

## CALIFORNIA COASTAL COMMISSION

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Th9c



**Prepared March 24, 2011 (for April 14, 2011 Hearing)**

**To:** Coastal Commissioners and Interested Persons

**From:** Dan Carl, Central Coast District Manager  
Madeline Cavalieri, Coastal Planner

**Subject: Certification Review for San Luis Obispo County Local Coastal Program Amendment Number 2-09 Part 2 (Inclusionary Housing)**

On August 11, 2010 the Coastal Commission approved, with suggested modifications, San Luis Obispo County Local Coastal Program (LCP) Major Amendment Number 2-09 Part 2. This LCP amendment added guidelines designed to foster affordable housing by requiring it to be provided for in many different types of development projects (i.e., “inclusionary housing”), and by providing density bonuses and exceptions from normal zoning requirements for certain projects that construct affordable housing either on or off site.

By action taken January 25, 2011, San Luis Obispo County adopted the amending LCP text as directed by the Commission’s suggested modifications (see Exhibit 1). This action was taken within the required six-month timeframe.

The Executive Director has determined that the actions taken by the County are legally adequate and that the amended LCP should be certified. The Executive Director recommends that the Commission concur with this determination and that the LCP, as amended, be certified. If the Commission concurs, the amended LCP will be certified as of today’s date (i.e., April 14, 2011), and notification of this certification and Commission concurrence will be forwarded to the City.

**Motion.** I move that the Commission concur with the Executive Director’s determination that the actions taken by San Luis Obispo County to accept the Commission’s suggested modifications for LCP Amendment 2-09 Part 2 are legally adequate. I recommend a yes vote.

**Executive Director’s Recommendation.** The Executive Director recommends a **YES** vote on the motion. Passage of this motion will result in certification of the San Luis Obispo County LCP as directed by the Commission’s approval with suggested modifications of LCP Amendment 2-09 Part 2; the amended LCP will be certified as of today’s date (i.e., April 14, 2011). The motion passes only by affirmative vote of a majority of the Commissioners present.

#### Exhibits

Exhibit 1: County’s Acceptance of the Coastal Commission’s Suggested LCP Modifications



**RECEIVED**

FEB 14 2011

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

IN THE BOARD OF SUPERVISORS

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tuesday January 25, 2011

PRESENT: Supervisors Frank Mecham, Bruce S. Gibson, Paul A. Teixeira, James R. Patterson and  
Chairperson Adam Hill

ABSENT: None

RESOLUTION NO. 2011-23

RESOLUTION ACKNOWLEDGING RECEIPT AND AGREEING TO  
CALIFORNIA COASTAL COMMISSION'S MODIFIED LANGUAGE PERTAINING TO THE  
SAN LUIS OBISPO COUNTY LOCAL COASTAL PLAN -  
MAJOR AMENDMENT NUMBER 2-09 - PART 2

The following resolution is now offered and read:

WHEREAS, the County of San Luis Obispo Board of Supervisors conducted a public hearing on December 9, 2008, and approved amendments to the Coastal Zone Land Use Ordinance/Local Coastal Plan; and

WHEREAS, the County submitted the San Luis Obispo County Local Coastal Plan - Major Amendment Number 2-09 Part 2 to the California Coastal Commission for certification on May 15, 2009; and

WHEREAS, on July 22, 2010, the California Coastal Commission recommended modified language to the San Luis Obispo County Local Coastal Plan - Major Amendment Number 2-09 - Part 2; and

WHEREAS, on August 11, 2010, the California Coastal Commission certified the San Luis Obispo County Local Coastal Plan - Major Amendment Number 2-09 - Part 2 provided that certain modified language suggested by the California Coastal Commission is adopted by the County, the said language is contained in the California Coastal Commission staff report dated July 22, 2010, attached hereto and incorporated by reference herein; and

WHEREAS, pursuant to the California Code of Regulations, Title 14, Sections 13544(a), 13544.5(a), 13547(a) and 13551(b), the San Luis Obispo County Board of Supervisors may now accept and agree to the terms and modifications suggested by the California Coastal Commission to the San Luis Obispo County Local Coastal Plan - Major Amendment Number 2-09 - Part 2, and take formal action to satisfy the terms and modifications.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, in a regular meeting assembled on the twenty-fifth day of January, 2011, that the Board of Supervisors of San Luis Obispo County acknowledges receipt and hereby agrees to the modified language as suggested by the California Coastal Commission, without further changes, pertaining to the San Luis Obispo County Local Coastal Plan Major Amendment Number 2-09 - Part 2 as set forth in Exhibit "A", attached hereto and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED AND ORDERED that the Coastal Zone Land Use Ordinance and Local Coastal Plan be amended and adopted as follows:

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

a. The Board of Supervisors accepts the modified language suggested by the California Coastal Commission pertaining to amendments to the affordable housing ordinances of Title 23 - specifically Coastal Zone Land Use Ordinance Sections 23.04.090, 23.04.094, and 23.04.096, and also pertaining to the addition of Title 23 - Coastal Zone Land Use Ordinance Section 23.04.097: Affordable Housing Density Bonus and Development Standard Modifications

- Requirements, as it implements the California Coastal Commission's recommendation by amending and adding the language as it appears in Exhibit A attached hereto and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED AND ORDERED that pursuant to California Code of Regulations, Title 14, Sections 13544.5(b) and 13547(b), the Board of Supervisors directs staff to submit this resolution to the Executive Director of the California Coastal Commission for a determination, in writing, that the County's action is legally adequate to satisfy the conditions of certification set forth in the California Coastal Commission's certification order.

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

AYES: Supervisors Gibson, Patterson, Mecham, Teixeria and Chairperson Hill

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted.

Adam Hill  
Chairman of the Board of Supervisors

ATTEST:

Julie L. Rodewald  
Clerk of the Board of Supervisors  
By: Sandy Currens  
Deputy Clerk

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN  
County Counsel

By: /s/James B. Orton  
Deputy County Counsel

Date: January 11, 2011

STATE OF CALIFORNIA ) ss.  
COUNTY OF SAN LUIS OBISPO )  
I, JULIE L. RODEWALD, County Clerk of the above entitled County, and Ex-Officio Clerk of the Board of Supervisors thereof, do hereby certify the foregoing to be a full, true and correct copy of an order entered in the minutes of said Board of Supervisors, and now remaining of record in my office.  
Witness, my hand and seal of said Board of Supervisors this 1st day of February, 2011.  
JULIE L. RODEWALD  
County Clerk and Ex-Officio Clerk of the Board of Supervisors  
By: Sandy Currens  
Deputy Clerk