Zone, this should not be done at the expense of Coastal Act priority uses. Therefore, modifications are recommended that would ensure that the current reservation of water for priority uses is maintained.

San Simeon Acres

As discussed previously, San Simeon Planning Area Standard 12 (pg. 7-103) adds high density residential use (26 dwelling units per acre) to the rear half or upper story of commercial development on all land designated for commercial retail use. For areas west of Highway One, allowing residential units in the rear half or upper story of existing commercial developments means that these new residential units could be developed on ocean fronting bluffs in conjunction with visitor-serving hotels/motels. This standard raises inconsistencies with the priority use policies of the Coastal Act.

Issues surrounding the allowance of mixed use developments in the Commercial Retail and Visitor-Serving areas are addressed with the suggested modifications. To ensure that employee housing is encouraged and priority uses are protected, additional measures have been incorporated into the mixed use standards. First, mixed use project would only be allowed on the east side of Highway One. This preserves high priority recreational and visitor serving uses on the blufftop. Second, the location of the units must be subordinate to the primary commercial or visitor-serving use of the site by limiting residential use to no more than 50 percent of the total floor area. Third, at least one studio unit is required to balance the density of use and provide for more affordable employee housing opportunities. Finally, the conversion of existing visitor-serving uses is prohibited and the displacement of potential future high priority uses is precluded with the modifications.

7. Proposed Land Use Designation Changes

Both Community Plans propose modifications to existing land use designations that will change the type, location, and intensity of development in the urban areas of Cambria and San Simeon Acres. The County proposes to change the land use designations at 12 urban locations in Cambria and 4 urban locations in San Simeon Acres (See Map 5: San Simeon, Land Use Categories; and Map 8: Cambria, Land Use Categories). Most of the proposed changes are consistent with the Coastal Act. The following section only discusses the proposed land use changes that raise inconsistencies with the Coastal Act.

Cambria

Connelly & Childs: RMF & O/P to RMF and CR (RMF 1.5 acres, CR 2.25 acres)

This site is located on the south side of Main Street in the East Village. The site is relatively flat and slopes south from Main Street to Santa Rosa Creek. The easterly one-third is designated Office/Professional; the westerly two-thirds is designated RMF. A mobile home park currently exists



on the property although it has been effectively closed through informal discontinued use. Although the certified LCP includes provisions to address potential loss of affordable housing in such cases, the ordinance has not been directly applied to this site. More generally, the County recently passed an emergency ordinance to address mobile home park conversions and the loss of affordable housing opportunities Countywide. It is as yet unclear how this ordinance or the existing LCP requirements may be applied to this site. In 1998, the Commission adopted modifications to retain the RMF zoning due to concerns about increased water demand if residential uses other than the mobile home use were proposed, and significant increases in traffic demands in the downtown area if commercial uses was intensified on the site (see adopted NCAP findings, 1998). In light of these coastal resource constraints, it is appropriate to retain both parcels in the RMF land use category. It is noted that effect of this modification also would be consistent with the legislative direction to the Commission to encourage the protection of affordable housing (30604(g)).

Kreps/Meltzer (existing tract 226): CR to RMF (4 ac total, 34 existing lots)

Located on East Lodge Hill, this vacant 4-acre site is surrounded by residential areas. The property is currently subdivided in to 33 lots and one large common area parcel. Given its location in a residential area of Cambria, commercial use of the site is not optimal. The site is also located on the top of a steep hill creating drainage and erosion control issues. The RMF land use designation will provide opportunities to cluster development, limit the amount of land disturbance, and potentially reduce overall development footprints and impervious surfacing on the site. For these reasons, the proposed change to RMF is consistent with the Coastal Act, requiring that new development avoid adverse resource impacts. It is also noted that effect of this modification also would be consistent with the legislative direction to the Commission to encourage the protection of affordable housing (30604(g)).

South Cambria: a. RS to RL (43 ac); b. RS to AG (32 ac)

Coastal Act Section 30240(a) requires that environmentally sensitive habitat areas (ESHA) be protected against any significant disruptions and allows only resource dependent uses within those areas. The two south Cambria properties, which are subject to this land use designation change, are located within the heavily forested urban fringe of south Cambria. The native Monterey pine forest stand in this area is relatively undisturbed and is part of a much larger contiguous forest. Monterey pines are defined as ESHA in the LCP and contain rare and sensitive plant communities.

It should be noted that the 32-acre parcel has already been designated Open Space (OS) by the County under a previous LCP amendment (SLO-MAJ-1-04 Part 2). The 43-acre property is directly adjacent to this parcel, is part of the same forest stand. A review of aerial photos shows a dense forest canopy and overall connectivity with adjacent forested open space parcels. The County's request to change the land use designation of the 43 acre parcel has the potential to increase the amount of residential development in this area, inconsistent with Section 30240(a).

For these reasons, the recommendation is to place the 43-acre property into open space (OS), consistent with the actions taken by the Commission on the neighboring property. With this modification, and recognition of the previous land use changes already certified by the Coastal Commission with the 32-acre parcel, the proposed change can be found consistent with the Coastal Act.



West Ranch: RSF to OS and add all to USL (170 acres)

Given the underlying Open Space land use designation and the limits placed on allowable uses for the West Ranch, it is unnecessary for this property to be included within the Urban Services Line. Currently, utility lines cross the property and leaving the property outside of the USL would not preclude amenities such as drinking fountains, benches, and overlooks from being developed on the property. For these reasons, suggested modifications delete the expansion of the USL to cover additional land area on the West Ranch.

CCSD/ Bahringer: RMF to PF (6 ac)

Coastal Act Section 30250 requires development to be concentrated within existing developed areas. The subject site is currently designated RMF, and provides an appropriate location for multi-family residential development, provided that such development is designed to avoid flood hazards and protect riparian and visual resources. The site is centrally located, in close proximity to schools and services, and one of the few sites within the urban services line designated for multi-family housing. Redesignating this site to Public Facilities will remove an opportunity to concentrate residential development within the urban area, in conflict with the provisions of Coastal Act Section 30250.

The amendment submittal does not identify a specific need for a public facility designation at this site, which has been recently been established as a "dog park", although the CCSD has indicated interest in developing at Town Hall at this location. The Cambria urban area currently has a Veteran's Hall that provides a location for community events, so the need for a Town Hall remains unclear. And there has not been an evaluation of other locations for a dog park or town hall that would not displace opportunities for multi-family housing. Thus, the submittal does not provide an appropriate rationale for the proposed redesignation, given the direction of Coastal Act Section 30250 to concentrate development within existing developed areas and given the particular water supply and other potential public infrastructure constraints in Cambria.

It should also be noted that Coastal Act Section 30604 calls for the Commission to encourage the provision of affordable housing opportunities. The proposed area plan updates seek to enhance opportunities for affordable housing among other ways by prohibiting the construction of singly family residences on RMF designated lots, as is currently allowed. Thus the retention of the RMF designation for this site is more consistent with the direction provided by Coastal Act Sections 30604(f) and (g), and consistent with the Plan's objective of increasing affordable housing opportunities inasmuch as the RMF designation is more likely to be developed with relatively more affordable housing.

San Simeon

Sansone – Vista Del Mar: CR to RMF (0.52 acres)

Changing the land use designation from Commercial Retail to Residential Multi-Family on the .52-acre Sansone property is the single land use designation change in San Simeon Acres that has the potential to support new development inconsistent with Coastal Act Section 30254, which prioritizes visitor-serving development over residential development in areas with limited service capacities. The property is located on the southerly boundary of San Simeon Acres and just off of the Highway One frontage. The



County has suggested that the purpose of the change is to provide opportunities for lower-cost workforce housing. One compelling reason not to allow the change is because there is currently vacant residential land in San Simeon Acres to support additional housing. No evidence has been provided that shows that this visitor-serving land is no longer needed in the community, nor is there evidence that the development would be set aside for affordable workforce housing. While arguments have been made that there is no current demand for commercial retail uses here, it is not possible to predict the demand for such facilities in the future. The landowner (Sansone) has also stated that the size and orientation of the property is not conducive to hotel or motel uses, however the allowable use is not limited to overnight accommodations. A review of all of the allowable uses in the CR land use category shows that numerous other types of allowable uses are available on the site that could feasibly be developed on the property. Finally, it should be recognized that the parcel is visible from Highway One, making it an attractive location for some type of commercial use. Given the Coastal Act directive to support higher priority uses when resources are limited, the prime location of this site for visitor-serving commercial use, and the existing stock of available land to support more residential use, the suggested modifications retain this site for Commercial Retail uses.

8. Proposed Combining Designation Changes

Combining Designations are overlays that prescribe further investigation or certain development standards in addition to the basic land use category requirements. For example, a development site with a sensitive habitat combining designation overlay is subject to additional standards in the Area Plan, as well as the Coastal Zone Land Use Ordinances. In Cambria, five Combining Designation changes are proposed. In San Simeon, only two are proposed. Most of these changes are relatively minor and can be found consistent with the Coastal Act. Some modifications are needed though, to address the protection of various coastal resources, as discussed in other sections of this report.

C. New Development and Public Services Conclusion

There are several modifications necessary for the Commission to be able to find the proposed LUP amendment consistent with the development and public service policies of the Coastal Act. Major suggested modifications ensure that adequate service capacities are available to serve the development accommodated under the LUP amendment, priority uses are accounted for, and a stable urban/rural boundary is maintained. Overall, the suggested modifications ensure protection of coastal resources by limiting new development to existing developed areas able to accommodate it. In conclusion, the Commission finds the LUP amendment, if modified as described above, is consistent with the new development and public service provisions of the Coastal Act.

2. Environmentally Sensitive Habitat Areas

A. Coastal Act Policies

One of the primary objectives of the Coastal Act is to preserve, protect, and enhance environmentally sensitive habitat areas (ESHA). Coastal Act Section 30240 prohibits any significant disruption of



habitat values, and limits development within ESHA to uses that are dependent on the resource. It also requires that development adjacent to ESHA be sited and designed to prevent significant degradation, and be compatible with the continuance of the habitat.

Section 30230 applies to marine habitats, and call for the maintenance, enhancement and restoration where feasible of marine resources, with special emphasis on areas and species of special biological or economic significance. Pursuant to this section, all uses of the marine environment must sustain the biological productivity of coastal waters, and maintain healthy populations of all marine organisms.

Section 30231 provides that the biological productivity of coastal waters, streams, wetlands, estuaries, and lakes must be maintained and, where feasible, restored. This is to be achieved by, among other means: minimizing adverse effects of wastewater discharges and entrainment; controlling runoff; preventing depletion of groundwater supplies and substantial interference with surface water flow; encouraging wastewater reclamation; maintaining natural buffer areas that protect riparian habitats; and minimizing alteration of natural streams.

As described previously in the New Development and Public Services section of this report, Coastal Act Section 30250a directs new residential, commercial, or industrial development to existing developed areas. Where developed areas cannot accommodate new development, it is to be located in other areas where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Section 30107.5 of the Coastal Act defines environmentally sensitive areas as follows:

30107.5: *"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.*

Coastal Act Section 30240 states:

Section 30240(a). *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*

Section 30240(b). *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

Coastal Act Sections 30230 and 30231 provide:

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.

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.*

B. Overview of ESHA

Cambria and San Simeon Acres contain a variety of environmentally sensitive habitats that host numerous rare and endangered native plants and animals. These include Monterey pine forest, an ecosystem endemic to this stretch of coast and a defining characteristic of the area; beaches that support populations of rare and threatened flora and fauna; streams such as Pico and Santa Rosa Creeks that support important fish species such as Steelhead trout and Tidewater goby; wetlands that are essential components to the health and biological productivity of area watersheds; native grasslands and oak woodlands; and intertidal and marine environments that provide habitat for numerous ocean resources.

Pages 6-2 and 6-3 of the proposed LUP amendment identify and describe in more detail the habitat types and areas designated as Sensitive Resource Areas (SRA's) in the urban portions of Cambria and San Simeon Acres. They include: the entire North Coast Shoreline; Monterey Pine Forests; and North Coast Creeks (including adjacent riparian and wetland areas). It should be noted that other SRA's are listed in the Plan, but because this amendment only includes the urban areas, the rural area details are intentionally left out.

C. Issues and Analysis

1. Identifying ESHA

Identifying the presence of ESHA within or adjacent to a proposed development is a critical step in the development review process. As discussed previously, the LCP uses a map-based system to identify areas where new development needs to be reviewed for conformance with provisions protecting ESHA. The problem with this approach is that where the maps are outdated or inaccurate, ESHA on a development site may not be identified. As a result the, the development may be designed and approved in a way that does not protect the habitat consistent with the Coastal Act.

The LUP amendment proposal includes a number of map changes aimed at improving ESHA identification in Cambria. Specifically, expanded habitat mapping occurs twice in the submittal. First, by expanding the SRA & TH Combining Designation for Cambria. Second, by adding a Streams and Riparian (SRV) ESHA designation to the coastal creek at the Eady Motel site on Moonstone Drive. The Commission has previously identified both of these changes as important additions to the LUP mapping. In addition, a new site review standard is proposed for all projects determined to have the potential to adversely impact a sensitive resource. This change is intended to promote early identification of



sensitive habitats and improve habitat protection (see Cambria Urban Area Communitywide Standard 8, pg. 7-15).

Conformance with Coastal Act Policies

The LUP amendment fails to conform with Coastal Act requirements because the map based structure of implementing LCP ESHA protection standards does not ensure protection of species not recognized, or not mapped. Modifications are necessary to correct these deficiencies. Expanding the Combining Designation map boundaries will help improve ESHA identification, but getting current and accurate information regarding the type and extent of habitats that may exist on a site is equally as important. Utilizing the best available information early in the development review stage will help address the shortfalls of the current map based identification system. Suggested modifications build on proposed Communitywide Standard 8 by adding additional language to improve habitat information gathering at the permit application stage and establishes some more definitive criteria to be used for identifying and delineating the extent of ESHA on a project site.

In San Simeon Acres, the two major ESHA streams (Pico Creek and Arroyo del Padre Juan) are currently identified and mapped as Coastal Streams and Riparian Vegetation (SRV) ESHA's in the LCP. However, Arroyo del Padre Juan is not listed in the LCP as one of the environmentally sensitive North Coast Creeks. The suggested modifications add Arroyo del Padre Juan to the list. Furthermore, an accompanying combining designation standard is also proposed in conjunction with the newly mapped arroyo to ensure that future development within and adjacent to the ESHA will avoid impacts to sensitive habitat areas consistent with the Coastal Act.

2. Monterey Pine Forest Protection

Beyond improving the early identification of ESHA, the County has made several efforts to improve the protection of Monterey Pine Forest in Cambria. These efforts include a number of new programs and changes to development standards of the LUP. Specifically, these changes include: assistance in the formation of a Forest Management District; integration of a coordinated program to reduce erosion in the Monterey pine forest; updating and expanding the TDC (Transfer of Development Credit) program; and establishing an Open Space District to begin purchasing and maintaining many of the small and substandard lots in the Cambria forest.

Also significant is a new Monterey Pine Forest Combining Designation Program (pg. 7-7) for the already subdivided portions of Cambria. This new standard establishes a series of reporting procedures and plan requirements with the purpose of minimizing tree removal and impacts to the sensitive pine forest. At the same time, the standard acknowledges that complete biological reports may not be necessary for all projects. Under the new standards all projects must implement a comprehensive set of construction practices and mitigation measures for the loss of native vegetation.

Conformance with Coastal Act Policies

The suite of proposed programs and standards build on current practices and enhance Monterey pine forest mitigation requirements. However, the LUP amendment falls short of meeting Coastal Act provisions, which require new developments to make every effort possible to first *avoid* impacts to



Monterey pine forest ESHA, and is therefore inconsistent with the requirements of Coastal Act Section 30240.

To bring this proposed Combining Designation standard into conformance with the Coastal Act, modifications are needed. Suggested modifications adjust the combining designation standard to assure that development impacts are minimized. Language has been added that first strives for complete habitat avoidance. With improved information gathering requirements and siting guidelines, sensitive habitat areas can be avoided, while recognizing that in some cases it may not be necessary to place undue burdens (like undertaking detailed biological reviews) on the development review process when it is clearly evident that Monterey pine forest ESHA is not present. Another important modification to this standard deals with clustering development for new land divisions or multi-family residential projects within Monterey pine forest habitat. Subsection H of the new standard must be revised to ensure that all new lot creation and/or developments be located entirely outside of ESHA and its required setback; and that all of the ESHA area be retained and protected as Open Space. Even though it is highly unlikely that new subdivision development could be approved in ESHA consistent with the Coastal Act, under the new standard, clustering development is mandatory for all land divisions and multi-family housing projects on parcels containing ESHA.

3. Protecting Streams and Riparian Habitats

The proposed amendment includes a number of new programs and standards aimed at protecting sensitive streams and riparian habitats and their associated wetlands. Specifically, the amendment adds a non-binding Santa Rosa Creek program for Cambria that encourages the County to establish a Creek Enhancement Plan with emphasis on restoration and enhancement (see Cambria Combining Designation Program 16, pg. 6-17). Other significant changes include: expanding the required setback in urban areas from 50 feet to 100 feet; limiting channelization or filling within the floodway (except under certain circumstances); and requirements for public access improvements in areas adjacent to the creek.

No additional standards beyond those already in place in the LCP are proposed for streams and riparian or wetland ESHA's in San Simeon Acres.

Conformance with Coastal Act Policies

As discussed above, parts of the LUP amendment are successful in applying adequate new standards to protect Santa Rosa Creek and its associated riparian habitats. However, slight modifications are necessary to bring specific stream and riparian habitat protection measures into conformance with the Coastal Act. Modifications are necessary to clarify the exceptions under which the channelization or filling in the Santa Rosa Creek floodway would be permitted. In addition, an accompanying combining designation standard is also proposed for Arroyo del Padre Juan to ensure that future development within and adjacent to the ESHA will avoid impacts which would significantly degrade the creek consistent with Coastal Act Section 30240.

To find the community plans consistent with Coastal Act Section 30240, suggested modifications are necessary to ensure that all revegetation is done using native, non-invasive plant species appropriate to the area. This standard is currently included for Cambria, but not for San Simeon Acres. Suggested modifications are included that expand this requirement to new developments in San Simeon Acres.



This is particularly important for new development adjacent to sensitive creeks.

4. Marine Water Quality

Discharges from many sources can harm the marine environment. A primary concern is the cumulative effect of many smaller impacts to the marine environment. Many small impacts can add up to significant impacts over time. Such impacts would include both water quality impacts from ongoing inflows as well as direct impacts from human activities within the marine environment. Examples include: polluted runoff; wastewater discharges; aquaculture and seawater passthrough discharges; and brine discharges from desalination plants (as discussed, the CCSD is currently pursuing a desalination facility, however the type and location of brine discharge has yet to be established).

The proposed LUP amendment contains combining designation standards for both Cambria and San Simeon acres focused on protecting the sensitivity of the marine habitat. Projects with point-source discharges are not allowed under the standard, but under certain circumstances it is allowed, provided that certain criteria are met.

Concerns are also raised over the ability of some properties to adequately absorb and drain storm runoff. A recent erosion and sedimentation study by the Natural Resources Conservation Service in the Lodge Hill area of Cambria identified impacts of runoff in developed areas. The findings from the study indicate that residential development and road construction have led to increased runoff from the impervious surfaces, resulting in a higher rate and volume of runoff, and possible changes in flow patterns and rates of sedimentation into streams. The study notes that forested areas play an important role in increasing water infiltration, and reducing runoff velocities. Other properties such as Tract 226, raise concerns about controlling runoff and preventing erosion and sedimentation into stormdrain systems and waterways at lower elevations.

Conformance with Coastal Act Policies

The proposed LUP amendment is inconsistent with the Coastal Act's marine resource protection policies due to potential impacts caused by projects with point-source discharges. One problem with the proposed standard is that it does not provide for the implementation of feasible less environmentally damaging alternatives. Suggested modifications are required to bring the Marine Habitat SRA standards into conformance with the Coastal Act.

Suggested modifications to this standard also require that only if other locations or types of discharges are infeasible (e.g., subsurface discharges, co-locating new discharges with existing discharges if the combined discharge reduces the overall impact, etc.) would point-source discharges be allowed. The standard must also be modified to ensure that resource protection provisions are required with any type of discharge, including those which may be developed sub-surface.

Site specific drainage and erosion control standards are also necessary to ensure the protection of marine resources and water quality. The County submittal provides a suite of drainage provisions for the residential single family land use category. To be consistent with the Coastal Act, these provisions should be applied Communitywide. In addition, a specific standard is applied to Tract 226 to bring it into conformance with the Coastal Act requiring the protection of coastal water quality. With these



changes the LUP amendment can be found consistent with the Coastal Act protecting environmentally sensitive marine resources and water quality.

D. ESHA Conclusion

The proposed LUP amendment makes substantial improvements towards the identification and protection of ESHA. However, in order to achieve consistency with the Coastal Act, modifications are required. Known ESHA must be appropriately mapped in the LUP and mandatory site reviews must be required for projects that have the potential to impact ESHA. For the Monterey pine forest in Cambria, a provision that requires avoidance of resource impacts to be pursued in new development before mitigation measures are implemented. Modifications also call for development standards specific to Arroyo del Juan to protect ESHA from future development impacts, and some exceptions to the channelization and fill of the Santa Rosa Creek flood plain must be eliminated for Coastal Act conformance. As an additional means of achieving compliance with the Coastal Act, the suggested modifications require that discharges into the Marine Habitat SRA be amended to protect marine water quality and the biological continuance of the resource. Only with these modifications, can the LUP amendment be found consistent with Coastal Act Sections 30230, 30231, and 30240.

3. Coastal Hazards

A. Coastal Act Policies

The Coastal Act requires that new development be sited and designed to minimize risk to life and property specifically in areas of high geologic, flood and fire hazard. Under the Coastal Act, development is required to be sited and designed to assure stability and structural integrity and neither create nor contribute significantly to erosion or require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs (Section 30253). Section 30235 of the Coastal Act allows the construction of shoreline protective devices where existing development is threatened from erosion and where designed to eliminate or mitigate impacts on shoreline sand supply. Further the Coastal Act provides that development damaged or destroyed by natural disasters can be rebuilt in the same area, exempt from coastal permits, provided that they are not expanded by more than 10% and conform to existing zoning requirements. Certain emergency actions are also exempt from permit review.

Coastal Act Section 30253 addresses the need to ensure long-term stability and structural integrity, minimize risk, and avoid landform-altering devices. Section 30253 provides, in applicable part:

Section 30253. New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*



Coastal Act Section 30235 addresses certain hazard response development (such as shoreline protective devices). Section 30235 states:

***Section 30235.** Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

As for flooding hazards, the Coastal Act recognizes that coastal rivers and streams may be subject to various engineering projects for flood control. Section 30236 allows “channelizations, dams, or other substantial alterations of rivers and streams,” but only if such development uses the best mitigation measures feasible. Such projects are also limited to necessary water supply projects; flood control where there is no other feasible method to protect existing structures or provide for public safety; or developments where the primary function of the development is fish and wildlife habitat improvement.

Coastal Act Section 30236 states:

***Section 30236.** Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.*

B. Overview of Hazards in Cambria and San Simeon Acres

The urban areas of Cambria and San Simeon Acres are subject to a variety of hazards including, ocean bluff erosion, flooding, seismic hazards, landslides, and fires. Not all areas are subject to the same hazards. In Cambria, the ocean bluffs of West Lodge Hill and Park Hill are subject to shoreline erosion. Flooding is a concern primarily along Santa Rosa Creek, especially in the West village, and the East portion of the Fiscalini Ranch. The most notable fire hazards are the pine forests, which is where most of the urban development has occurred in Cambria. Earth movement through landslides and erosion on steep slopes, and/or on areas of improper drainage and grading, also poses a hazard. Since much of Cambria is on moderate to steep slopes with poorly drained soils, there is a high degree of such erosion hazards.

The ocean fronting bluffs of San Simeon Acres are also subject to wave attack and erosion. However, the bluffs of San Simeon Acres are quite different from Cambria in terms of the degree of blufftop development and the amount of shoreline armoring present. In contrast to Cambria, San Simeon Acres has many undeveloped blufftop parcels with little or no shoreline protection in place. The only substantial shoreline protective device within the entire San Simeon Acres planning area is located on the bluffs fronting the SSCSD sewage treatment facility. This rip-rap revetment was constructed without the benefit of a coastal development permit and to remedy the permit violation, the SSCSD has



applied to the Coastal Commission for an after-the-fact coastal development permit to retain the rip-rap (CDP Application #3-05-019).

C. Issues and Analysis

1. Bluff Erosion and Setback Distances and Shoreline Protective Devices

In Cambria, approximately eighty-six single family residential parcels exist in these areas and roughly 57 to 65 of these parcels are developed with residences. Nearly half of these residential parcels (between 28 and 32) have some form of bluff protection, typically a seawall or rock revetment. In addition, rock revetments are currently in place to protect public parks and recreation areas at Leffingwell Landing and along the beach in front of Shamel Park. In contrast, the bluffs on San Simeon Acres are free of shoreline protection. The most recent proposal for a shoreline protective device in San Simeon Acres was denied by the Commission (A-3-SLO-99-019). In that decision, the Commission found that there was not an existing structure threatened by erosion and the proposed rip-rap was not the least environmentally damaging alternative.

Establishing adequate setbacks is the principal mechanism in the LCP to attempt to avoid or minimize the need for future shoreline armoring. As the Commission found in the 2001 Periodic Review, current setback distances, which are based on a 75 year economic life of a structure and a 25 foot minimum, do not take into account the episodic nature of erosion and fall short of Coastal Act requirements to site development so as not to need a shoreline protective device for the life of the structure.

Conformance with Coastal Act Policies

The proposed hazard standards in the LUP amendment are not consistent with the Coastal Act. As proposed, setback distances relying primarily upon historic erosion information have not resulted in the siting of new development to avoid future shoreline armoring. Ongoing gradual erosion as well as greater erosion during high storm events would argue for setbacks greater than the 25 feet currently established in the LCP. In order to assure stability and structural integrity consistent with the Coastal Act Section 30253, the standards in the Cambria and San Simeon Acres Community Plans need to be modified. Consistent with previous findings made by the Commission, suggested modifications require that setbacks be based on a projected 100-year economic life of a structure rather than 75 years. The modification adds the requirement for a quantitative slope stability analysis using a safety factor of 1.5 either as a multiplier or as a set distance, whichever is greater. In no case is the setback to be less than 25 feet.

The primary issue for Cambria is the redevelopment of blufftop properties. As described, there are very few vacant parcels on the blufftop here (approximately 1 or 2). Development in recent years has been to significantly expand or remodel older homes, even though some of these residences are currently non-conforming in terms of their blufftop setback. Some of the shoreline protection located on the bluffs were not developed with the benefit of a coastal development permit and encroach onto public land.

To address the potential for seawall development with substantial redevelopment of existing structures on blufftop lots, suggested modifications require that new applications for projects located on the bluffs or shoreline meet detailed application requirements. Further modifications require that substantial



remodels of 50 percent or greater in size must be brought entirely into conformance with the minimum bluff setback requirements. A requisite deed restriction against the property will ensure that no shoreline protection structure shall be proposed or constructed to protect the development approved and which expressly waives any future right to construct a such devices that may exist pursuant to Section 30235. The modifications also require a waiver of liability. The Commission has included these same standards in other LCP's statewide, and has recently implemented such standards on appeal for a blufftop development in the urban area of Cambria (see Korpiel A-3-SLO-02-093).

3. Development in Flood Zones

Cambria is prone to flooding with Santa Rosa Creek flowing through or near the commercial areas of the East and West Villages. The mapped flood hazard area in Cambria includes portions of the East Village adjacent to the creek and all of the commercial area of West Village. Even though Santa Rosa Creek is on the opposite side of Highway One from the West Village, water backs up behind the Highway One bridge, overtops the banks of the creek, and flows over land into the West Village. Culverts and flap gates on the creek intended to prevent water from flowing in to the West Village are not fully effective when the creek is flowing at high levels and volumes.

In Chapter 6, the amendment proposes a discretionary Combining Designation Program that includes the goals of preserving the natural flood plain of Santa Rosa Creek to handle flooding, emphasizing restoration and enhancement (pg. 6-17). In addition, the LUP amendment adds two important new standards dealing with development in and adjacent to Santa Rosa Creek (pg. 7-11). One standard requires applications for new development in the Santa Rosa Creek watershed or in the West Village to include a drainage and erosion control plan and requires mitigation for significant adverse effects development may have on flooding and drainage problems. The other proposed new standards address maintenance of the biological viability of Santa Rosa Creek, the monitoring of water levels and quality, and parameters for filling in the floodway and floodplain.

Conformance with Coastal Act Policies

Coastal Act Section 30253 requires new development to minimize risks to life and property in areas of high flood hazard. Overall, the LUP amendment does not provide adequate policies for minimizing flooding hazards in Cambria consistent with Coastal Act Section 30253. In particular, there is no policy guarantee that that flooding will not continue to jeopardize new development located within the flood plain of Santa Rosa Creek. Cambria Urban Area Combining Designation Standard 4, which requires the ecological viability of Santa Rosa Creek to be maintained, does not adequately address the risk to life and property that flooding can cause. It is important to note, however, that the County is currently pursuing a phased flood control project to reduce the overall risk of flooding in the West Village. According to the County, coastal development permits have been secured for such flood control project and Phase I construction is anticipated to take place sometime this year. According to the County, Phase I will alleviate approximately 95% of the cause of flooding in West Village.

Inconsistent with the Coastal Act, the amendment does not require any mandatory actions to address flooding in West Village. In order to address the requirements of CA Section 30253, a new standard is needed that requires that no development, except those allowed under the Coastal Act, be approved until



the Phase I flood control project is implemented by the County. In addition, allowances for proposed uses in the floodplain that do not meet the requirements of Coastal Act Section 30236 must be deleted.

San Simeon Acres

Flooding in San Simeon Acres is typically not as severe as that experienced by the West Village in Cambria. Pico Creek at the north of the community is confined in a floodplain sufficiently below the elevation of the community to not pose a threat; its bed is some 40 feet below the general elevation of the community. The mapped flood area for Pico Creek is contained within the banks of the stream. Arroyo del Padre Juan, at the southwestern corner of the community, is also mapped as a flood hazard area. Although the watershed is small and doesn't handle large quantities of water, flooding episodes have occurred in the past affecting adjacent properties.

Conformance with Coastal Act Policies

As for San Simeon Acres, the proposed LUP amendment does not contain standards dealing with flooding, even though hazard areas are mapped along Pico Creek and Arroyo del Padre Juan. Since flooding poses a relatively small threat in San Simeon Acres, the policies and standards contained elsewhere in the LCP are sufficient to ensure that any development there will not pose threats to life or property because of flooding. Therefore, the LUP amendment is consistent with CA Section 30253 regarding flood hazards in San Simeon Acres.

C. Hazards Conclusion

With the recommended modifications to address shoreline erosion, shoreline armoring, and flood hazards, the Commission finds that the LUP amendment is consistent with Coastal Act Sections 30253 and 30235.

4. Public Access and Recreation

The Coastal Act requires that maximum public access opportunities be provided, consistent with public safety and the need to protect private property owners' rights and natural resource areas from overuse. The Coastal Act further requires that development not interfere with the public's right of access to the sea. The provision of public access, however, is to take into account whether or not adequate public access exists nearby, or if agriculture would be adversely affected. With regard to LCP requirements, the Coastal Act provides that each LCP shall contain a specific public access component.

A. Coastal Act Policies

Coastal Act Sections 30210 through 30214 and 30220 through 30224 specifically protect public access and recreation. In particular:

***Section 30210.** In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*



Section 30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212(a). *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,*
- (2) adequate access exists nearby, or,*
- (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

Section 30212.5. *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.*

Section 30213. *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...*

Section 30214(a). *The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:*

- (1) Topographic and geologic site characteristics.*
- (2) The capacity of the site to sustain use and at what level of intensity.*
- (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.*
- (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.*

Section 30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Section 30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately*



provided for in the area.

Section 30222.5. *Ocean front land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.*

Section 30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

B. Overview of Public Access and Recreation

The urban areas of Cambria and San Simeon Acres provide good opportunities for the public to access the shoreline. State beaches, vista-points, and a host of formal and informal accessways to the beach exist in each community. In San Simeon Acres, the broad sandy beach provides excellent lateral access. The primary access point is at the end of Ruta Lane, where parking and a stairway is located. Other vertical access opportunities (one vertical easement owned by the County; and one vertical offer-to-dedicate) exist south of the Cavalier Inn and along Balboa Avenue at the southern end of the planning area.

In Cambria, public access opportunities to the shoreline are also good. At the north end of the planning area, Leffingwell Landing provides access and recreation opportunities. Access and recreation amenities such as parking, eating areas, benches, and restrooms are provided. This area also includes a free small craft launch for direct access to the ocean. Further south along Moonstone Beach Drive, a pedestrian boardwalk provide lateral access along the shoreline and provides excellent scenic vistas of the beach and ocean. The adjacent inland areas are primarily visitor-serving motels. Further south, Shamel County Park provides developed lawn areas with picnic tables, barbeques, parking, restrooms, as well as direct beach access. Lateral blufftop access along the western portion of Fiscalini Ranch is currently provided, with entrances at the south and north end from Windsor Blvd. An established loop trail system provides access to upland areas of the ranch. On either side of the Fiscalini Ranch, the residential enclaves of Park Hill and Lodge Hill provide some beach access, primarily in the form of street end stairs and pathways leading to small, seasonal pocket beaches. At the southern end of the planning area is Lampton Cliffs Park. This is a popular neighborhood park that provides a short blufftop loop trail a stairway to the beach below.

C. Issues and Analysis

Planning for Maximum Public Access

The LUP amendment provides an entirely new Coastal Access Chapter (Chapter 8) specific to Cambria and San Simeon Acres. Chapter 8 includes a variety of public access goals, an overview of existing Coastal Act and LCP policies, programs, designations, and a background discussion on a variety of access issues. Figures are also included that show significant coastal accessways. In the time since the amendment submittal, the County has worked with staff on an updated Chapter 8 (see Exhibit F).

Conformance with Coastal Act Policies



Coastal Act Sections 30210-30214 make clear that public agencies implementing the Coastal Act must make every possible effort to plan for and provide maximum public access to the shoreline, while balancing other public, private, and ecological concerns. Although the County proposed amendment submittal contains important public access descriptions, maps, inventories, and programs, it falls short of the goal of planning for maximum access.

As described above, shoreline access in the Cambria area is generally good. However, to maximize public access opportunities consistent with the Coastal Act, a few modifications are required. These include new bridge replacements to evaluate the feasibility of bicycle and pedestrian pathways along with vehicular crossings. For San Simeon Acres, Communitywide Standard 3 - Shoreline Access in new Visitor-Serving Developments, requires the construction and maintenance of a lateral blufftop access trail for public use to be provided for new development. Shoreline Access in new Public Facility Developments requires the Arroyo del Padre Juan bridge to be improved to include bicycle and pedestrian crossings. Modifications are also made to the new Chapter 8 submittal. With these modifications, maximum access planning in San Simeon Acres will be accomplished consistent with the Coastal Act.

New development that occurs in the urban areas of Cambria and San Simeon Acres has the potential to adversely impact traffic levels in the rural areas outside of each of these communities. In order to ensure that the community plans are consistent with Coastal Act Section 30254, which requires that Highway One remain a scenic two-lane road, as well as to ensure that new development does not create traffic impacts that are inconsistent with Coastal Act access and recreation policies, modifications are suggested throughout the document that limit new development in accordance with these constraints.

C. Public Access and Recreation Conclusion

Overall, the LUP amendment describes substantial public access and recreation opportunities and is generally improved. Nevertheless, there a number of LUP modifications that are necessary for the Commission to be able to find the amendment consistent with the access and recreation policies cited above. If modified as suggested, then the LUP can be found consistent with the public access and recreation provisions of the Coastal Act.

6. Scenic Resources

A. Applicable Policies

Coastal Act Section 30251 provides for the protection of the scenic and visual qualities of coastal areas. Permitted development shall be sited and designed to protect views of and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of the surrounding area, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas shall be subordinate to the character of the setting. In addition to the landform alteration reference in Section 30251, Coastal Act Section 30253 also directs new development to avoid alteration of the natural landform.

The Coastal Act states:



Section 30001(b). *The Legislature hereby finds and declares that the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation.*

Coastal Act Section 30251 states:

Section 30251. *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

Coastal Act Section 30253 states, in applicable part:

Section 30253(2). *New development shall assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Coastal Act Section 30253(5) protects community character. Section 30253(5) states:

Section 30253(5). *New development shall where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

B. Overview of Scenic Resources

The native stands of Monterey pine forest surrounding Cambria and San Simeon Acres provide a distinct and highly scenic visual landscape that help define the character of these communities. The coastal waters and beaches also contribute to the scenic values of each community. Marine waters off the coast are part of the Monterey Bay National Marine Sanctuary. For travelers along Highway One, “peak” ocean views between existing developments on Moonstone Beach Drive and beyond San Simeon Acres towards San Simeon Point add to the visual experience. Cambria and San Simeon Acres both contain areas designated in the LCP as Special Communities because of their unique architecture, historic value, and scenic visual resources.

C. Issues and Analysis

1. Protection of Scenic Viewsheds

As described above, there are many significant scenic viewsheds and landscapes to be protected in and around Cambria and San Simeon Acres. The Coastal Act goal of siting and designing structures to minimize visual impacts can often conflict with an applicant’s objective to maximize ocean views. It may also be difficult to site some structures out of the public viewshed, particularly on smaller,



sometimes non-conforming parcels that may have little opportunity for screening behind existing natural landforms. Heightened rural development has raised awareness about impacts to public views, particularly as recreation and public access have increased. Acquisitions of public land, such as the Fiscalini Ranch, have created new opportunities for public recreation and the need to protect views that have not always been available.

The LCP presently contains a TDC program for the purpose of addressing the problem of community buildout on existing small lots in Cambria. Improvements to the program expand on opportunities to protect forested areas that define the character of the community. A new Vista Point Combining Designation Program incorporates recommendations from the 1998 North Coast Update to coordinate and improve vehicle turnouts and amenities (see Combining Designation Program #1, pg. 6-41). The creation of a new Small Lot Open Space District will improve the chances of protecting the urban forest as a visual resource (see Combining Designation Program #13, pg. 6-15).

Both of the proposed Community Plans provide new Communitywide Standards for site planning, site design, and building to protect scenic resources. Within the Highway One viewshed in Cambria, these new standards require: the minimization of landform alterations; limiting site disturbance to areas that are on the least visible portions of the site; the use of native vegetation, when feasible, to screen development; shielding of night lighting; and the use of appropriate colors and material to encourage new developments to be sited and designed to minimize visual impacts (see Cambria Urban Area Communitywide Standards 10 through 13, pgs. 7-18 through 7-20). In San Simeon Acres, a similar suite of development standards is provided (see San Simeon Acres Communitywide Village Standards 5 through 11, pgs. 7-100 through 7-102).

Conformance with Coastal Act Policies

The proposed LUP amendment contains new programs and development standards that adequately address protecting scenic resources within the urban setting of Cambria and San Simeon Acres. There is no question, however, that the context of this analysis would be much different in evaluating the more pristine rural areas of Hearst Castle, Piedras Blancas, and north to the Big Sur coastline. Within the urban areas, certification and inclusion of Cambria Design Plan standards will go a long way in forwarding the values of the Coastal Act.

2. Preserving Community Character

As summarized earlier, the Coastal Act also seeks to protect the character of unique coastal towns. Community character is subjective in many respects, but opportunities exist through the LUP amendment submittal to preserve community character consistent with the Coastal Act. The LUP amendment spells out in great detail the 22 structures and sites of historic importance (pgs. 6-5 through 6-8). Combining Designations for popular Visitor-Serving Areas (V) in Cambria and San Simeon are included in the LUP amendment with corresponding development standards to protect the unique, visually pleasing characteristics of these destination points. By requiring new development to be compatible with existing structures and natural features of the community, the Community Plans conform to the Coastal Act provisions regarding the preservation of community character.



D. Scenic Resources Conclusion

Scenic resources and community character are protected under the Cambria and San Simeon Acres Community Plans. The Cambria Design Plan, which is incorporated into the amendment submittal, provides adequate new development standards to avoid scenic resource impacts while at the same time protecting the community character of these areas. As proposed, the scenic and visual qualities of Cambria and San Simeon Acres are protected and new development will be sited and designed to protect views to and along the shoreline. When applied in conjunction with other land use and habitat protection standards, the LUP amendment, as proposed, is consistent with Coastal Act Section 30251 and 30253.

7. Archaeological Resources

A. Coastal Act Policies

Archaeological resources are protected by Coastal Act Section 30244, which requires that development that would adversely impact archaeological resources provide mitigation for such impacts.

Coastal Act Section 30244 states:

***Section 30244.** Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

B. Overview of Archaeological Resources

Within the Cambria Urban Reserve Line there are at least 25 known archaeological sites. Several of those are on the Fiscalini Ranch (previously the East-West Ranch), the single largest undeveloped property within the Cambria URL, and total about three to four acres, or roughly one percent of the area of the Ranch. Details about the amount and location of know archaeological sites in San Simeon Acres are not as clear, however, the two most likely locations are along the two creeks within the urban planning area: Pico Creek and Arroyo del Padre Juan.

C. Issues and Analysis

1. Identification of Archaeological and Historic Resources

To adequately protect archaeological resources, sites must be identified. The current LCP contains policies and ordinances for the identification of archaeological sites. The LCP states that the County shall establish and maintain archaeological site records of data files about know sites. The LCP directs that these areas be treated as confidential. Within urban areas, the County must maintain maps in the Land Use Element which reflect generalized areas as know sites. In addition, the LCP uses Archaeologically Sensitive Areas (ASA) as a Combining Designation applied to areas of known or suspected archaeological resources.

In addition to the provisions of the LCP, the County often incorporates other measures to identify archaeological resources. Site evaluations, which are conducted for every discretionary permit, help identify archaeological sites. In the 2001 Periodic Review, a general evaluation of past permit actions



found that the County has been successful in identifying archaeological resources.

Conformance with Coastal Act Policies

The Coastal Act requires that reasonable mitigation measures shall be required where development would adversely impact archaeological or paleontological resources. In order to provide reasonable mitigation, sites containing archaeological resources need to first be identified. Overall the County appears to have been reasonably successful in identifying archaeological sites. The protection of archaeological resources will be a significant concern for siting future development on the Fiscalini Ranch. Part 2 of this LUP amendment submittal (not currently evaluated in this report) will address measures specific to the Fiscalini Ranch. Within San Simeon Acres, it is unlikely that new archaeological sites will be found within the already developed urban areas. Therefore, no site specific archaeological standards are needed in San Simeon Acres to ensure consistency with Coastal Act Section 30244. Thus, the objectives of the Coastal Act with respect to adequate site identification are satisfied.

2. Protection and Mitigation Standards for Archaeological Resources

Once archaeological sites have been identified, adequate protection and mitigation measures need to be established. The current LCP contains standards and ordinances aimed to ensure that any proposed development be designed and located to minimize its impacts on archaeological resources. Although the LCP only requires the preliminary site surveys be conducted for development within an archaeologically sensitive area, the County performs surveys on parcels regardless of whether or not they are located within a mapped ASA. Although not currently required under the LCP, participation of Native Americans in regards to disturbance and preservation of archaeological resources is a priority for the County.

The County often attempts to avoid impacts to archaeological resources by relocating the structure, changing the design of the structure, or minimizing impacts to the resource. If impacts are unavoidable, the County incorporates mitigation measures. A sample of past permit actions show that these measures have been undertaken largely in the Cambria urban area. According to the findings in the 2001 Periodic Review, it appears the County has been successful in protecting and mitigating archaeological resources.

Conformance with Coastal Act Policies

The Coastal Act requires that reasonable mitigation measures shall be required where development would adversely impact archaeological or paleontological resources. Overall, the County has been successful in incorporating mitigation measures to protect cultural resources, as required by the Coastal Act.

D. Archaeological Resources Conclusion

The Coastal Act requires that development that would adversely impact archaeological resources provide mitigation for such impacts. In sum, the County has been successful in adequately identifying sites and implementing protective actions and mitigations when possible. No other site specific measures are necessary to include in the Cambria and San Simeon Community Plans. For these reasons,



the LUP amendment is consistent with Coastal Act Section 30244.

C. California Environmental Quality Act (CEQA)

The Coastal Commission's review process for Local Coastal Programs (and amendments thereto) has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis of LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake. In this case, the County approved an EIR for the new land uses and developments allowed by the LCP amendment. Staff has used this information in the analysis of the amendment submittal, and has identified additional measures that need to be incorporated into the amendment in order to avoid adverse environmental impacts. The measures are embodied in the suggested modifications to the County's amendment submittal. With these changes, approval of the amendment complies with the California Environmental Quality Act because as modified, the amendment will not have significant environmental effects for which feasible mitigation measures have not been employed.

