

**CALIFORNIA COASTAL COMMISSION**

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# Th20a

**Prepared January 9, 2013 for January 10, 2013 Hearing**

**To:** Commissioners and Interested Persons

**From:** Madeline Cavalieri, District Manager  
Kevin Kahn, Coastal Planner

**Subject: STAFF REPORT ADDENDUM for Th20a  
City of Pismo Beach Amendment Number 1-12 Part 2 (Land Use and Parks and Recreation)**

The purpose of this addendum is to modify the staff recommendation for the above-referenced item. Specifically, in the time since the staff report was distributed, Staff received a letter from the Northern Chumash Tribal Council (Council) dated December 22, 2012 (see letter attached as Exhibit A). In that letter, the Council requests additional language in proposed Land Use Element Policy LU-9 to more clearly address consultation requirements between the City and the local Chumash. Specifically, the Council requests additional language to clarify that the City must provide outreach to local Chumash by notifying the Native American Heritage Commission (NAHC) of documents and studies prepared pursuant to CEQA, ensuring participation by the Chumash of those projects and studies, requiring all archaeological studies to be performed by members of the Register of Professional Archaeologists, and having any such archaeological studies follow the standards recommended by the Secretary of the Interior.

Commission staff agrees that the requested language would clarify the process and standards by which local tribes participate in coastal project review involving archaeological resources, and would help ensure that any archaeological studies are performed properly, consistent with Coastal Act Section 30244. Commission staff has consulted with City staff and Chumash representatives regarding the proposed language, and all parties are supportive of modifying Policy LU-9 to address the requested refinements.

Thus, the staff report dated prepared December 21, 2012 is modified as shown below. Specifically, Policy LU-9 is amended to specify that the City is to notify the NAHC of all CEQA documents and studies, which will then contact the appropriate members of the Chumash via the "California Tribal Consultation List". This list is maintained by the NAHC. Additionally, the amended policy includes a requirement that archaeological studies are to be performed by members of the Register of Professional Archaeologists (a similar requirement is in the City of Carmel's certified LCP), and that such archaeological studies should follow the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.

- 1. Add new Suggested Modification 7 on Page 6 of the Staff Report (and modify Policy LU-9 on Page 1 of Exhibit B of the Staff Report to match) as follows:**

*Modify Land Use Element Policy LU-9 as follows:*

*LU-9 Chumash Cultural Resources Preservation. Appropriate measures for Chumash Cultural Resources Preservation shall be provided with future development of private and public property, including with California Environmental Quality Act compliance and meaningful consultation with local Chumash groups, as noted on the Native American Heritage Commission's "California Tribal Consultation List." Archaeological studies shall be performed by members of the Register of Professional Archaeologists, and should follow the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.*

- 2. Add Coastal Act Section 30244 to the end of the list of applicable policies on Page 8 of the Staff Report as follows:**

*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.*

- 3. Add the following text after the second paragraph on page 12 of the Staff Report, prior to the conclusion:**

*Finally, language to clarify the process and standards by which local tribes participate in coastal project review involving archaeological resources is necessary to help ensure that any archaeological studies are performed properly, consistent with Coastal Act Section 30244 (see Suggested Modification 7). The suggested modification clarifies the process by which the City will consult with the Chumash tribe on projects that may impact historic and cultural resources. It also requires any archaeological studies to be performed by members of the Register of Professional Archaeologists and follow standards recommended in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. These standards are similar to requirements in other certified Local Coastal Programs, including in the City of Carmel.*



# Northern Chumash Tribal Council

A Native American Corporation - [NorthernChumash.org](http://NorthernChumash.org)  
67 South Street, San Luis Obispo, CA 93401 805-801-0347

California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060  
Madeline Cavalieri, District Manager  
Kevin Kahn, Coastal Planner

December 22, 2012

**RE:** City of Pismo Beach Amendment Number 1-12 Part 2 (Land Use and Parks and Recreation). Proposed major amendment to the City of Pismo Beach certified Local Coastal Program to be presented for public hearing and Commission action at the California Coastal Commission's January, 2013 meeting. The amendment updates the Land Use Element's bluff setback and site design standards, and the Parks and Recreation Element to provide current information on public parks and access ways

**The Northern Chumash Tribal Council (NCTC) is concerned about the Cultural Resource section LU-9 page 13 of your California Coastal Commission staff report "Prepared December 21, 2012 (for January 10, 2012 hearing)" Th20a. It is NCTC understanding from many years of working with Cities and Counties and we have learned that it is very important to include specificity and how to proceed for a project that is located in one of the most incredibly significant Chumash Sacred Places, the entire coast affected by this major amendment will affect Chumash cemetery's, Villages, and Sacred Places. NCTC would like to propose additional language to safeguard Chumash Cultural Sacred Resources.**

**\*Any and all proposed projects within the Pismo Beach Bluff coastal zone must follow CEQA and California Coastal Act, the Native American Heritage Commission who is the trustee (*EPIC v. Johnson* (170 Cal. App. 3d 604, 216 Cal. Rptr.502) of all California Native American Cultural Resources, must be notified and their instructions MUST be followed.**

**\*Chumash Native American Tribal Groups on the NAHC list must be contacted, at least two times, requesting participation in the development of the proposed project.**

**\*When doing cultural resource studies the archeologist must follow NAHC and the Secretary of the Interiors standards for archaeological studies, surveys and excavations, must be on the Register of Professional Archaeologist list, and in good standing with all local agencies and Tribal Governments.**

**\*Chumash Tribal Governments that want to participate will be included in the formation of an archeological study plan, which may include Phase I, II and III studies, in which Chumash will be involved on the ground and involved in the scoping meetings.**

Thank you for your consideration, we find that having built-in precautions always makes our job more effective when everyone is on the same page.

Be Well,

Fred Collins  
Tribal Administrator

**ENVIRONMENTAL & LAND-USE CONSULTING  
EDUCATIONAL SERVICES TEACHING NATURE, NATIVE CULTURES &  
FARMING**

**NCTC**

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**Prepared December 21, 2012 (for January 10, 2012 hearing)**

# Th20a

**To:** Coastal Commissioners and Interested Persons

**From:** Madeline Cavalieri, District Manager  
Kevin Kahn, Coastal Planner

**Subject:** **City of Pismo Beach Amendment Number 1-12 Part 2 (Land Use and Parks and Recreation).** Proposed major amendment to the City of Pismo Beach certified Local Coastal Program to be presented for public hearing and Commission action at the California Coastal Commission's January, 2013 meeting. The amendment updates the Land Use Element's bluff setback and site design standards, and the Parks and Recreation Element to provide current information on public parks and accessways.

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## SUMMARY OF STAFF RECOMMENDATION

The City of Pismo Beach proposes to amend its certified Land Use Plan (LUP) to include new standards for blufftop setbacks, parking, and residential design in the LUP's Land Use Element, as well as updating the Parks and Recreation Element to reflect completed parks and new public coastal accessways.

The changes to the Parks and Recreation Element are minor in scope and reflect changes in tables and charts from completed projects. These amendments, as proposed, conform with the Coastal Act's recreation and public access policies. Therefore, Staff is not recommending any suggested modifications to the proposed Parks and Recreation Element amendments.

The proposed Land Use Element amendments update the requirements in Planning Areas C through I (North Spyglass to Dinosaur Caves) for bluff setback distances and design/site standards for residential buildings. The bluff setback amendments propose to change the setback distances in the residential blufftop neighborhoods (Planning Areas D, E, G, and H). Currently, the LUP requires development within these neighborhoods to be set back a minimum of 25 feet. This distance may increase as determined by a geologic study. The proposed amendment increases the required setback by requiring that all new development be set back to accommodate 100 years of erosion, plus an additional 10 feet, while retaining the minimum required setback of 25 feet. The additional 10 feet is meant to address uncertainty in erosion rates, as well as ensure that after 100 years of erosion there remains some distance between the edge of the bluff and the structure. Certain modifications are necessary to ensure internal consistency between other LCP policies and standards. Specifically, **Suggested Modifications 1-4** clarify that the more stringent setback distances required in the proposed Land Use Element supercede other LCP sections that address blufftop erosion and hazards.

## LCP Major Amendment PSB-1-12 Part 2 (Land Use and Parks and Recreation)

The amendment also seeks to change numerous other Land Use Element policies. In general, the changes are minor and update background information pertaining to each of the Planning Areas. However, there are some changes that are more substantive, including changes to parking and residential design standards. Certain modifications are necessary to ensure clarity among these standards and requirements and to ensure that Coastal Act issues related to access and community character are enforced. Specifically, **Suggested Modification 5** clarifies that all existing public parking within Planning Area C shall remain open to the public. In addition, **Suggested Modification 6** retains an existing policy in Planning Area H that is proposed for removal to ensure that residential development conforms to community character and design. The suggested modifications will ensure that the Land Use Plan is consistent with and adequate to carry out relevant policies of the Coastal Act with respect to public access and community character.

Staff recommends that the Commission **approve** the LUP amendment with suggested modifications. The required motions and resolutions to implement this recommendation begin on page 5.

### **Staff Note: LCP Amendment Action Deadline**

This proposed LCP amendment was filed as complete on July 30, 2012. The proposed amendment affects the LCP's Land Use Plan (LUP) and the original 90-day action deadline was October 28, 2012. On October 10, 2012, the Commission extended the action deadline by one year to October 28, 2013. Thus, the Commission has until October 28, 2013 to take a final action on this LCP amendment.

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### EXHIBITS

Exhibit A: Proposed Land Use Plan Amendments<sup>1</sup>

Exhibit B: Proposed Land Use Plan Amendments with Suggested Modifications

Exhibit C: Planning Area Vicinity Map

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<sup>1</sup> Please note that policy numbers that are highlighted in Exhibit A (e.g., LU-H-4a) constitute proposed amendments to the City's General Plan only (i.e. these highlighted policies do not constitute an amendment to the Land Use Plan)

## I. MOTIONS AND RESOLUTIONS

### Denial as Submitted

#### Motion:

*I move that the Commission certify Land Use Plan Major Amendment Number 1-12 Part 2 as submitted by the City of Pismo Beach.*

Staff recommends a **NO** vote. Failure of this motion will result in denial of the land use plan as submitted and adoption of the following resolution. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

#### Resolution:

*Resolution to Deny. The Commission hereby denies certification of Land Use Plan Major Amendment Number 1-12 Part 2 as submitted by the City of Pismo Beach and adopts the findings set forth below on grounds that the land use plan amendment as submitted does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the land use plan amendment as submitted.*

### Certify with Suggested Modifications

#### Motion:

*I move that the Commission certify Land Use Plan Major Amendment Number 1-12 Part 2 if it is modified as suggested in this staff report.*

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the amendment with suggested modifications and the adoption of the following resolution and the findings in this staff report. The motion to certify with suggested modifications passes only by an affirmative vote of a majority of the appointed Commissioners.

#### Resolution:

*Resolution to Certify with Suggested Modifications. The Commission hereby certifies Land Use Plan Major Amendment Number 1-12 Part 2 to the City of Pismo Beach Local Coastal Program if modified as suggested and adopts the findings set forth in this staff report on the grounds that the land use plan amendment with the 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 and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the land use plan amendment if modified.*

## II. SUGGESTED MODIFICATIONS

The Commission hereby suggests the following modifications to the proposed LCP amendment, which are necessary to make the requisite Coastal Act consistency findings. If the City of Pismo Beach accepts each of the suggested modifications within six months of Commission action (i.e., by July 10, 2013), by formal resolution of the City Council, the modified 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.

1. **Modify Policy LU-D-2 as follows:**

The blufftop setback for development along the bluffs shall be consistent with exceed the Policy S-3 and Coastal Zone Code Section 17.078.050 requirement for requiring a 100 year bluff retreat with the addition and an additional buffer of a 10' buffer. The with a minimum blufftop setback shall be no less than of 25 feet from the top of the bluff.

2. **Modify Policy LU-E-2 as follows:**

The blufftop setback for development along the bluffs shall exceed be subject to the Policy S-3 and Coastal Zone Code Section 17.078.050 requirement for requiring a 100 year bluff retreat with the addition of and a 10' buffer, set back with a The minimum of blufftop setback shall be no less than 25 feet from the top of the bluff. A geology study and report....

3. **Modify Policy LU-G-2 as follows:**

The blufftop setback for development along the bluffs shall exceed the Policy S-3 and Coastal Zone Code Section 17.078.050 requirement for a be set back a minimum of 100 year bluff retreat with the addition of a 10' buffer. The with a minimum blufftop setback shall be no less than 25 feet foot setback from the top of the bluff. Geology reports shall be required....

4. **Modify Policy LU-H-5 as follows:**

The blufftop setback for development along the bluffs shall exceed the Policy S-3 and Coastal Zone Code Section 17.078.050 requirement for a 100 year bluff retreat with the addition of a 10' buffer. The minimum blufftop setback shall be no less than 25 feet from the top of the bluff. be set back a minimum of 25 feet or greater from the top of the bluff. The setback will be determined by Aa geology-report to determine a 100 year bluff retreat plus 10 feet shall be required for any development....

5. **Modify Policy LU-C-5 as follows:**

LU-C-5 Public Parking

All existing public on-street and off-street parking spaces, including the 255 spaces identified in this area in a 2008 field survey, shall be maintained. Adequate signing....

6. **Retain Policies LU-H-4a.a and -4a.b in the Land Use Plan as follows:**

LU-H-4a Residential Guidelines

a. **Scale of Structures.**

New residential development should be designed to reflect the small scale image of Shell Beach rather than large monolithic buildings. Buildings should be designed with vertical, horizontal and roof articulation of building faces.

b. **Orientation of doors, windows, and balconies to street.**

Street frontage should consist of residential units with windows, doors, balconies and porches facing and in reasonably close proximity to the street, both in terms of height (i.e., units at street level, rather than raised) and in distance from the street (minimum setback). This type of orientation reinforces the traditional beach and street active environment and increases street safety with “eyes” on the street. (See Design Element D-4, Multi-family Design Criteria.) Where two-story buildings are proposed, the second story shall be stepped back a minimum of 30% along the front elevation.

### III. FINDINGS AND DECLARATIONS

#### A. DESCRIPTION OF PROPOSED LCP AMENDMENT

The proposed LCP amendment seeks to change numerous policies in the Pismo Beach Land Use Plan’s Land Use Element and Parks and Recreation Element for Planning Areas C through I (see Exhibit C, Planning Area Vicinity Map). These Planning Areas are narrow neighborhoods along the City’s northern coastline west of U.S. Highway 101, and consist of residential, commercial, and institutional uses set on top of coastal bluffs, some of which are over 100 feet tall. The land uses at the edge of the bluffs vary between Planning Areas, with some consisting of open space and public recreation, and others consisting of private residences. Further inland, uses include single and multi-family residences, hotels, schools, and parks.

The LUP’s Parks and Recreation Element amendments propose to update the parks and coastal accessways inventory for Planning Areas A through I to reflect changes made since the LCP’s certification in 1993. Specifically, Table PR-1, which lists the existing and proposed parks and open space areas and characteristics of each for each Planning Area, and Table PR-4, which lists the physical and visual coastal accessways for each Planning Area, are to be updated, as well as their associated maps (Figure PR-1 and Figure PR-3). The updates include changing the status of parks from “proposed” to “existing,” grammatical changes, and updates to the status of needed amenities and improvements (such as restrooms and new walking paths).

The proposed amendment also changes the distance structures are required to be set back from the edge of bluffs in order to protect them from erosion and other hazards. The certified Land Use Element requires structures in Planning Areas D, E, G, and H, which include private

residences on bluff-top properties, to be set back a minimum of 25 feet from the top of the bluff. The proposed amendment seeks to increase this setback distance by requiring all development within these four residential Planning Areas to be set back a sufficient distance to accommodate 100 years' worth of erosion, as determined by a geologic study, plus an additional 10 feet, and retains the existing minimum required setback distance of 25 feet.

The other proposed policy changes in the Land Use Element are to parking provisions in the North Spyglass neighborhood (Planning Area C) and residential design standards in the Shell Beach neighborhood (Planning Area H). The proposed parking changes include the removal of specific language in Policy LU-C-5 that requires a minimum of 65 public parking spaces available for beach access and other uses. The proposed policy language would not include a minimum number of public parking spaces but instead would require all on-street parking in the North Spyglass neighborhood to be maintained. Finally, the amendment seeks to remove an existing certified policy in the Shell Beach neighborhood that addresses design standards for residential development. Specifically, the amendment deletes Policies LU-H-4a and -4b, which require all new residential development to reflect the small scale image and character of Shell Beach rather than large monolithic buildings. To accomplish this goal, the policies require second stories to be stepped back from the first floor, and the first floor is required to have windows, doors, balconies, and porches to promote an active and visually pleasing street environment, consistent with a traditional beach community. These policies are instead proposed to be removed from the LCP, but still would be part of the General Plan (see footnote #1 above). Thus, the policies would be applicable for other City development permits, but not for Coastal Development Permit review.

Please see Exhibit A for the proposed Land Use Plan amendment text.

## **B. CONSISTENCY ANALYSIS**

### **Standard of Review**

The proposed amendment affects the LUP component of the City of Pismo Beach LCP. The standard of review for the LUP amendments is that they must conform with the Chapter 3 policies of the Coastal Act.

### **LUP Amendment Consistency Analysis**

#### *Applicable Coastal Act Policies*

The proposed amendments affect the LUP's public access, visual and community character, hazards, and parks and recreation policies in various neighborhoods of the City. Related Coastal Act policies include:

Coastal Act 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*

LCP Major Amendment PSB-1-12 Part 2 (Land Use and Parks and Recreation)

*resource areas from overuse.*

Coastal Act 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.*

Coastal Act 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.*

Coastal Act Section 30252

*The location and amount of new development should maintain and enhance public access to the coast by...(4) providing adequate parking facilities or providing substitute means of serving the development with public transportation....*

Coastal Act Section 30253

*New development shall do all of the following:*

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (b) 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.*

...

- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational users.*

*Parks and Recreation Element Amendments*

As discussed earlier, proposed amendments to the LUP's Parks and Recreation Element are simply updates to tables and maps of existing and proposed parks and coastal accessways in Planning Areas A-I. The proposed language does not make any substantive changes and simply brings the tables and charts up-to-date to reflect completed projects, needed facilities, and

necessary upkeep. Therefore, the proposed Parks and Recreation Element amendments are consistent with the public access and recreation policies of the Coastal Act.

#### *Land Use Element Amendments*

The Land Use Element amendments primarily propose minor changes to background information and existing conditions for Planning Areas C-I. However, there are also more substantive changes that engender major concerns regarding the proposed amendment's consistency with the hazards, public access, and visual protection policies of Chapter 3 of the Coastal Act. One of these issues is the proposed amendment's bluff setback provisions for Planning Areas D, E, G, and H.

#### **Bluff Top Setbacks**

With respect to hazards, the proposed amendment is intended to add a 10 foot buffer to the existing blufftop setback requirements in the LCP. There is, however, currently confusion about what the LCP's setback requirements are because three different LCP policies and standards apply to development within these Planning Areas. First, the Land Use Plan requires all development within Planning Areas D, E, G and H to be set back a minimum of 25 feet from the top of the bluff<sup>2</sup>. Second, Policy S-3 in the certified LCP's Safety Element requires all structures to be set back a safe distance from the top of the bluff in order to retain the structures for a minimum of 100 years, with a minimum setback of 25 feet for most single-family residential lots. For the purposes of S-3, the 100-year bluff retreat distance is to be determined by a geologic study, which is described in Policy S-4 of the LUP's Safety Element and Section 17.078.050 in the IP. The geologic study is to describe cliff geometry and site topography, historic and foreseeable erosion rates, soils and geology, ground and surface water conditions, and all factors that might affect slope or bluff stability, including sea level rise. Third, all parcels directly abutting a blufftop fall within the Hazards and Protection (H) Overlay Zone (Section 17.078 of the City's certified Implementation Plan). Identical to Policy S-3, all development within these parcels must be set back a sufficient distance to be safe from erosion and bluff retreat for a minimum of 100 years as determined by a required geologic study, with a minimum distance of 25 feet for most residential structures. Thus, these three setback policies require differing setback distances and standards.

While the proposed Land Use Element partly clarifies these differing standards by requiring all development in Planning Areas D, E, G, and H to be subject to Policy S-3, requiring a 100-year bluff retreat, with a minimum distance of 25 feet from the top of the bluff, there remains an internal inconsistency with the proposed new requirement of the additional 10' buffer because Policy S-3 and IP Section 17.078.050 were not amended to include this new buffer. This internal inconsistency could create confusion regarding the appropriate setback, resulting in approval of a project with a setback that will not minimize risks from coastal hazards. The amendment, as submitted, therefore does not conform with the Chapter 3 hazards policies, and it must be denied

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<sup>2</sup> For Planning Areas C, F, and I, since these neighborhoods are fronted by a public open space/recreational pathway, setbacks are determined by Parks and Recreation Element Policy PR-23, which requires a setback distance equal to the estimated 100-year bluff retreat, with a minimum setback of 25 feet. Land Use Element Policies LU-C-2, LU-F-3, and LU-I-2.a require a setback distance equal to the estimated 100-year bluff retreat, with a minimum setback of 50 feet for these three Planning Areas and are not proposed for amendment.

as submitted. To address this Coastal Act inconsistency, **Suggested Modifications 1-4** clarify that the more stringent setbacks required of the Land Use Element take precedent over Policy S-3 and Section 17.078.050<sup>3</sup>.

Another concern raised by this proposed amendment is whether the additional 10 foot buffer is itself consistent with the hazards policies of the Coastal Act. This extra buffer is meant to add a safety factor should bluff retreat rates increase, and also ensure that after 100 years, there is still protection for existing development, consistent with Coastal Commission guidance<sup>4</sup>. The amendment therefore increases required bluff top setbacks to minimize risks from coastal hazards.

A question remains, however, regarding whether the proposed amendment adequately minimizes risks to existing structures on bluff top lots. Most of the parcels on the bluff tops in Planning Areas D, E, G, and H are already built with residences, so the amended policies will apply almost exclusively to redevelopment of these parcels, making it essential to determine whether the proposed amendment address these existing structures as well as new development.

The IP's existing Nonconforming Uses and Structures ordinance (Section 17.118) addresses the allowable continuance of nonconforming structures and their repairs, maintenance, and redevelopment. Should structures within the City not be in compliance with the LCP's bluff setback requirements, they would be considered nonconforming and fall under the nonconforming structures ordinance. The ordinance allows existing legal nonconforming structures to remain, but requires any enlargement or extension of a nonconforming structure to be permitted only if the enlargement is in compliance with current LCP policies. Thus, for blufftop development associated with non-conforming structures, for example, the existing LCP requires that any such development meet minimum setback requirements. Additions and improvements to such structures may not increase the size or degree of any existing nonconformity and must comply with the current policies and standards of the LCP. Therefore, any new development in Planning Areas D, E, G, and H, including with respect to bluff top setbacks for nonconforming structures, will need to be found consistent with the LCP's requirements, including with the proposed bluff setback requirements of 100 years of retreat plus an additional 10 foot buffer, and a minimum setback of 25 feet. The proposed amendment therefore increases the required bluff top setback for additions or improvements to non-conforming structures, thereby minimizing the risks to life and property from coastal hazards posed by these developments.

Thus, as modified, the amendment ensures internal consistency among LCP policies, and is also consistency with the requirement that bluff top setbacks minimize risks from coastal hazards, consistent with Coastal Act Section 30253.

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<sup>3</sup> Note that the City of Pismo Beach intends to update LUP Policy S-3 and IP Section 17.078.050 for Commission approval in the near future to more comprehensively address hazards citywide.

<sup>4</sup> "Establishing development setbacks from coastal bluffs," Mark Johnsson, Coastal Commission Staff Geologist, 2003

Finally, it should be observed that the Commission has been grappling with shoreline hazard and specifically blufftop development and redevelopment up and down the state, and updating LCPs to be able to better respond to such hazards, including as they relate to global climate change, rising sea levels, and adaptation planning, is critically important. In this case, however, the current proposal is fairly narrow, including because it applies to a geographic subset of the City, and serves to strengthen LCP setback requirements. Although it is clear that the LCP could be further refined in terms of blufftop setback requirements, including in terms of redevelopment, given the limited scope of the City's proposal and the fact that it strengthens the existing LCP, such refinements are better left to a future LCP planning process that can more holistically evaluate and analyze blufftop development issues relative to Pismo Beach, including through a local public process. The City indicates that such citywide hazards update will be pursued in the near term.

### **Parking**

Another proposed change to the Land Use Element includes Policy LU-C-5, which addresses public parking requirements in Planning Area C, the North Spyglass neighborhood. This neighborhood contains three major bluff-top hotels. An open space recreational pathway extends laterally along the bluff-top between the hotels and the bluff edge. The current Land Use Element requires a minimum of 65 public parking spaces in North Spyglass and South Palisades (Planning Area B). This amount of parking may be satisfied by on-street spaces, and is in addition to any required parking for private development. The proposed amendment deletes this specific 65-space requirement and instead more generally requires that all on-street parking in these Planning Areas be maintained. According to City staff, a 2008 field survey revealed 212 on-street public parking spaces in the two Planning Areas, 23 off-street public parking spaces owned by the City, and a total of 20 off-street beach access public parking spaces located on the three hotel properties in the North Spyglass neighborhood (these hotel parking spaces were required as conditions of the hotels' approval). While the intent of the proposed language is to keep enough parking spaces available for public beach access, the amendment does not explicitly protect both on-street and off-street public parking. As proposed, the amendment is therefore inconsistent with Coastal Act policies protecting public access to the coast and must be denied.

If modified to clarify that all *public* parking spaces, and not just those that are *on-street*, shall be maintained, the amendment can be found consistent with the applicable public access and recreation policies. Thus, **Suggested Modification 5** amends Policy LU-C-5 to require that all 255 of these existing public parking spaces be maintained within the North Spyglass and South Palisades Planning Areas. As modified, Policy LU-C-5 is consistent with the public access and recreation policies of the Coastal Act.

### **Visual Resources**

Finally, this amendment seeks to delete Policies LU-H-4a and -4b from the LCP. These policies would instead be part of the City's General Plan, and would apply to other City development permits, but would not apply as a standard of review for Coastal Development Permits. These policies address the design of residential structures within Planning Area H, which is the Shell Beach neighborhood. Shell Beach is a mostly residential community of small cottages on small lots. The policies ensure that development and redevelopment of residential structures reflect the small scale character of the Shell Beach neighborhood by requiring, among other things,

stepped-back second stories, active street frontages with porches and windows, and building articulation. These policies are needed to ensure that the neighborhood retains its character of small single-family homes with expansive ocean and foothill views, which the Land Use Element identifies as being at risk because of a trend to replace these small homes with larger houses. Removal of these policies is inconsistent with the requirement in Section 30253(e) to protect special communities and neighborhoods and the requirement of 30251 to protect the visual qualities of coastal areas. The amendment must therefore be denied as submitted.

**Suggested Modification 6** retains Policy LU-H-4a.a and -4a.b in the LCP, thereby requiring protection of the unique character of the Shell Beach neighborhood and its visual qualities. As modified, the proposed amendment is consistent with Coastal Act Sections 30251 and 30253(e) with respect to visual resources and community character.

### **Conclusion**

In conclusion, as modified, the proposed Land Use Element amendments update background information and existing conditions for Planning Areas C through I, provide additional setbacks for bluff-top development, ensure sufficient parking for public coastal access, and retain important policy language that protects residential community character. Thus, as modified, the Commission finds the proposed LUP amendment is consistent with the policies of Chapter 3 of the Coastal Act.

### **C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Local governments are not required to undertake environmental analysis of proposed 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.

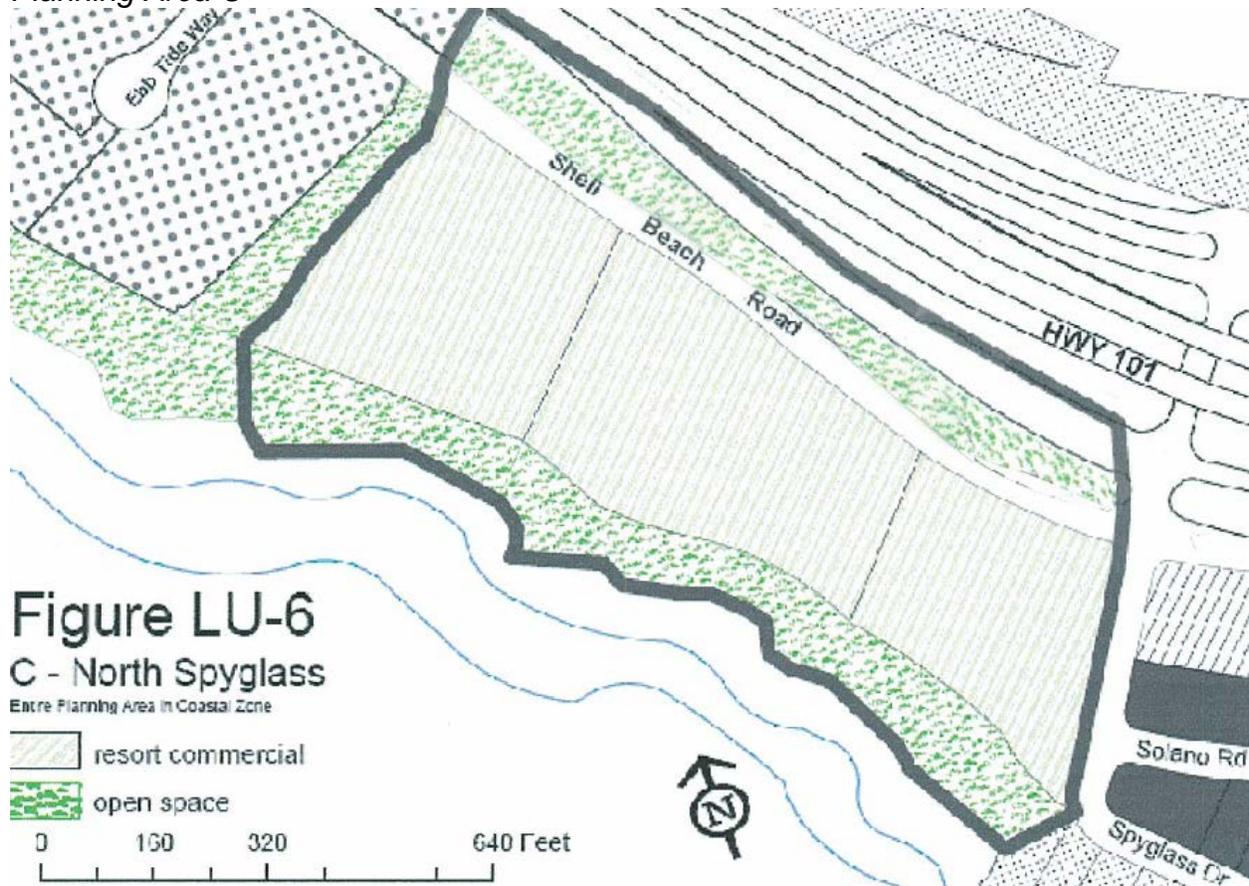
The City of Pismo Beach adopted a Negative Declaration for the proposed LCP amendment and in doing so found that the amendment would not have significant adverse environmental impacts. This report has discussed the relevant coastal resource issues with the proposal. All public comments received to date have been addressed in the findings above. All above findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

## LU-9 Chumash Cultural Resources Preservation

Appropriate measures for Chumash Cultural Resources Preservation shall be provided with future development of private and public property with California Environmental Quality Act compliance and meaningful consultation with local Chumash.

### North Spyglass Planning Area C



### Background

The North Spyglass Area contains ~~two~~ three major hotels, (the Dolphin Bay Resort, Cliffs Hotel, Spyglass Inn) ~~and one vacant site for a future hotel~~. A key aspect of the area includes a 50 ft. wide lateral access at the top of the bluffs and the stairway and related public parking at the northern barranca. A bluff top trail spans the entire planning area which provides access to a stairway to the beach adjacent to the Cliffs Hotel and the South Palisades Planning area.

At the base of 50 ft. bluffs is a narrow sandy beach accessible during normal tide. Bluff erosion is severe and is estimated to average about 6 inches per year. development in this area requires a bluff erosion study and consistency with Policy S-3.

## Policies

### LU- Concept

#### C-1

The North Spyglass Planning Area ~~is shall be~~ oriented to visitor-serving hotel uses with related public and private beach access and open space. The area ~~is shall be~~ designated Resort Commercial and Open Space.

### LU- Lateral Bluff-top Open Space and Access

#### C-2

The width of the lateral bluff-top conservation/open space and access dedication requirement set forth in Policy PR-23 shall be increased to a distance equal to the 100-year bluff retreat line plus 50 ft. for this planning area. ~~The miniature golf course behind the Spyglass Inn should connect to the public lateral access. Future development of the Spyglass Inn will include a requirement for~~ As an alternative, the city should acquire a path between Spyglass Drive and the public lateral access.

### LU- Public Parking

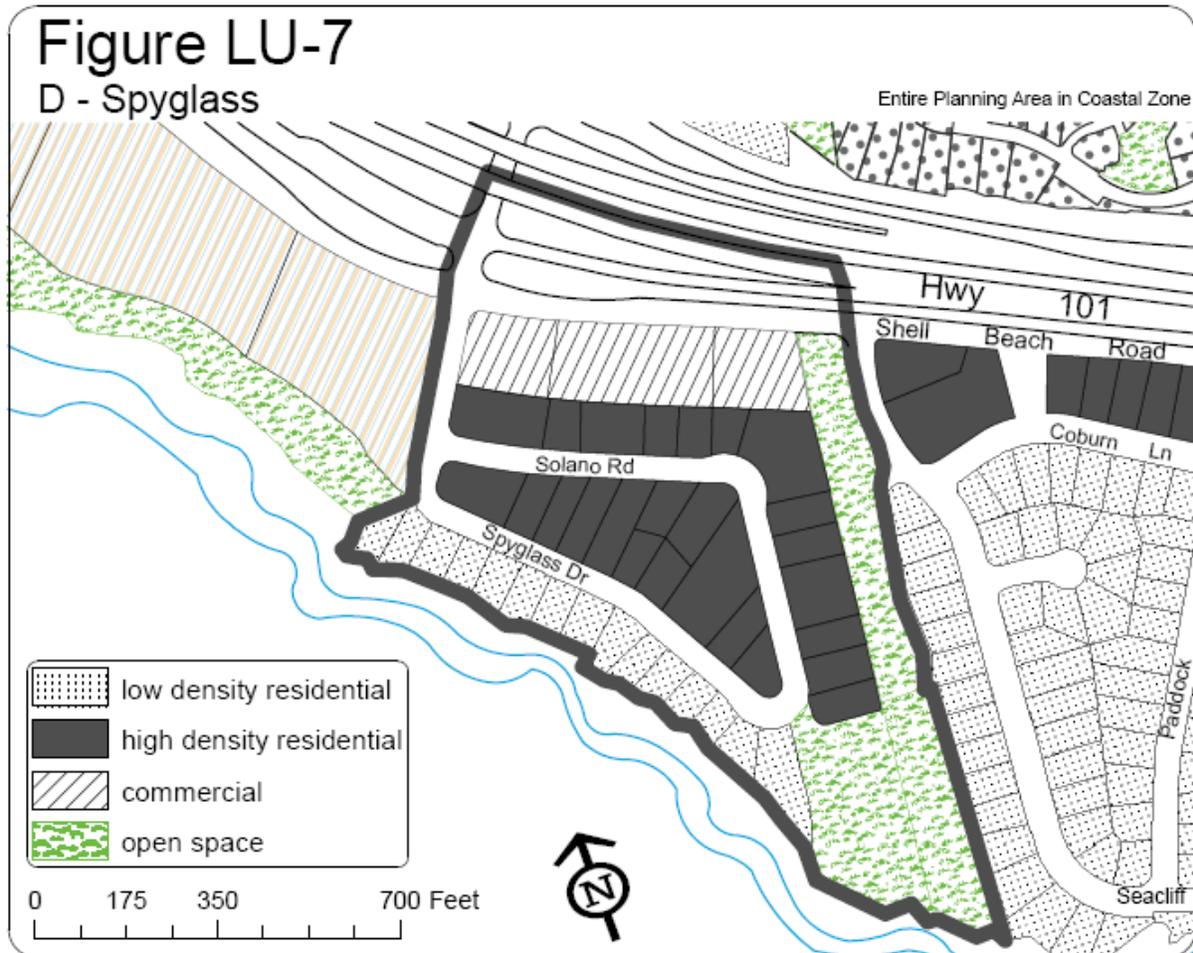
#### C-5

~~All on-street parking in this area shall be maintained. As a condition of development, a minimum of 65 public parking spaces shall be developed within the buildable portions of the South Palisades and North Spyglass Planning Areas. The parking spaces shall be equitably distributed over the subject parcels of the two planning areas, and may be located adjacent to either side of Shell Beach Road. Such public parking shall be required in addition to the parking requirements for private uses contained in the city's certified Local Coastal Plan. A portion of this parking may be located on public streets and shall have signage identifying the parking spaces for beach access. Additionally~~ Adequate signing notifying the public of the public parking opportunities and identifying the location of the access-way shall be provided.

## Spyglass Planning Area D

### Background

The Spyglass Planning Area is a fully developed residential area with multiple housing types, a small commercial center and the Spyglass Public Park. The area serves as a gateway to the City as both Highway 101 on and off ramps are located in this area.



### Policies

#### LU- Concept D-1

The Spyglass Planning area is a shall be retained as a residential neighborhood (Medium and High Density) with access to two parks and neighborhood shopping. The emphasis is on conserving the existing housing stock and assuring that future changes are compatible with the existing neighborhood.

#### LU- Bluff Setback and Protection D-2

Development along the bluffs shall be consistent with Policy S-3 requiring a 100 year bluff retreat and an additional buffer of 10' with a minimum set back a minimum of 25

feet from the top of the bluff. A geology study and report shall be required for any development near the top of the bluff and a greater setback may be required based on the findings of the report. Appropriate erosion control measures shall be required for any project along the bluff-tops and must specify methods for maintenance.

Should the bluff top setback requirement render infeasible the opportunity to develop a reasonably sized project, front yard setbacks may be reduced to less than the 15' identified in the implementing ordinance without a Variance. However, the setback to the garage shall be no less than 20' from the public right of way. Reduced front yard setbacks shall comply with California Building Code.

#### **LU- D-4** Design and Safety Guidelines

**a. Freeway Underpass open space area** The City supports the San Luis Obispo county requirements for the open hills on the eastern end of the Spyglass underpass of the 101 Freeway to shall remain in permanent open space. (See Design Element D-40, Focal Point Sites.)

#### **b. Underground Utilities**

Overhead utilities on Shell Beach Road should be placed underground.

#### **c. Landscaping**

New development, including additions or upgrading of existing development, shall be fully landscaped and complementary to the Shell Beach Road frontage. Extensive landscaping shall be required for large asphalt areas such as gasoline service stations and parking lots. The east side of Shell Beach Road adjacent to the Spyglass interchange should be landscaped to present an inviting entry area into the City.

#### **d. Sidewalks**

Sidewalks from the Spyglass Highway 101 interchange to Shell Beach school in the Shell Beach Planning area shall be maintained and improved for safe pedestrian and handicapped access.

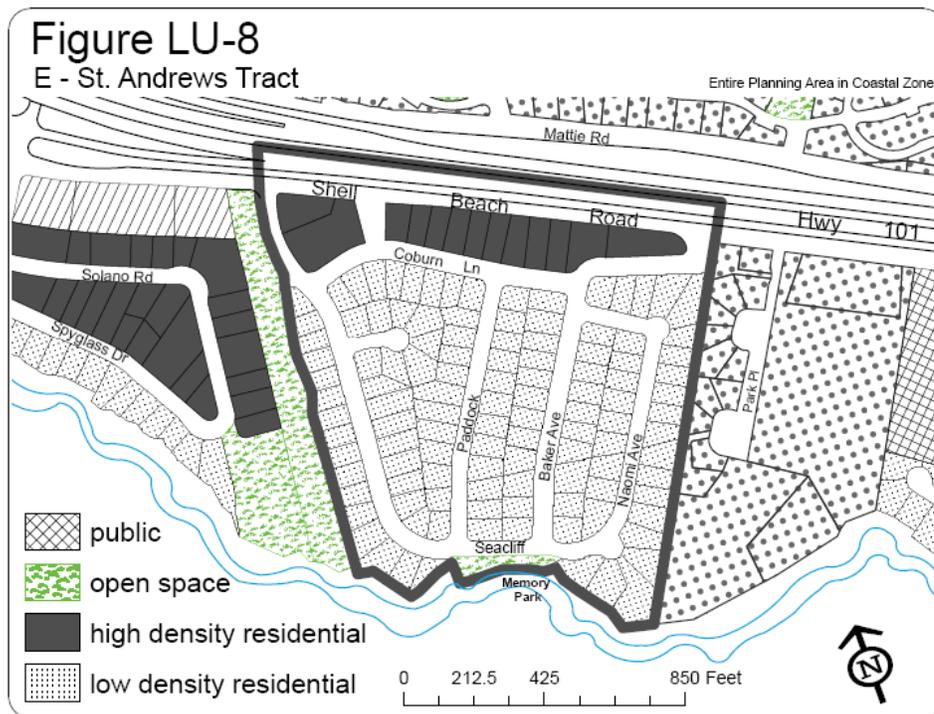
#### **e. Spyglass interchange pedestrian underpass**

The City will work with Caltrans to develop a sidewalk at the Spyglass interchange underpass.

#### **f. Improved beach access from Spyglass Park**

Beach access from Spyglass Park shall be improved for pedestrian access to the beach below Spyglass Park.

## St. Andrews Tract Planning Area E



### Background

The St. Andrews Planning Area is almost completely developed with single-family homes, apartments and a city fire station.

The ocean frontage consists of single family residences and Memory Park. These homes are adjacent to highly erodible cliffs, with rocky shoreline and small pocket beaches below. During low tide there are small beaches accessible to the public.

There is a blufftop access from Naomi Avenue dedicated to the city and connected to a city easement south of the planning area in the Spindrifft Planning Area. This access leads to a spectacular viewpoint, which is under private public ownership. There is a public access easement from Seacliff to Spyglass Park in the adjacent Spyglass Planning area.

### Policies

#### LU- Concept E-1

The St. Andrews Tract Planning Area shall be retained as a residential neighborhood with Low and High Density residential uses. The focus is on conserving the existing housing stock and assuring that home additions and replacements are compatible with the scale and character of the existing development. This will be achieved by:

- a. Limiting the front yard setback for additions and reconstruction of existing homes or construction of a new home to the front yard setback in place on the existing home as of January 1, 2012. The front yard setback for the single undeveloped lot in this area, APN 10-505-003, shall comply with the implementing ordinance.
- b. For additions or reconstruction of existing homes and the construction of new homes, a front elevation minimum 10' building setback from the first floor to the second floor .

**LU- Bluff Setback and Protection  
E-2**

Development along the bluffs shall be subject to Policy S-3 requiring a 100 year bluff retreat and a 10' buffer set back with a minimum of 25 feet from the top of the bluff. A geology study and report shall be required for any development near the top of the bluff and a greater setback may be required based on the findings of the report. Appropriate erosion control measures shall be required for any project along the bluff-tops and shall specify methods for maintenance.

**LU- Seacliff Drive Access  
E-4**

~~In 1957 the city acquired an easement for constituting and maintaining an access road from Coburn Lane to Spyglass Park. The city shall clarify or renegotiate this easement to allow pedestrians and bicycles. The sign marked "Private Road - Keep Off" should be replaced with a sign that says "Public Pedestrian and Bicycle Access - No Vehicles" directing bicyclists and pedestrians to a narrow road behind Coburn shall be maintained. The existing sign shall be revised to note beach viewing access and Spyglass Park. When beach access from Spyglass park is completed, a beach access sign shall also be added to this location.~~

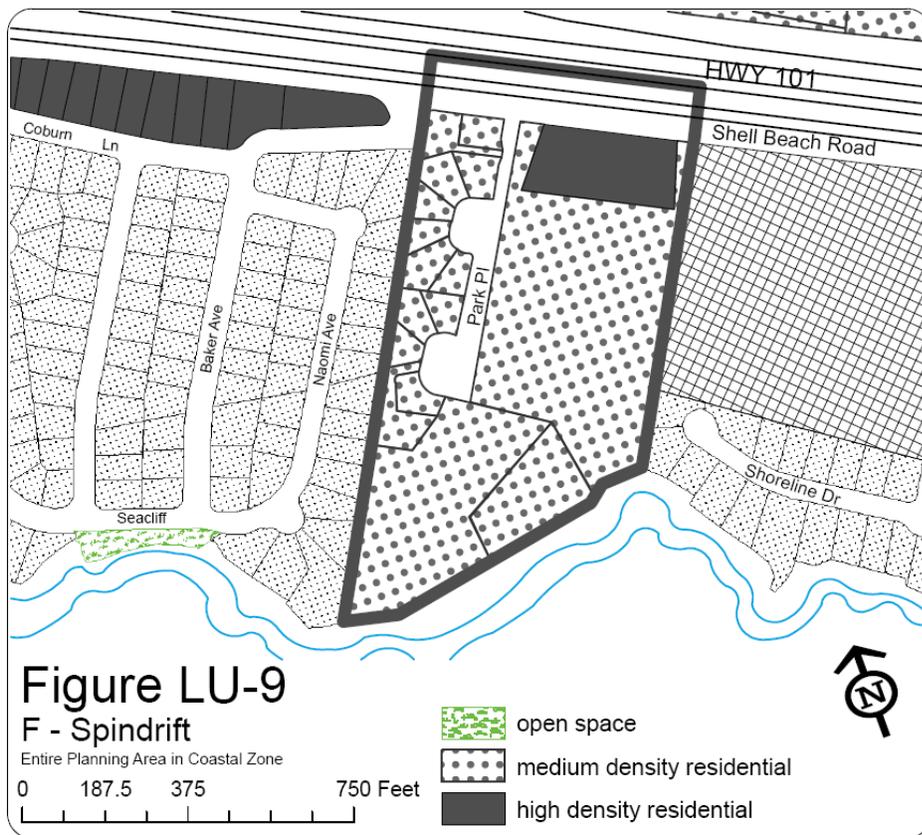
**LU-E-5 Sidewalk improvements**

The sidewalk on Shell Beach Road between Seacliff and Coburn shall be improved for a minimum width of 5' for safe pedestrian and handicapped access.

**LU-E-6 Beach access to Memory Park**

The City shall consider opportunities for beach access to Memory Park.

**Spindrift**  
*Planning Area F*



**LU- Development of Estates**

**F-4**

Any further development of the estates fronting the ocean is discouraged. If, however, further development is proposed it shall be required to adhere to the following criteria:

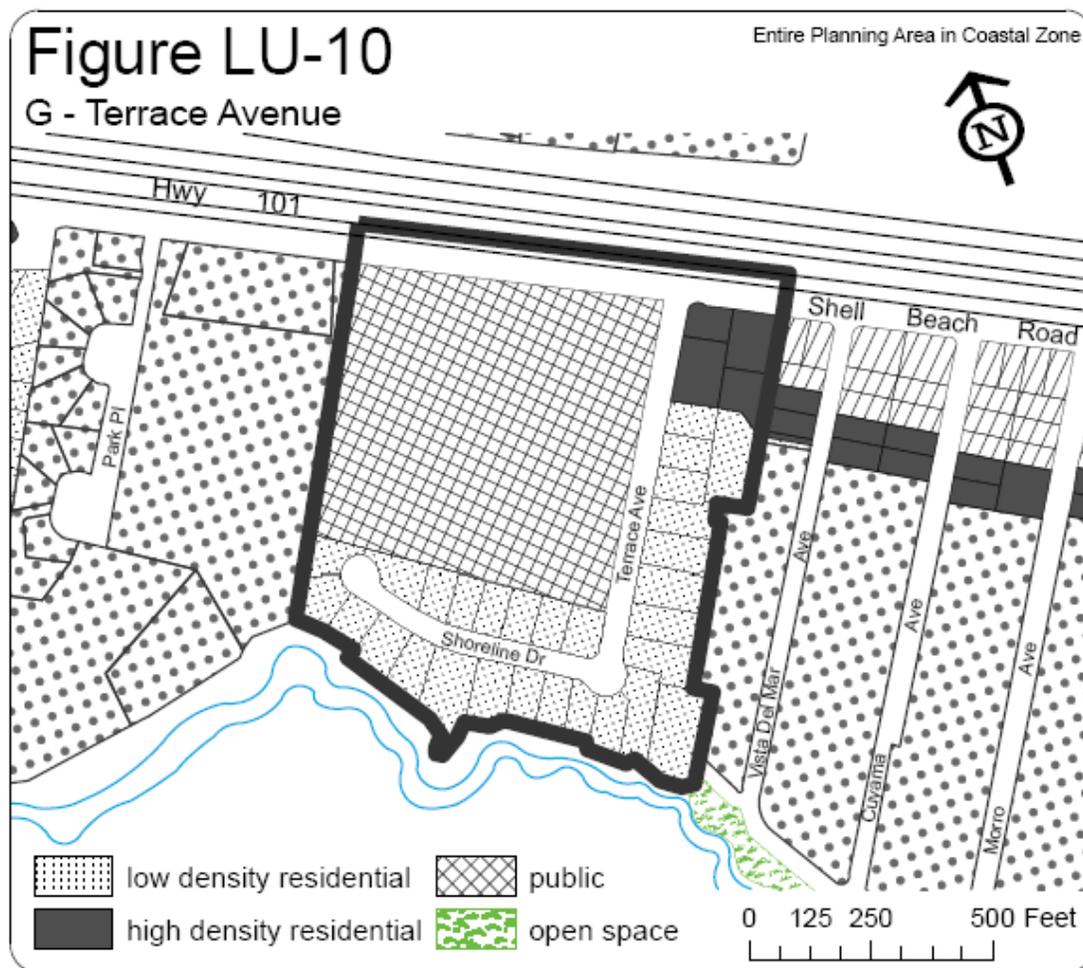
a. ~~A specific plan shall be required.~~

~~a-b. Public access in the lateral bluff-top open space specified in Policy LU-F-3 and Policy PR-23 shall be required. Compliant with geologic report recommendations to protect the bluff top, public access improvements and landscaping shall be required within this area.~~

b. Special attention shall be given to preserving view corridors to the ocean.

c. Existing mature trees and bird habitat areas shall be preserved; any new development should avoid the trees.

**Terrace Avenue  
Planning Area G**



**Policies**

**LU- Bluff Setback and Protection  
G-2**

Development along the bluffs shall be set back a minimum of a 100 year bluff retreat with a 10' buffer with a minimum 25 foot set-back from the top of the bluff. Geology reports shall be required for any development near the top of the bluff to ensure that adequate bluff protection measures are provided.

Appropriate erosion control measures shall be required for any project along the bluff-tops and shall specify methods for maintenance.

**LU- Ocean Boulevard Access  
G-5**

Development approvals for properties between Shoreline Drive and Ocean Boulevard should consider the possible shall dedicate ion-of a pedestrian easement between the two streets for so as to gain access to the Eldwayen Ocean park stairs to the beach in the Shell Beach planning area. As an alternative, The city shall consider purchasing a 20-foot pedestrian access easement over its 20 foot wide sewer easement running



significant recreational resources containing Eldwayen Ocean Park and Margo Dodd Park two-city parks, which are the aesthetic focus of the community, along with Dinosaur Caves Park which is located in the adjoining Dinosaur Caves Planning area. The parks and development on top of the bluffs are seriously endangered by erosion.

Four beach access points are located in the Shell Beach Planning area, and Ocean Blvd and the trail at the end of Ocean Blvd to Boeker street includes pedestrian and bicycle access. The park and development on top of the bluffs are seriously endangered by erosion. Shell Beach embodies much of the historic ambiance and flavor of small California beach towns.

## **Policies**

### **LU- Concept**

#### **H-1**

~~The Shell Beach area is designated for Low Density Residential west of Ocean Boulevard and Medium Density Residential from there toward Shell Beach Road.~~ Shell Beach Road is bordered by a narrow commercial strip backed by a narrow band of High Density Residential. Behind the High Density residential area to the Ocean, a medium density land use accommodates single family homes in the area. The focus of this area is a more traditional beach community with small single-family lots, street activity, and views of the ocean to the west, and the foothills to the east. The emphasis is on assuring that new and expanded homes are compatible with the scale, bulk, and character of existing neighborhood.

### **LU— Commercial Revitalization**

#### **H-3—**

- ~~a.— A detailed specific plan study shall be prepared for the Shell Beach Road commercial strip and abutting High Density Residential zone. The purpose of the plan shall be to promote upgrading of the commercial district. The study shall include specific recommendations for signage, street tree type and locations, sidewalks, parking, and building massing.~~
- ~~b.— The city shall consider the use of Block Grant funds to provide for the specific plan study and for low interest loans for commercial revitalization.~~
- ~~c.— Where new development or redevelopment of commercial structures occurs along Shell Beach Road, parking areas shall be provided in rear or side yards. Side yard parking areas should include a minimum 10 ft. landscape strip along Shell Beach Road frontage. New buildings shall be placed at or near the front property line.~~
- ~~d.— Trash disposal facilities shall be hidden from public view.~~

### **LU- Commercial Enhancement funding plan**

#### **H-3**

- a. For the Shell Beach Road commercial strip, a funding plan shall be prepared for amenities such as but not limited to signage, street trees, sidewalk improvements, pedestrian scale street lights, public parking, and public art.
- b. The city shall consider the use of Grant funds to provide for the plan and for low interest loans for commercial revitalization.

## **LU—Residential Guidelines**

### **H-4—**

#### **a.—Scale of Structures.**

~~New development should be designed to reflect the small scale image of Shell Beach rather than large monolithic buildings. Buildings should be designed with vertical, horizontal and roof articulation of building faces. Where two-story buildings are proposed, the second story should normally be stepped back.~~

#### **b.—Orientation of doors, windows and balconies to street.**

~~Generally the street frontage should consist of residential units with windows, doors, balconies and porches facing and in reasonably close proximity to the street, both in terms of height (i.e., units at street level, rather than raised) and in distance from the street (minimum set back). This type of orientation reinforces the traditional beach and street active environment and also increases street safety with "eyes" on the street. (See Design Element D-4, Multi-family Design Criteria.)~~

## **LU- Residential Guidelines**

### **H-4a**

#### **a. Scale of Structures.**

New residential development should be designed to reflect the small scale image of Shell Beach rather than large monolithic buildings. Buildings should be designed with vertical, horizontal and roof articulation of building faces.

#### **b. Orientation of doors, windows, and balconies to street.**

Street frontage should consist of residential units with windows, doors, balconies and porches facing and in reasonably close proximity to the street, both in terms of height (i.e., units at street level, rather than raised) and in distance from the street (minimum set back). This type of orientation reinforces the traditional beach and street active environment and increases street safety with "eyes" on the street. (See Design Element D-4, Multi-family Design Criteria.) Where two-story buildings are proposed, the second story shall be stepped back a minimum of 30% along the front elevation.

#### **c. Incentives for single level development**

Incentives for one level development will only be provided for proposals compatible with the surrounding area with building articulation and site design reflective of the Shell Beach small- scale image. While a 20' setback to a garage is required, incentives for single level development without a requirement for a variance include:

- expanded total building area in excess of that specified in the implementing ordinance
- front, side, and rear yard setbacks reduced from that specified in the implementing ordinance
- a single car garage

## **LU- Commercial Development Guidelines**

### **H-4b**

#### **a. Scale of Structures.**

New commercial development design shall reflect Shell Beach's small scale image. Buildings shall be designed with building elevation vertical, horizontal and roof articulation.

**b. Building Articulation.**

Multiple story buildings shall include step backs of 7 feet or more for a second floor and 10 feet or more for a third floor. Noncontiguous step backs shall be required for a minimum of 30% of the front elevation frontage of each floor above the first floor.

**c. Orientation of doors, windows, and balconies to street.**

To reinforce interaction between the pedestrian and the commercial environment, street frontage adjacent to Shell Beach Road shall include windows, doors, balconies, and where applicable, paseo entries.

**d. Public areas.**

Public seating areas such as plazas, paseos, patios are required for development of projects over two or more contiguous lots and single lots of 6,000 s.f. or greater. Similarly, seating areas are encouraged for single lot development. Where public areas are not provided adjacent to the right of way, buildings shall be placed at or within 8' of the public right of way.

**e. Interior lots**

New development or redevelopment of commercial structures adjacent to Shell Beach Road, which are not adjacent to a side street, shall participate in a parking in-lieu fee program for the Shell Beach commercial area. Parking on site is not required.

**f. Trash hidden from view**

Trash disposal facilities shall be screened from public view.

**g. Public art**

Public art, subject to City approval, shall be included in new development and expansion of 30% or more of existing lot area for additions or reconstruction of existing development.

**h. Incentives without a variance from the implementing ordinance.**

-For commercial/residential mixed use projects, expanded total building area and reduced parking for mixed use projects

-For commercial projects 50% smaller than the maximum permitted, a portion of the parking requirements in the implementing ordinance may be waived.

**LU- Bluff Setback and Protection**

**H-5**

Development along the bluffs shall be set back a minimum of 25 feet or greater from the top of the bluff. The setback will be determined by a geology reports to determine a 100 year bluff retreat plus 10 feet shall be required for any development near the top of the bluff to ensure that adequate bluff setbacks and protective measures are provided.

Appropriate erosion control measures shall be required for any project along the bluff-tops and shall specify methods for maintenance.

Should the bluff top setback requirement render infeasible the opportunity to develop a reasonably sized project, front yard setbacks may be reduced to less than 15' identified in the implementing ordinance without a requirement for a Variance. The setback to the garage shall be no less than 20' and reduced front yard setbacks shall comply with the California Building code.

For this area, site specific geologic studies required in Policy S-3 shall include an analysis of appropriate planting material along the coastal bluffs.

## **LU- Public Improvements Street Lights**

**H-6**

### **a. Street Lights**

Where possible, pedestrian scaled street lights should be used throughout the Shell Beach area. (See Design Element, Policy D-22, Pedestrian Scale Street Lights.)

### **b. Street and Front Yard Paving**

Street rights-of-way and front yards shall not be paved except for driveways or parking spaces officially approved by the city. The City shall not approve parallel parking that is outside the normal area needed for travel ways and related street parking. (See Design Element, Policy D-15, Front Yards and Street Right-of-Ways.)

### **c. Shell Beach Road improvements**

Shell Beach Road improvements should retain the existing curb and gutter flow line and profile of the street and ADA compliance through use of bulb outs and street corner improvements. Additional improvements will include a multi-use trail, benches, decorative light poles, bike racks, public art, trash receptacles, and receptacles for recyclable material. A variety of paving changes and textures with street furniture and decorative lights and street trees will enhance this area.

Existing public sidewalks and street amenities shall be maintained, and future improvements shall be maintained in perpetuity.

Consistent with policies D-36 and D-37, Shell Beach Road overhead utilities shall be placed underground. Undergrounding to the first adjacent residential street is required.

### **d. Ocean Blvd improvements**

Public improvements to Ocean Blvd shall include public art features where possible. Examples include but are not limited to artistically sandblasted bollards and posts, mosaic tiled trash and recycled containers, decorative paving, or art work on utility boxes.

## **LU— Overhead Utilities**

**H-8**

Where overhead utilities are above the street rather than above the back property line they should be placed underground. (See also Design Element, Policy D-36, Undergrounding Required and D-37, Underground Priorities.)

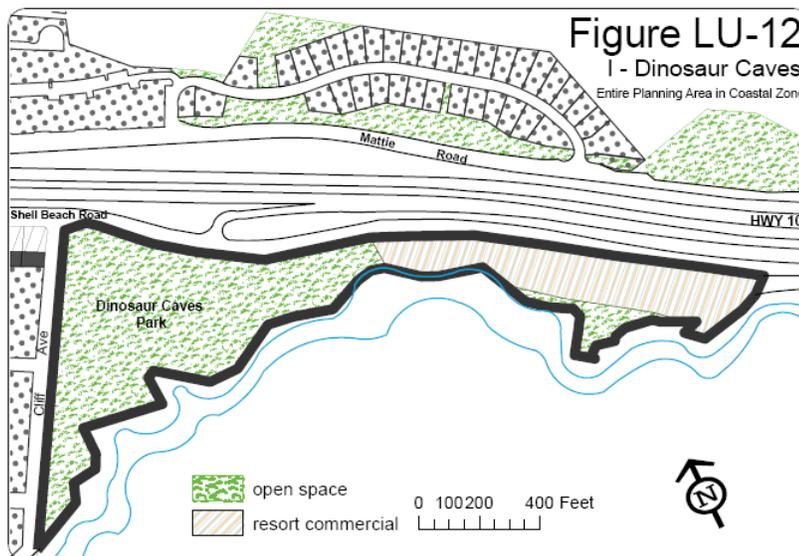
## LU- Lateral Access at Boeker Street H-9

The City should pursue opportunities to create lateral pedestrian pathways connecting Boeker Street to ~~Placentia Avenue or Ocean Boulevard to the north and to~~ Windward Avenue or Ocean Boulevard ~~to the south~~. This requirement shall be implemented as part of project approval, private gifts or dedications or possibility through public acquisition. (See Parks and Recreation Element, Policy PR-5, Path System.)

## Dinosaur Caves Planning Area I

### Background

The Dinosaur Caves area contains the Shelter Cove Hotel, and ~~the 11 acre Dinosaur Caves Park, a large vacant parcel. The area has historically been recommended for public acquisition but funds have not been available for this purpose until recently. The Dinosaur caves property was purchased and is owned by the Pismo Beach Public Financing Authority. The city of Pismo Beach has a long-term lease on the property. Dinosaur Caves Park includes trails, open areas for public events, ocean overlooks play equipment, public parking and restrooms. The vacant site currently is utilized by travelers, residents and recreational vehicles for day use.~~ The open nature of the area allows for dramatic views of the coastline from Highway 101. The edge of the bluffs is a potential geological hazard; portions of the bluffs have collapsed in recent years.



## LU- Concept I-1

The Dinosaur Caves Planning Area ~~is shall be~~ oriented to open space, parks and visitor serving uses with related public lateral bluff-top access and open space. The area ~~is shall be~~ designated Open Space ~~and Resort Commercial~~. The highly scenic nature of this area and the protection of views from Highway 101 ~~has been shall be~~ emphasized

~~with the development of Dinosaur Caves Park. in any future development.~~ (See Parks and Recreation Element PR-16, Dinosaur Caves.)

**LU- ~~Vacant~~ Dinosaur Caves ParkSite  
I-2**

~~Dinosaur Caves Park is This property shall be~~ designated for public park and open space uses which are visitor serving in nature. Non-visitor serving uses ~~are shall be~~ prohibited. ~~Development of Dinosaur Caves Park Any future development~~ shall be consistent with the following requirements:

**~~LU- Sidewalks  
I-3~~**

~~Sidewalks along Price Street in the Dinosaur Caves Planning Area should not be located next to the curb but should be set back four to eight feet to allow for a landscaping buffer between the street and sidewalk.~~

**1993 Table PR-1 Planning area sections A-I to be deleted**

**Table PR-1 Parks & Open Space**

Planning Area	No.	Name	Class	Public & Quasi Public		Private		Access	Parking	Comments
				Existing	Proposed	Existing	Proposed			
A. Sunset Palisades	1	Chisno Ridge	Linear Park		8.0a			view	off-street	approved with Specific Plan, includes public access alternative, path and landscaping
	2	Chisno Ridge	Open Space				5a:	-	no	approved with Specific Plan, natural open space, e.g. grazing
	3	Sunset Palisades	Open Space			6.2		-	on-street	gated community, landscaped open space
	4	Freeway Frontage					6.0a	-	-	to be dedicated through transfer of development rights
	5	Palisades Park	Neighborhood Park	6.7			6.0a	-	off-street	grass, playground, 2 tennis etc, basketball, picnic tables, needs to be completed and secure fenced
B. South Palisades	6	South Palisades Blvd	Linear Park	2.9	4.9a			proposed	no	improvements concurrent with proposed development, partly improved signage & path
	7	South Palisades Beach	Sandy Beach	2.3				proposed	no	no facilities
C. North Spyglass	8	Oliba Hill	Open Space	1.0				stairs	yes	barren scrubby vegetation, barren path, trail top walk
	9	Rubus Park	Linear Park		1.0	1.3		view	possible	Hollister Hotel site dedication and improvements concurrent with proposed development. Spyglass increasing facilities
D. Spyglass	10	Spyglass Point Park	Neighborhood Park	4.7				path	off-street	grass, playground, picnic BBQ, bar area, needs restroom
	11	Spyglass Beach	Sandy Beach	1.6				path	off-street	surfing area, access path needs improvement
E. St. Andrews	12	Nancy Park	Linear Park	0.48				view	on-street	grass and benches, picnic tables, BBQ, Vets Point
	13	St. Andrews Beach	Sandy Beach	0.6				no	on-street	no facilities
	14	Paraproposed	Linear Park	0.9				view proposed	no	path & view platform existing, expansion of linear park to be considered as part of development
G. Terrace Acre	15	Shell Beach School	Neighborhood Park	3.8				-	no	ten ballfields, play equipment, joint agreement to improve & use held in proposed
	16	Terrace Acre Beach	Sandy Beach	0.2				no	no	no facilities, access from proposed park #14
H. Shell Beach	17	Ocean Park	Linear Park	1.3				stairs	on-street	grass and benches, picnic tables
	18	Shell Beach	Sandy Beach	0.6				stairs	on-street	no facilities
	19	Mango Dood	Linear Park	0.17				view	on-street	picnic tables, gazebos
	20	Mango Dood Beach	Sandy Beach	0.3				stairs	on-street	no facilities
I. Dinosaur Caves	21	Dinosaur Caves Sitaknowitz Path	Linear Park		15.0			view		proposed linear park should have ocean observation deck, picnic, group picnic area, play equip, parking
	22	Dinosaur Caves Beach	Sandy Beach	4.7				proposed	proposed	no facilities

**1993 Table PR-1 Planning area sections A-I replacement**

Table PR-1 Parks and Open Space										
Planning Area	No	Name	Class	Public (publically owned) or Quasi-public (privately owned with public access)		Private		Access	Parking	Comments
				Existing	Proposed	Existing	Proposed			
A. Sunset Palisades /The Bluffs	1	The Bluffs	Linear park		8.8			View along bluff top trail	Off-street	Includes public access easement, path and landscaping
	2	The Bluffs	Open Space			53 +		No	No	Natural open space, grazing
	3	Sunset Palisades	Open Space			5.2		No	Off-street	Gated community, landscaped open space
	4	Area between Hwy 101 and Shell Beach Road	Open Space	2.4					Off-street	2 tennis and basketball courts. Beach access parking needs to be completed and courts lighted. Permanent restrooms shall be considered in the future.
	5	Palisades Park	Neighborhood Park	5.7			6+	No	Off-street	Grass, playground, picnic tables, horseshoes.

Table PR-1 Parks and Open Space										
Planning Area	No	Name	Class	Public (publically owned) or Quasi – public (privately owned with public access)		Private		Access	Parking	Comments
				Existing	Proposed	Existing	Proposed			
A. Sunset Palisades /The Bluffs	1	The Bluffs	Linear park		8.8			View along bluff top trail	Off-street	Includes public access easement, path and landscaping
	2	The Bluffs	Open Space			53 ±		No	No	Natural open space, grazing
	3	Sunset Palisades	Open Space			6.2		No	Off-street	Gated community, landscaped open space
	4	Area between Hwy 101 and Shell Beach Road	Open Space	2.4					Off-street	2 tennis and basketball courts. Beach access parking needs to be completed and courts lighted. Permanent restrooms shall be considered in the future.
	5	Palisades Park	Neighborhood Park	5.7			6+	No	Off-street	Grass, playground, picnic tables, horseshoes.

Table PR-1 Parks and Open Space										
Planning Area	No	Name	Class	Public (publically owned) or Quasi – public (privately owned with public access)		Private		Access	Parking	Comments
				Existing	Proposed	Existing	Proposed			
A. Sunset Palisades /The Bluffs Cont...										
B. South Palisades	6a	South Palisades Bluff	Linear Park	2.6	4.3±			Viewing access	On-street	Improvements concurrent with new development Two parcels yet to be developed. Improved w/grass, picnic tables, and benches. Pedestrian and bicycle path that is a part of the California Coastal Trail.
	6b	Area between Hwy 101 and Shell Beach Road	Open space	1.3						Beach access parking available, also unimproved areas

Table PR-1 Parks and Open Space										
Planning Area	No	Name	Class	Public (publicly owned) or Quasi-public (privately owned with public access)		Private		Access	Parking	Comments
B. South Palisades Cont...	7	South Palisades Beach	Sandy beach	2.3				3 Beach access stairs from: -end of Beach-comber drive -Cliffs Hotel stairs (#8) -Sunset Beach Estates subdivision.	On-street	Trash facilities and benches as a part of the beach access stairway
C. North Spyglass	8	Cliffs Hotel	Open Space		1.0			Beach access stairs	yes	Barranca w/heavy vegetation, Barranca path, bluff top walk
	9	Dolphin Bay Resort and Spyglass Inn	Open Space		3.1			View with bluff top trail	possible	Public access easement for ocean bluff top trail. Part of the California Coastal Trail.

Table PR-1 Parks and Open Space										
Planning Area	No	Name	Class	Public (publicly owned) or Quasi-public (privately owned with public access)		Private		Access	Parking	Comments
D. Spyglass	10	Spyglass Park	Neighborhood Park	4.7				Ocean fronting bluff top path and steep trail to beach	Off-street	Grass, playground, picnic BBQ, Barranca, restroom. Improved beach access needed.
	11	Spyglass Beach	Sandy Beach	1.6				path	Off-street	Surfing area, access path needs improvement
E. St. Andrews	12	Memory Park	Linear Park	.46				Ocean fronting park with ocean view	On-street	Grass and benches, picnic tables, BBQ, Vista Point
	13	St. Andrews beach	Sandy Beach	.5				no	On-street	No facilities

Table PR-1

Parks and Open Space

Planning Area	No	Name	Class	Public (publically owned) or Quasi - public (privately owned with public access)		Private	Access	Parking	Comments
F. Spindrift	14	Park proposed	Linear Park			.9	Ocean fronting with ocean view proposed	no	Public access easement from the Park Place subdivision and Naomi. Expansion of linear park to southeast proposed as part of estates development.
G. Terrace Ave	15	Shell Beach School	Neighborhood Park	3.8			Ocean View	off street at school	Two ball fields play equipment. joint agreement with City to improve & use field is proposed.
	16	Terrace Ave Beach	Rocky Beach	.2			no	no	No facilities.
H. Shell Beach	17	Eldwayen Ocean Park	Linear Park	1.3			Stairs at Vista Del Mar and Capistrano	On-street	Grass and benches, picnic tables, telescope.

Table PR-1

Parks and Open Space

Planning Area	No	Name	Class	Public (publically owned) or Quasi - public (privately owned with public access)		Private	Access	Parking	Comments
H. Shell Beach Cont...	18	Shell Beach	Sandy Beach	.6				On-street	No facilities
	19	Margo Dodd	Linear Park	.17			Ocean View	On-street	Picnic tables, gazebo
	20	Margo Dodd Beach	Sandy Beach	.3			Stairs at Pier Ave	On-street	Trash facilities with beach
I. Dinosaur Caves	21	Dinosaur Caves Site/ Janowicz Path	Linear Park			15.0	Ocean View	Off-street	Linear park with ocean observation areas, amphitheater, picnic areas, play equip and parking.
	22	Dinosaur Caves Beach	Sandy Beach	.7			no	no	No facilities
	23	Freeway frontage	Open Space	3.4			No applicable, Cal Trans ROW		No facilities, part of road right-of-way

**1993 Table PR-4 Planning area sections A-I replacement**

Table PR-4 Physical and Visual Ocean Access/ California Coastal Trail See Figure PR-3 for map locations											X - Existing # - Proposed	
Planning Area	Access Points	Public beach access stairs	Walking path and/or Walking with View access	Direct Beach Access No stairs	View points	Lateral Open Space Top of Bluff	Bar-ranca	Parking on-street	Park-ing off street	Signage &/or amenities	Open to Public	Comments
A. Sunseef Palisades	1a. The Bluffs trail		X		X	X			X	X	X	Improved public trail with access at the north end connecting to SLO County trail.
	1b. Indio drive		X		X			X		X	X	On-street section of the California Coastal Trail with ocean overlooks.
	2. Encanto		X		X			X		#		No improvements
	3. Topaz St.		X		X			X		#		No improvements
B. South Palisades	4. Florin St		X		X			X		#		Improvements complete.
	5. Beach-comber stairs	X	X		X	X		X		X	X	Located at lateral blufftop park 80% improved with park/open space amenities (benches, picnic tables) and > 150 on street parking spaces available.
	5. Sunset Beach Estates stairs	#	#		#	#		#		#	#	North side of barranca with access to South Palisades Park areas adjacent to Ebb Tide. Approved subdivision with linear park and beach access.
C. North Spyglass	7a. Cliffs Hotel stairs	X	X		X	X	X		X	X	X	Trash receptacles available.
	7b. Bluff top trail		X		X	X			X	X	X	Improved public access bluff top trail at the rear of the Cliff's Hotel, Dolphin Bay Resort, and Spyglass Inn.
D. Spyglass	8. Spyglass Park	#	X		X	X	X		X	#	X	Steep dirt trail at the edge of barranca provides beach access but should be improved. Benches and trash receptacles available along bluff top.

Table PR-4 Physical and Visual Ocean Access/ California Coastal Trail See Figure PR-3 for map locations												X- Existing # - Proposed
Planning Area	Access Points	Public beach access stairs	Walking path and/or Walking with View access	Direct Beach Access No stairs	View points	Lateral Open Space Top of Bluff	Bar-ranca	Parking on-street	Parking off street	Signage &/or amenities	Open to Public	Comments
E. St. Andrews Tract	9a. Memory Park	#			X	X		X		X	X	Benches, tables, trash receptacles available. A beach access stairway to St. Andrews Beach shall be installed in this area.
	9b. Seacliff Access path		X							#		Walking path between 182 and 188 Seacliff; public access easement between St. Andrews Tract subdivision and Spyglass Park. Ongoing bluff erosion may affect the functionality of this access easement in the future.
F. Spindrift	10. Linear Bluff top park	#	#		#	#			#	#	X	Area for lateral park to be dedicated with future development of the estates pursuant to Policy LU-F-3 and LU-F-4. Pedestrian access to the area is from Naomi and Park Place. Pedestrian access easement over the park shall be no closer than 25' from the top of the bluff.
H. Shell Beach	11a. Eldwayan Ocean Park	X	X		X	X		X		X	X	Beach access at Vista Del Mar and Cuyama. Cuyama stairs require improvements.
	11b. Boeker overlook		X		X	X		X		X	X	Access path from Placentia to Boeker along oceanfront. Future public bluff top access through to Ocean Blvd to the south if/when development occurs directly to the southwest of Boeker.
	11c. Pier Avenue stairs	X	X		X	X		X		X	X	Bench and Trash facilities available

Table PR-4 Physical and Visual Ocean Access/ California Coastal Trail See Figure PR-3 for map locations												X- Existing # - Proposed
Planning Area	Access Points	Public beach access stairs	Walking path and/or Walking with View access	Direct Beach Access No stairs	View points	Lateral Open Space Top of Bluff	Bar-ranca	Parking on-street	Parking off street	Signage &/or amenities	Open to Public	Comments
H. Shell Beach Cont...	12. Margo Dodd Park	X										Gazebo, picnicking, trash facilities available.
I. Dinosaur Caves	13. Dinosaur Caves Janowicz Path		X		X	X			X	X	X	An improved park with four ocean overlooks, bluff top trail, and multiple park amenities.
	14. Shelter Cove	#	X		X	X			X	X	X	Public parking at the Shelter Cove Hotel.

Table PR-4 table section to be deleted

**Table PR-4**  
**Physical & Visual Ocean Access**  
 See Figure PR-3 for map locations

● - existing  
 ○ - proposed  
 ◐ - existing & proposed

Planning Area	Access Points	Access Type										Comments
		State Public & Semi-Public	Park/Walking Access	Direct Access	Viewpoint	Lateral C.S. (top of bluff)	Barranca	Parking on-street	Parking off-street	Seaview	Public or Easement	
A. Sunset Palisades	1. Ontario Ridge				○	○			○	○	○	proposed no improvement no improvement parking in near-by Palisades park
	2. Encanto Ave.				●			●	○	●		
	3. Topoz St.				●			●	○	●		
	4. Florin Street				●			●	○	●		
B. South Palisades	5. S. Palisades	○			●	◐		●	○	●	lateral park partly improved (2 access stairs proposed) existing stairs descend South side of Barranca. Proposed new stairs on North side of Barranca go to S. Palisades Lateral Park	
	6. Cliffs Hotel	◐	●		●	●		●	●	●		
C. North Spyglass	7. North Spyglass	○			○	○			○	○	dedication of lateral C.S. easement	
D. Spyglass	8. Spyglass Park		●		●	●		●	●	●	Barranca nature walk proposed. Improve access path	
E. St. Andrews Tract	9. Memory Park				●	●		●	○	●		
F. Splendit	10. Vista Point-Future Park	○	●		●	○			○	○	proposed lateral park to connect to existing view platform access stairs to connect to St. Andrews Beach,	
H. Shell Beach	11. Ocean Park	●	●		●	●		●		●	access stairs at Pier Ave., and at Vista Del Mar gazebo	
	12. Margo Dodd Park	●			●	●		●	○	●		
I. Dinosaur Caves	13. Dha Caves/Janowicz Path	○			○	○			○	○	group picnic area desirable	
	14. Shelter Cove	●	●		●	●		●		●		

Figure PR-1 sections for Planning areas A-I to be deleted and replaced

(points 1-22 only, excluding points 57-60)

**Parks and Open Space Figure PR-1**  
PISMO BEACH GENERAL PLAN

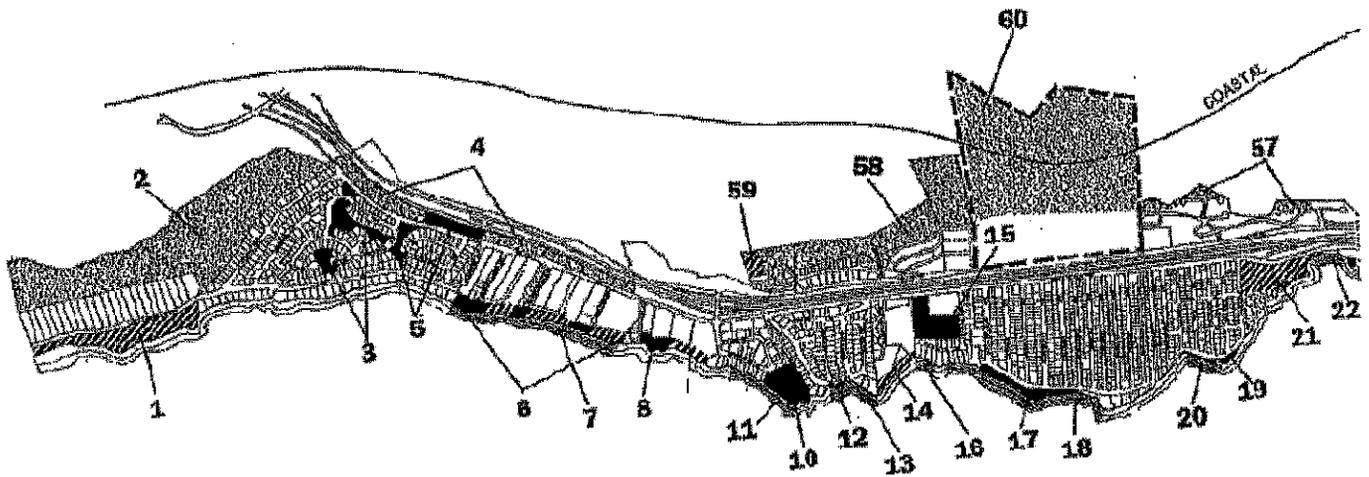
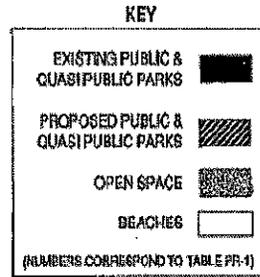


Figure PR-1 sections for Planning areas A-I replacement

(points 1-22 only, excluding points 57-60)

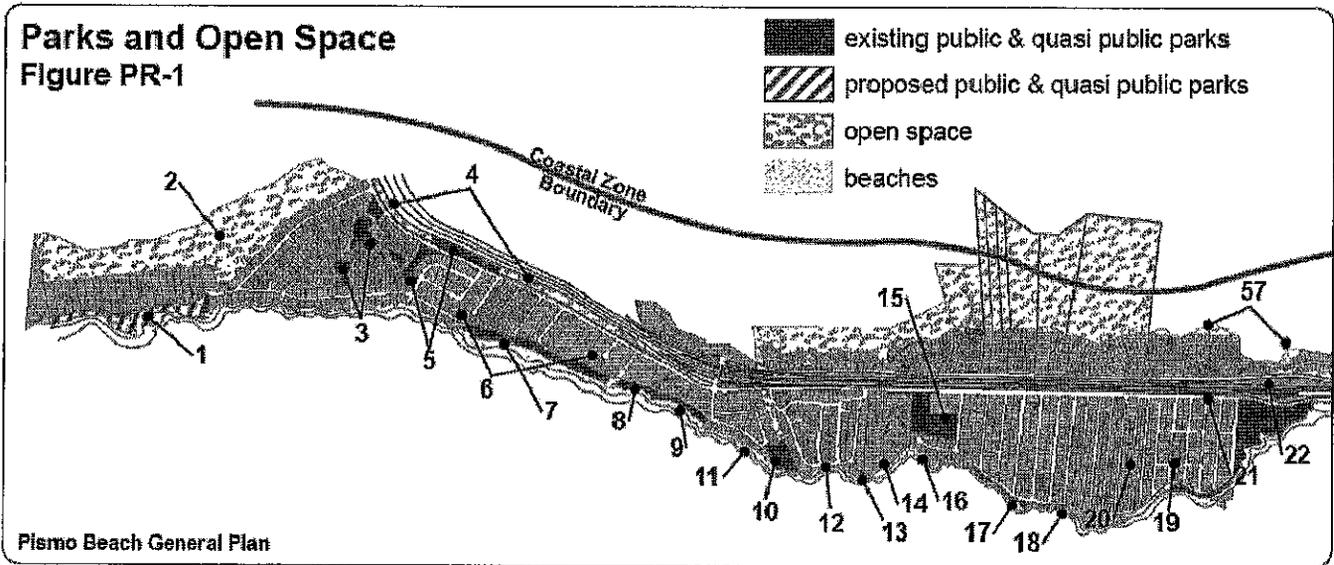


Figure PR-3 sections for Planning Areas A-I to be deleted and replaced

**Access Component** **Figure PR-3**  
**PISMO BEACH GENERAL PLAN**

**KEY**

LINEAR PARK	
BARRANCA	
PARKING	<b>P</b>

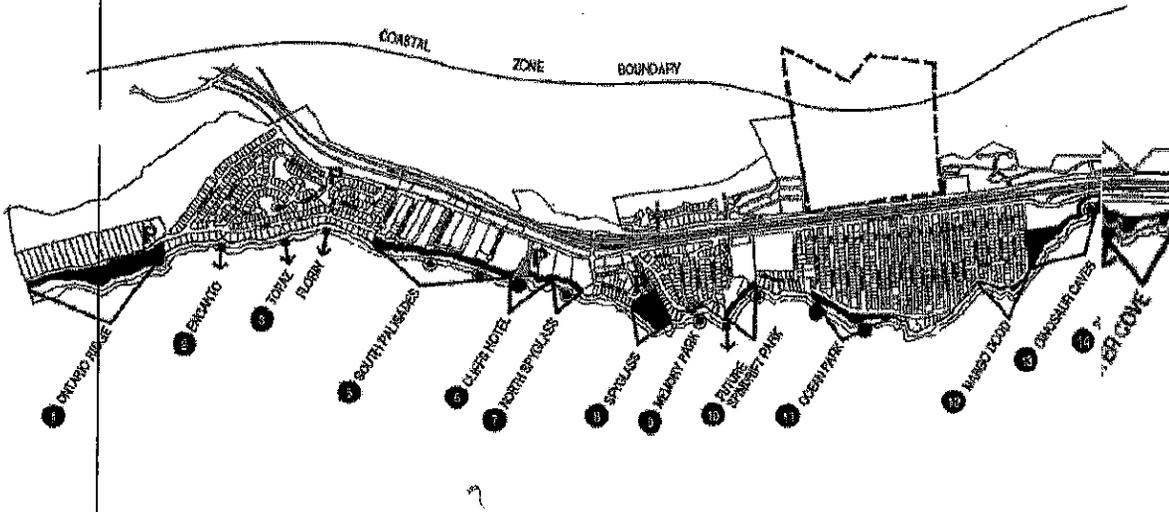
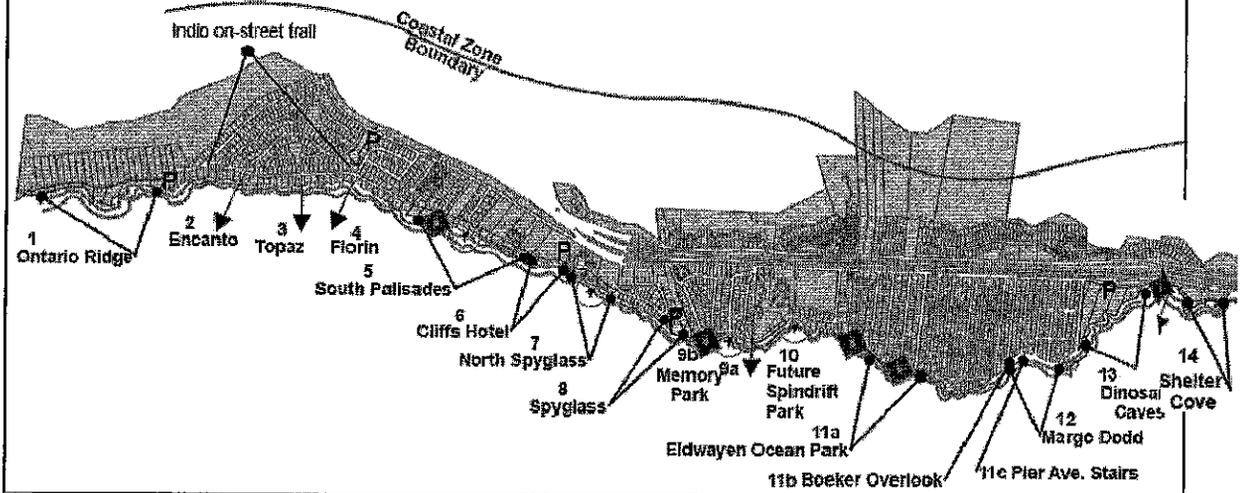


Figure PR-# sections for Planning Areas A-I replacement

**California Coastal Trail and Pismo Beach Beach Access**

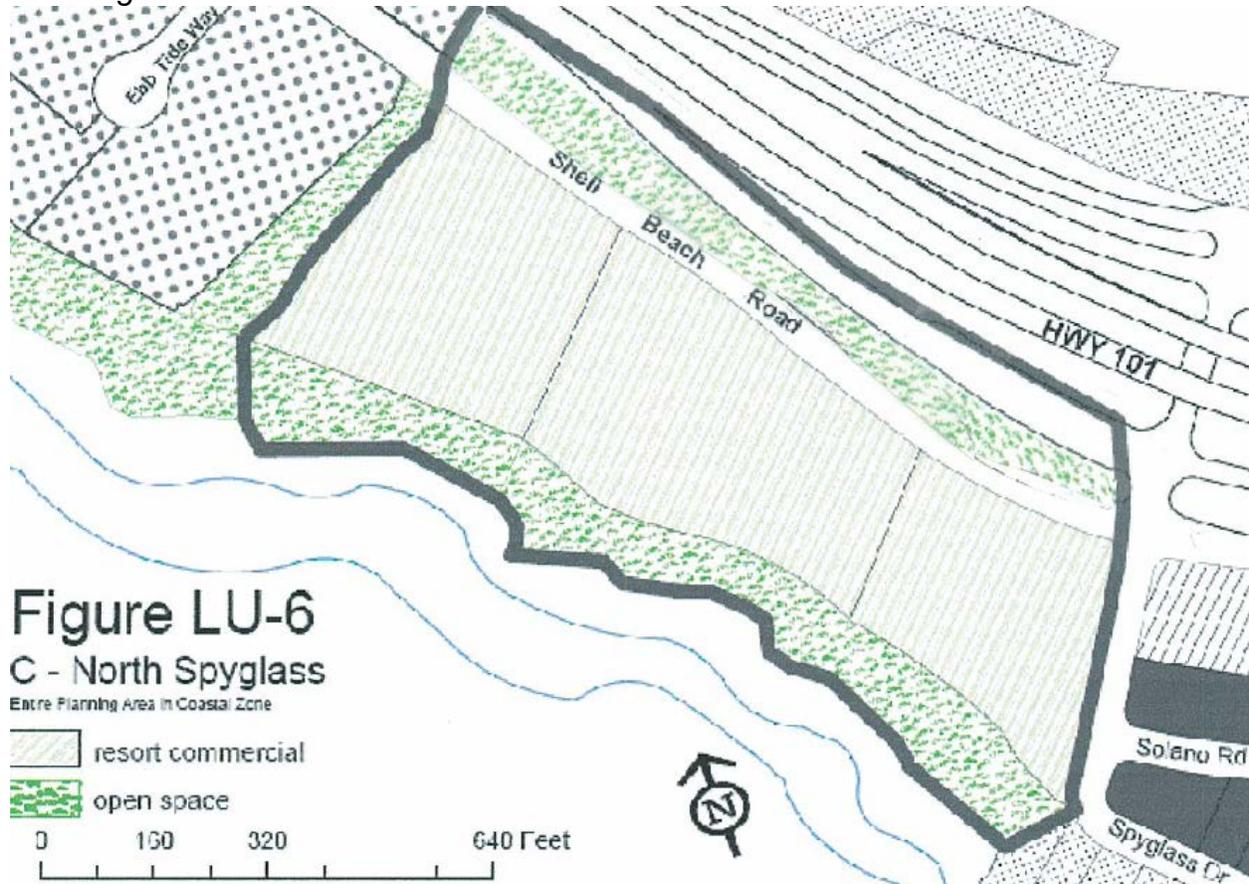
Figure PR-3  
 Pismo Beach General Plan



## LU-9 Chumash Cultural Resources Preservation

Appropriate measures for Chumash Cultural Resources Preservation shall be provided with future development of private and public property with California Environmental Quality Act compliance and meaningful consultation with local Chumash.

### **North Spyglass Planning Area C**



### **Background**

The North Spyglass Area contains ~~two~~ three major hotels, (the Dolphin Bay Resort, Cliffs Hotel, Spyglass Inn) ~~and one vacant site for a future hotel~~. A key aspect of the area includes a 50 ft. wide lateral access at the top of the bluffs and the stairway and related public parking at the northern barranca. A bluff top trail spans the entire planning area which provides access to a stairway to the beach adjacent to the Cliffs Hotel and the South Palisades Planning area.

At the base of 50 ft. bluffs is a narrow sandy beach accessible during normal tide. Bluff erosion is severe and is estimated to average about 6 inches per year. development in this area requires a bluff erosion study and consistency with Policy S-3.

## Policies

### LU- Concept

#### C-1

The North Spyglass Planning Area ~~is shall be~~ oriented to visitor-serving hotel uses with related public and private beach access and open space. The area ~~is shall be~~ designated Resort Commercial and Open Space.

### LU- Lateral Bluff-top Open Space and Access

#### C-2

The width of the lateral bluff-top conservation/open space and access dedication requirement set forth in Policy PR-23 shall be increased to a distance equal to the 100-year bluff retreat line plus 50 ft. for this planning area. ~~The miniature golf course behind the Spyglass Inn should connect to the public lateral access. Future development of the Spyglass Inn will include a requirement for~~ As an alternative, the city should acquire a path between Spyglass Drive and the public lateral access.

### LU- Public Parking

#### C-5

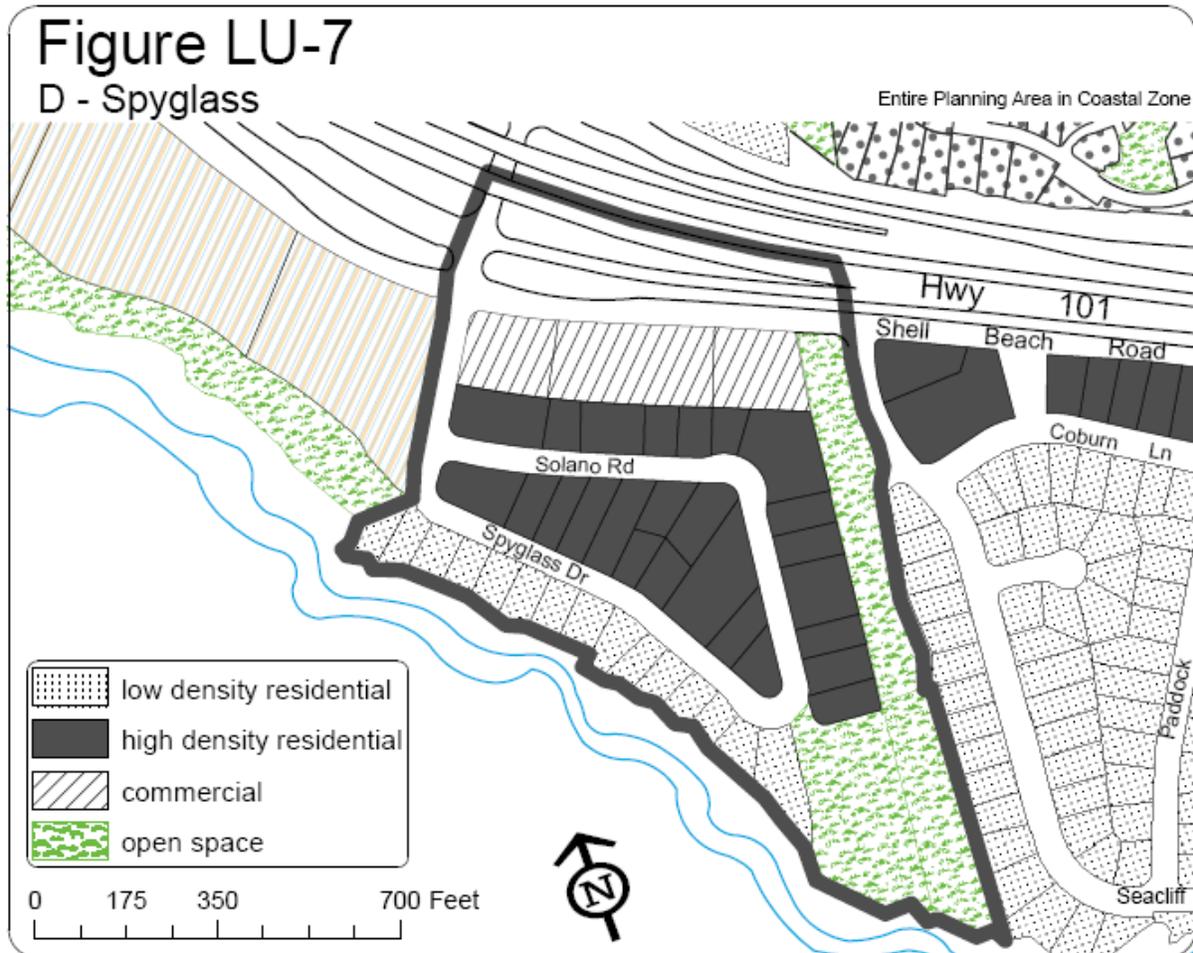
All existing public on-street and off-street parking spaces, including the 255 spaces identified in this area in a 2008 field survey, shall be maintained. As a condition of development, a minimum of 65 public parking spaces shall be developed within the buildable portions of the South Palisades and North Spyglass Planning Areas. The parking spaces shall be equitably distributed over the subject parcels of the two planning areas, and may be located adjacent to either side of Shell Beach Road. Such public parking shall be required in addition to the parking requirements for private uses contained in the city's certified Local Coastal Plan. A portion of this parking may be located on public streets and shall have signage identifying the parking spaces for beach access. Additionally

Adequate signing notifying the public of the public parking opportunities and identifying the location of the access-way shall be provided.

## Spyglass Planning Area D

### Background

The Spyglass Planning Area is a fully developed residential area with multiple housing types, a small commercial center and the Spyglass Public Park. The area serves as a gateway to the City as both Highway 101 on and off ramps are located in this area.



### Policies

#### LU- Concept

##### D-1

The Spyglass Planning area ~~is a shall be retained as a~~ residential neighborhood (Medium and High Density) with access to two parks and neighborhood shopping. The emphasis is on conserving the existing housing stock and assuring that future changes are compatible with the existing neighborhood.

#### LU- Bluff Setback and Protection

##### D-2

The blufftop setback for D development along the bluffs shall be consistent with exceed the Policy S-3 and Coastal Zone Code Section 17.078.050 requirement for requiring a

100 year bluff retreat ~~with the addition and an additional buffer of a 10' buffer.~~ The with a minimum blufftop setback shall be no less than 25 feet from the top of the bluff.

Should the bluff top setback requirement render infeasible the opportunity to develop a reasonably sized project, front yard setbacks may be reduced to less than the 15' identified in the implementing ordinance without a Variance. However, the setback to the garage shall be no less than 20' from the public right of way. Reduced front yard setbacks shall comply with California Building Code.

**LU- Design and Safety Guidelines**  
**D-4**

**a. Freeway Underpass open space area** The City supports the San Luis Obispo county requirements for the open hills on the eastern end of the Spyglass underpass of the 101 Freeway to shall remain in permanent open space. (See Design Element D-40, Focal Point Sites.)

**b. Underground Utilities**

Overhead utilities on Shell Beach Road should be placed underground.

**c. Landscaping**

New development, including additions or upgrading of existing development, shall be fully landscaped and complementary to the Shell Beach Road frontage. Extensive landscaping shall be required for large asphalt areas such as gasoline service stations and parking lots. The east side of Shell Beach Road adjacent to the Spyglass interchange should be landscaped to present an inviting entry area into the City.

**d. Sidewalks**

Sidewalks from the Spyglass Highway 101 interchange to Shell Beach school in the Shell Beach Planning area shall be maintained and improved for safe pedestrian and handicapped access.

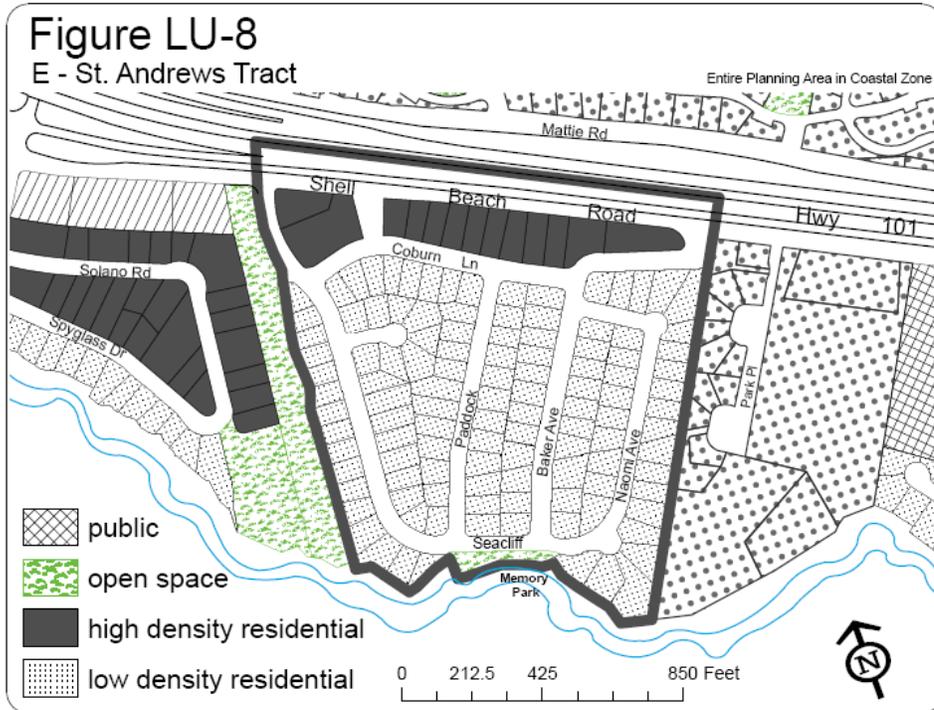
**e. Spyglass interchange pedestrian underpass**

The City will work with Caltrans to develop a sidewalk at the Spyglass interchange underpass.

**f. Improved beach access from Spyglass Park**

Beach access from Spyglass Park shall be improved for pedestrian access to the beach below Spyglass Park.

**St. Andrews Tract**  
*Planning Area E*



## Background

The St. Andrews Planning Area is almost completely developed with single-family homes, apartments and a city fire station.

The ocean frontage consists of single family residences and Memory Park. These homes are adjacent to ~~of~~ highly erodible cliffs, with rocky shoreline and small pocket beaches below. During low tide there are small beaches accessible to the public.

There is a blufftop access from Naomi Avenue dedicated to the city and connected to a city easement south of the planning area in the Spindrifft Planning Area. This access leads to a spectacular viewpoint, which is under private public-ownership. There is a public access easement from Seacliff to Spyglass Park in the adjacent Spyglass Planning area.

## Policies

### LU- Concept E-1

The St. Andrews Tract Planning Area shall be retained as a residential neighborhood with Low and High Density residential uses. The focus is on conserving the existing housing stock and assuring that home additions and replacements are compatible with the scale and character of the existing development. This will be achieved by:

- a. Limiting the front yard setback for additions and reconstruction of existing homes or construction of a new home to the front yard setback in place on the existing home

as of January 1, 2012. The front yard setback for the single undeveloped lot in this area, APN 10-505-003, shall comply with the implementing ordinance.

- b. For additions or reconstruction of existing homes and the construction of new homes. a front elevation minimum 10' building setback from the first floor to the second floor .

#### **LU- Bluff Setback and Protection**

##### **E-2**

~~The blufftop setback for development along the bluffs shall exceed be subject to the Policy S-3 and Coastal Zone Code Section 17.078.050 requirement for requiring a 100 year bluff retreat with the addition of and a 10' buffer, setback with a~~ The minimum of blufftop setback shall be no less than 25 feet from the top of the bluff. A geology study and report shall be required for any development near the top of the bluff and a greater setback may be required based on the findings of the report. Appropriate erosion control measures shall be required for any project along the bluff-tops and shall specify methods for maintenance.

#### **LU- Seacliff Drive Access**

##### **E-4**

~~In 1957 the city acquired an easement for constituting and maintaining an access road from Coburn Lane to Spyglass Park. The city shall clarify or renegotiate this easement to allow pedestrians and bicycles. The sign marked "Private Road - Keep Off" should be replaced with a sign that says "Public Pedestrian and Bicycle Access - No Vehicles" directing bicyclists and pedestrians to a narrow road behind Coburn shall be maintained. The existing sign shall be revised to note beach viewing access and Spyglass Park. When beach access from Spyglass park is completed, a beach access sign shall also be added to this location.~~

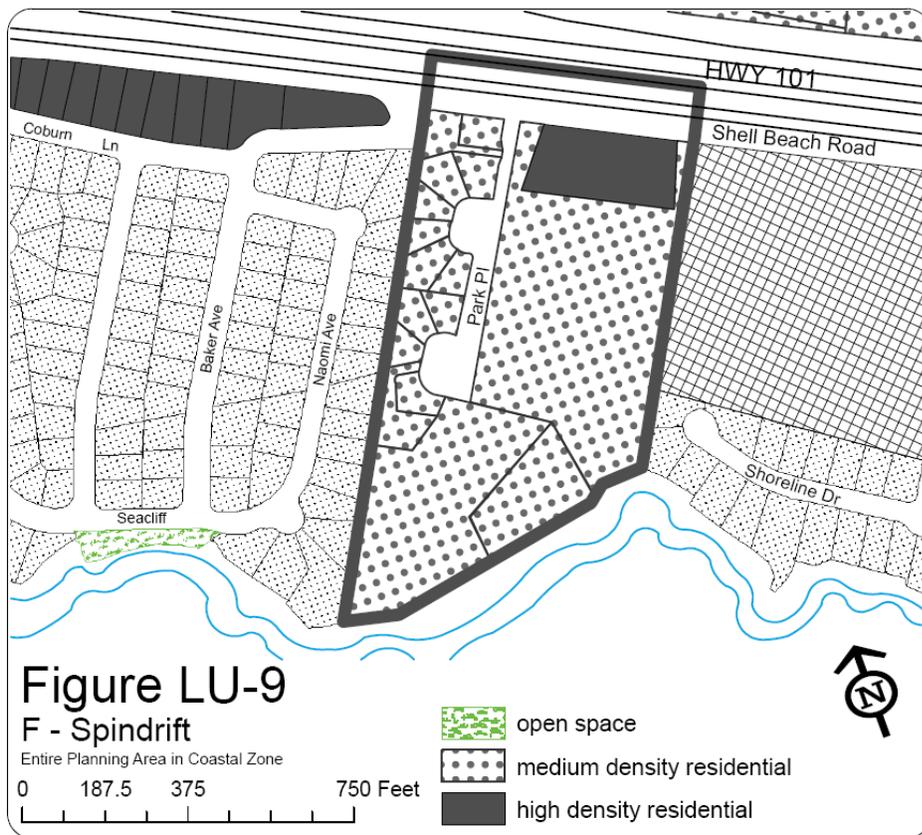
#### **LU-E-5 Sidewalk improvements**

The sidewalk on Shell Beach Road between Seacliff and Coburn shall be improved for a minimum width of 5' for safe pedestrian and handicapped access.

#### **LU-E-6 Beach access to Memory Park**

The City shall consider opportunities for beach access to Memory Park.

**Spindrift**  
*Planning Area F*



**LU- Development of Estates**

**F-4**

Any further development of the estates fronting the ocean is discouraged. If, however, further development is proposed it shall be required to adhere to the following criteria:

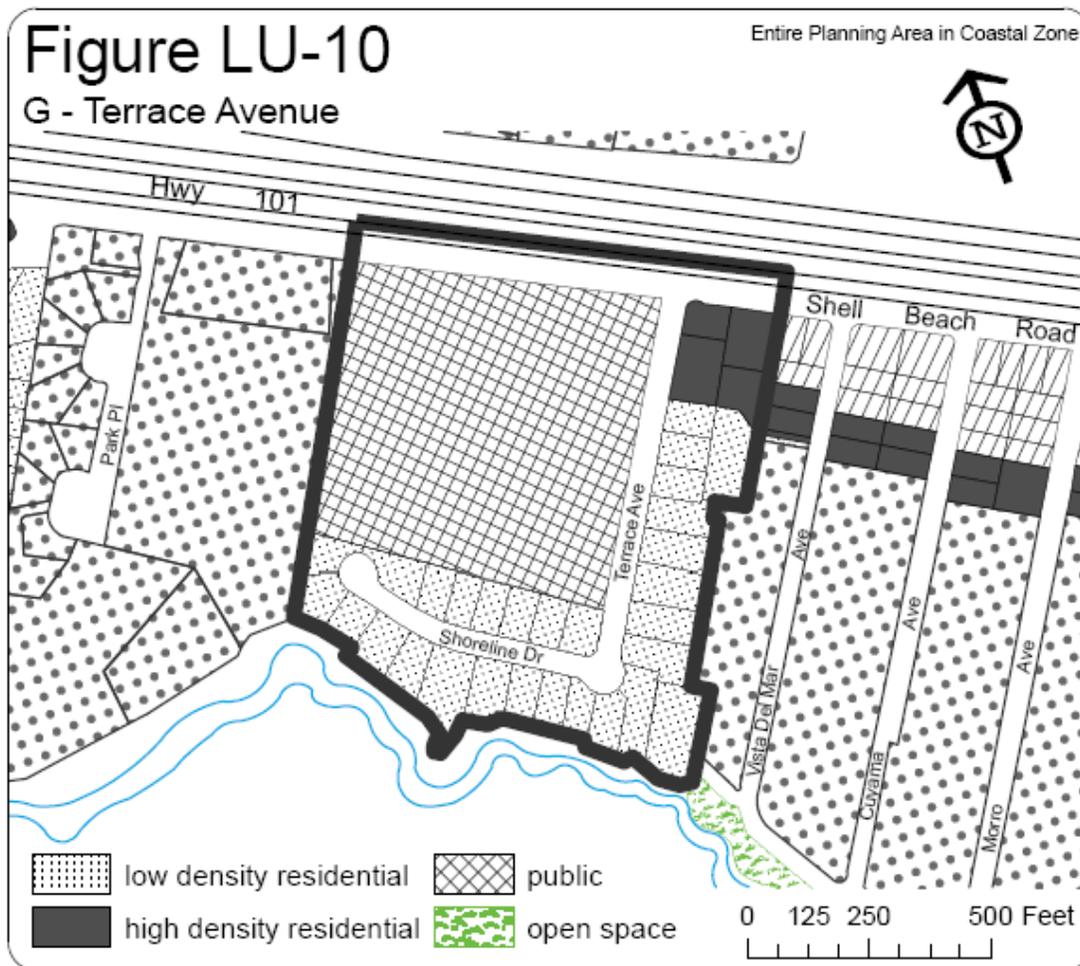
a. ~~A specific plan shall be required.~~

a-b. Public access in the lateral bluff-top open space specified in Policy LU-F-3 and Policy PR-23 shall be required. Compliant with geologic report recommendations to protect the bluff top, public access improvements and landscaping shall be required within this area.

b.e. Special attention shall be given to preserving view corridors to the ocean.

c.d. Existing mature trees and bird habitat areas shall be preserved; any new development should avoid the trees.

**Terrace Avenue**  
**Planning Area G**



**Policies**

**LU- Bluff Setback and Protection**  
**G-2**

The blufftop setback for development along the bluffs shall exceed the Policy S-3 and Coastal Zone Code Section 17.078.050 requirement for a bluff setback a minimum of 100 year bluff retreat with the addition of a 10' buffer. The with a minimum blufftop setback shall be no less than 25 feet foot setback from the top of the bluff. Geology reports shall be required for any development near the top of the bluff to ensure that adequate bluff protection measures are provided.

Appropriate erosion control measures shall be required for any project along the bluff-tops and shall specify methods for maintenance.

**LU- Ocean Boulevard Access**  
**G-5**

Development approvals for properties between Shoreline Drive and Ocean Boulevard should consider the possible shall dedicate ion of a pedestrian easement between the two streets for so as to gain access to the Eldwayen Ocean park stairs to the beach in

the Shell Beach planning area. As an alternative, The city shall consider purchasing a 20-foot pedestrian access easement over its 20 foot wide sewer easement running between Terrace Avenue and Vista Del Mar Avenue to allow for public pedestrian and bicycle access. (See also Park and Recreation Element PR-5, Path System.)

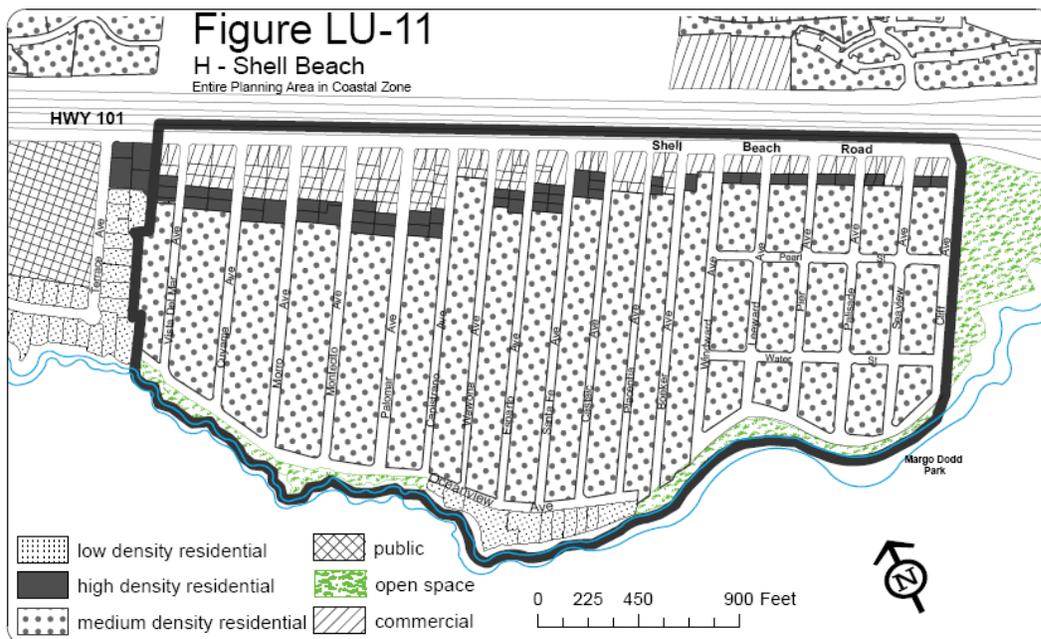
**LU-G-6**      Improvements related to Shell Beach School School Landscape and Fences

The school district should be encouraged to landscape the back of the temporary classrooms located on Shell Beach Road and to add low-growing trees to the parking lots. Additionally, the fences surrounding the school should be painted a dark color. The sidewalk at Shell Beach Road and Terrace avenue shall be improved for safe pedestrian and handicapped access. See also:

Design Element	D-5	Utilities and Fences
Design Element	D-10	Parking Lots & Large Asphalt Areas
Design Element	D-11	Large Buildings
Design Element	D-13	Freeway Landscaping

**Shell Beach**  
*Planning Area H*

**Background**



Planning Area H, with the exception of scattered vacant lots, is essentially developed. However, there is a trend to expand or replace small beach cottages on small lots with large houses that are not always compatible with the character of the community. Shell Beach embodies much of the historic ambiance and flavor of small California beach towns.

A variety of retail and service uses front Shell Beach Road, including several small motels. The area includes a small public library, ~~several churches~~ a private recreational facility and the Shell Beach Veterans' building. The Shell Beach ocean bluffs are significant recreational resources containing Eldwayen Ocean Park and Margo Dodd Park ~~two city parks~~, which are the aesthetic focus of the community, along with Dinosaur Caves Park which is located in the adjoining Dinosaur Caves Planning area. The parks and development on top of the bluffs are seriously endangered by erosion.

Four beach access points are located in the Shell Beach Planning area, and Ocean Blvd and the trail at the end of Ocean Blvd to Boeker street includes pedestrian and bicycle access. ~~The park and development on top of the bluffs are seriously endangered by erosion. Shell Beach embodies much of the historic ambiance and flavor of small California beach towns.~~

## **Policies**

### **LU- Concept**

#### **H-1**

~~The Shell Beach area is designated for Low Density Residential west of Ocean Boulevard and Medium Density Residential from there toward Shell Beach Road. Shell Beach Road is bordered by a narrow commercial strip backed by a narrow band of High Density Residential. Behind the High Density residential area to the Ocean, a medium density land use accommodates single family homes in the area. The focus of this area is a more traditional beach community with small single-family lots, street activity, and views of the ocean to the west, and the foothills to the east. The emphasis is on assuring that new and expanded homes are compatible with the scale, bulk, and character of existing neighborhood.~~

### **LU— Commercial Revitalization**

#### **H-3—**

- ~~a.— A detailed specific plan study shall be prepared for the Shell Beach Road commercial strip and abutting High Density Residential zone. The purpose of the plan shall be to promote upgrading of the commercial district. The study shall include specific recommendations for signage, street tree type and locations, sidewalks, parking, and building massing.~~
- ~~b.— The city shall consider the use of Block Grant funds to provide for the specific plan study and for low interest loans for commercial revitalization.~~
- ~~c.— Where new development or redevelopment of commercial structures occurs along Shell Beach Road, parking areas shall be provided in rear or side yards. Side yard parking areas should include a minimum 10 ft. landscape strip along Shell Beach Road frontage. New buildings shall be placed at or near the front property line.~~
- ~~d.— Trash disposal facilities shall be hidden from public view.~~

### **LU- Commercial Enhancement funding plan**

#### **H-3**

- a. For the Shell Beach Road commercial strip, a funding plan shall be prepared for amenities such as but not limited to signage, street trees, sidewalk improvements, pedestrian scale street lights, public parking, and public art.

b. The city shall consider the use of Grant funds to provide for the plan and for low interest loans for commercial revitalization.

**LU— Residential Guidelines**

**H-4—**

**a.— Scale of Structures.**

~~New development should be designed to reflect the small scale image of Shell Beach rather than large monolithic buildings. Buildings should be designed with vertical, horizontal and roof articulation of building faces. Where two-story buildings are proposed, the second story should normally be stepped back.~~

**b.— Orientation of doors, windows and balconies to street.**

~~Generally the street frontage should consist of residential units with windows, doors, balconies and porches facing and in reasonably close proximity to the street, both in terms of height (i.e., units at street level, rather than raised) and in distance from the street (minimum set back). This type of orientation reinforces the traditional beach and street active environment and also increases street safety with "eyes" on the street. (See Design Element D-4, Multi-family Design Criteria.)~~

**LU- Residential Guidelines**

**H-4a**

**a. Scale of Structures.**

New residential development should be designed to reflect the small scale image of Shell Beach rather than large monolithic buildings. Buildings should be designed with vertical, horizontal and roof articulation of building faces.

**b. Orientation of doors, windows, and balconies to street.**

Street frontage should consist of residential units with windows, doors, balconies and porches facing and in reasonably close proximity to the street, both in terms of height (i.e., units at street level, rather than raised) and in distance from the street (minimum set back). This type of orientation reinforces the traditional beach and street active environment and increases street safety with "eyes" on the street. (See Design Element D-4, Multi-family Design Criteria.) Where two-story buildings are proposed, the second story shall be stepped back a minimum of 30% along the front elevation.

**c. Incentives for single level development**

Incentives for one level development will only be provided for proposals compatible with the surrounding area with building articulation and site design reflective of the Shell Beach small- scale image. While a 20' setback to a garage is required, incentives for single level development without a requirement for a variance include:

- expanded total building area in excess of that specified in the implementing ordinance
- front, side, and rear yard setbacks reduced from that specified in the implementing ordinance
- a single car garage

**LU- Commercial Development Guidelines**

**H-4b**

**a. Scale of Structures.**

New commercial development design shall reflect Shell Beach's small scale image. Buildings shall be designed with building elevation vertical, horizontal and roof articulation.

**b. Building Articulation.**

Multiple story buildings shall include step backs of 7 feet or more for a second floor and 10 feet or more for a third floor. Noncontiguous step backs shall be required for a minimum of 30% of the front elevation frontage of each floor above the first floor.

**c. Orientation of doors, windows, and balconies to street.**

To reinforce interaction between the pedestrian and the commercial environment, street frontage adjacent to Shell Beach Road shall include windows, doors, balconies, and where applicable, paseo entries.

**d. Public areas.**

Public seating areas such as plazas, paseos, patios are required for development of projects over two or more contiguous lots and single lots of 6,000 s.f. or greater. Similarly, seating areas are encouraged for single lot development. Where public areas are not provided adjacent to the right of way, buildings shall be placed at or within 8' of the public right of way.

**e. Interior lots**

New development or redevelopment of commercial structures adjacent to Shell Beach Road, which are not adjacent to a side street, shall participate in a parking in-lieu fee program for the Shell Beach commercial area. Parking on site is not required.

**f. Trash hidden from view**

Trash disposal facilities shall be screened from public view.

**g. Public art**

Public art, subject to City approval, shall be included in new development and expansion of 30% or more of existing lot area for additions or reconstruction of existing development.

**h. Incentives without a variance from the implementing ordinance.**

-For commercial/residential mixed use projects, expanded total building area and reduced parking for mixed use projects

-For commercial projects 50% smaller than the maximum permitted, a portion of the parking requirements in the implementing ordinance may be waived.

**LU- Bluff Setback and Protection**

**H-5**

The blufftop setback for development along the bluffs shall exceed the Policy S-3 and Coastal Zone Code Section 17.078.050 requirement for a 100 year bluff retreat with the addition of a 10' buffer. The minimum blufftop setback shall be no less than 25 feet from the top of the bluff. ~~be set back a minimum of 25 feet or greater from the top of the bluff. The setback will be determined by A~~ geology report to determine a 100 year bluff

~~retreat plus 10 feet~~ shall be required for any development near the top of the bluff to ensure that adequate bluff setbacks and protective measures are provided. Appropriate erosion control measures shall be required for any project along the bluff-tops and shall specify methods for maintenance.

Should the bluff top setback requirement render infeasible the opportunity to develop a reasonably sized project, front yard setbacks may be reduced to less than 15' identified in the implementing ordinance without a requirement for a Variance. The setback to the garage shall be no less than 20' and reduced front yard setbacks shall comply with the California Building code.

For this area, site specific geologic studies required in Policy S-3 shall include an analysis of appropriate planting material along the coastal bluffs.

## **LU- Public Improvements Street Lights** **H-6**

### **a. Street Lights**

Where possible, ppedestrian scaled street lights should be used throughout the Shell Beach area. (See Design Element, Policy D-22, Pedestrian Scale Street Lights.)

### **b. Street and Front Yard Paving**

Street rights-of-way and front yards shall not be paved except for driveways or parking spaces officially approved by the city. The City shall not approve parallel parking that is outside the normal area needed for travel ways and related street parking. (See Design Element, Policy D-15, Front Yards and Street Right-of-Ways.)

### **c. Shell Beach Road improvements**

Shell Beach Road improvements should retain the existing curb and gutter flow line and profile of the street and ADA compliance through use of bulb outs and street corner improvements. Additional improvements will include a multi-use trail, benches, decorative light poles, bike racks, public art, trash receptacles, and receptacles for recyclable material. A variety of paving changes and textures with street furniture and decorative lights and street trees will enhance this area.

Existing public sidewalks and street amenities shall be maintained, and future improvements shall be maintained in perpetuity.

Consistent with policies D-36 and D-37, Shell Beach Road overhead utilities shall be placed underground. Undergrounding to the first adjacent residential street is required.

### **d. Ocean Blvd improvements**

Public improvements to Ocean Blvd shall include public art features where possible. Examples include but are not limited to artistically sandblasted bollards and posts, mosaic tiled trash and recycled containers, decorative paving , or art work on utility boxes.

**LU—Overhead Utilities**

**H-8—**

Where overhead utilities are above the street rather than above the back property line they should be placed underground. (See also Design Element, Policy D-36, Undergrounding Required and D-37, Underground Priorities.)

**LU- Lateral Access at Boeker Street**

**H-9**

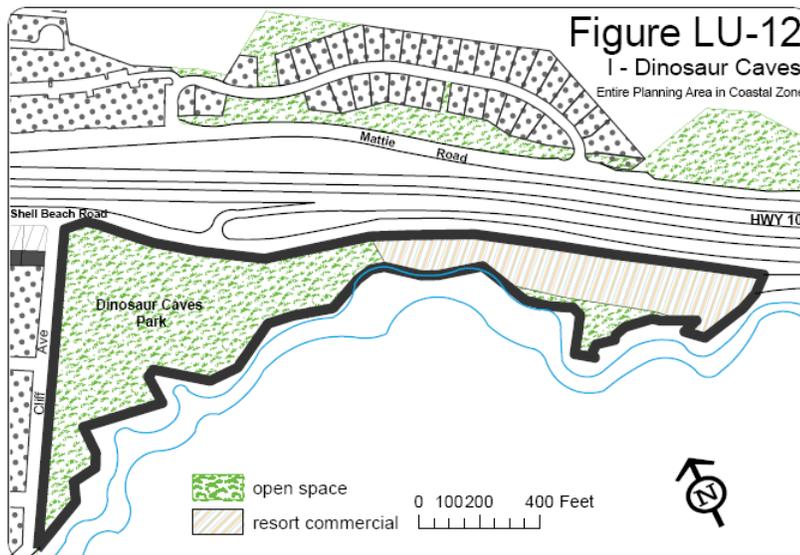
The City should pursue opportunities to create lateral pedestrian pathways connecting Boeker Street to Placentia Avenue or Ocean Boulevard to the north and to Windward Avenue or Ocean Boulevard to the south. This requirement shall be implemented as part of project approval, private gifts or dedications or possibility through public acquisition. (See Parks and Recreation Element, Policy PR-5, Path System.)

**Dinosaur Caves**

*Planning Area I*

**Background**

The Dinosaur Caves area contains the Shelter Cove Hotel, and the 11 acre Dinosaur Caves Park, a large vacant parcel. The area has historically been recommended for public acquisition but funds have not been available for this purpose until recently. The Dinosaur caves property was purchased and is owned by the Pismo Beach Public Financing Authority. The city of Pismo Beach has a long-term lease on the property. Dinosaur Caves Park includes trails, open areas for public events, ocean overlooks play equipment, public parking and restrooms. The vacant site currently is utilized by travelers, residents and recreational vehicles for day use. The open nature of the area allows for dramatic views of the coastline from Highway 101. The edge of the bluffs is a potential geological hazard; portions of the bluffs have collapsed in recent years.



**LU-  
Concept  
I-1**

The Dinosaur Caves Planning Area ~~is shall be~~ oriented to open space, parks and visitor serving uses with related public lateral bluff-top access and open space. The area ~~is shall be~~ designated Open Space ~~and Resort Commercial~~. The highly scenic nature of this area and the protection of views from Highway 101 ~~has been shall be~~ emphasized ~~with the development of Dinosaur Caves Park in any future development~~. (See Parks and Recreation Element PR-16, Dinosaur Caves.)

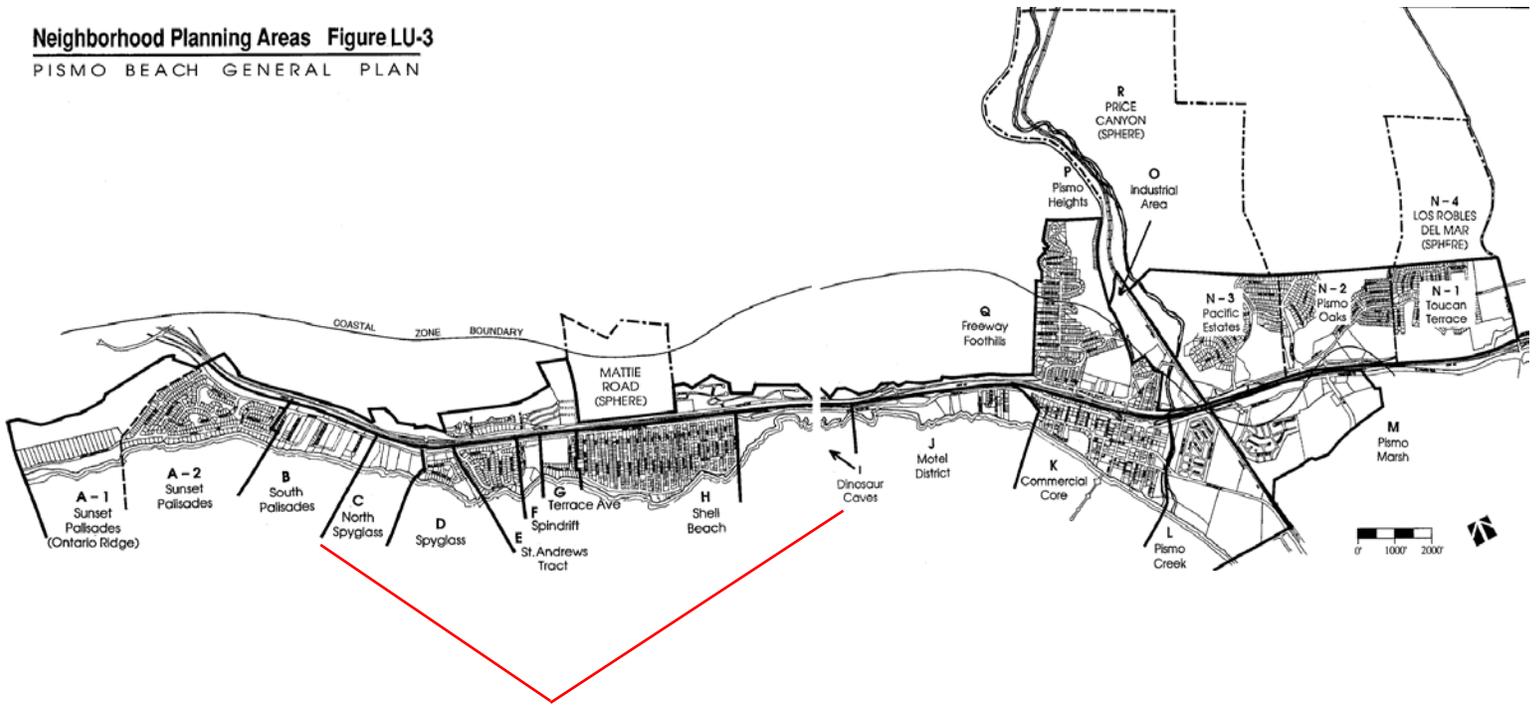
**LU- ~~Vacant~~ Dinosaur Caves ParkSite  
I-2**

~~Dinosaur Caves Park is~~ ~~This property shall be~~ designated for public park and open space uses which are visitor serving in nature. Non-visitor serving uses ~~are shall be~~ prohibited. ~~Development of Dinosaur Caves Park~~ ~~Any future development~~ shall be consistent with the following requirements:

**~~LU~~ Sidewalks  
~~I-3~~**

~~Sidewalks along Price Street in the Dinosaur Caves Planning Area should not be located next to the curb but should be set back four to eight feet to allow for a landscaping buffer between the street and sidewalk.~~

**Neighborhood Planning Areas Figure LU-3**  
PISMO BEACH GENERAL PLAN



Planning Areas C-I