

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
FAX: (831) 427-4877  
WEB: WWW.COASTAL.CA.GOV



# W16a

**Prepared November 21, 2018 for December 12, 2018 Hearing**

**To:** Commissioners and Interested Persons  
**From:** Susan Craig, Central Coast District Manager  
Katie Butler, Coastal Planner  
**Subject:** **City of Pismo Beach LCP Amendment Number LCP-3-PSB-18-0076-2-Part B  
(Circulation Element Update)**

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## SUMMARY OF STAFF RECOMMENDATION

The City of Pismo Beach proposes to amend its Local Coastal Program (LCP) to update the Land Use Plan's (LUP) Circulation Element. Specifically, the proposed amendment updates existing goals and policies related to citywide transportation improvements needed to accommodate existing and future development, with a particular emphasis on multimodal transportation improvements (e.g., bike lanes, sidewalks, and public transit). The update focuses on improvements to the City's transportation networks and amenities, including through a proposed "Multimodal Circulation Plan" that identifies specific projects needed to meet the City's vision for a safe and balanced transportation system for residents and visitors alike.

In general, the proposed update is largely consistent with Coastal Act policies, including policies that: require public access to be protected and maximized; support non-automobile transportation; and require reduction in energy consumption and vehicle miles traveled. The amendment overall improves the Circulation Element by identifying a more multimodal vision for the City's transportation network, and is consistent with the Coastal Act in this regard.

With respect to the identified transportation improvement projects, the majority of them are located within the existing developed part of the City and are meant to increase the efficiency of the existing transportation network by adding elements such as bike lanes, sidewalks, traffic roundabouts, improved public transit, and extensions of streets to connect "dead ends." These projects are to be understood as conceptual, with the specifics to be further fleshed out via future coastal development permitting processes, including to ensure consistency with the LCP. As such, these conceptual projects are generally consistent with the Coastal Act at a broad level and do not raise specific Coastal Act consistency issues at this time (due to the conceptual nature of the proposed projects), with the exception of one proposed vehicular improvement that would adversely impact public recreational access and parkland. The proposed Mattie Road extension is depicted in the update as an approximately half-mile-long roadway segment located adjacent to

Highway 101 that would traverse through the southwestern corner of the 900-acre Pismo Preserve (Preserve). This area of the Preserve consists of steep slopes, several drainages, sensitive plant and animal habitat, and significant cultural resources. As such, inclusion of this road project as part of the LCP amendment, even conceptually, raises Coastal Act consistency concerns. City planning staff has indicated that they are in agreement with deleting this conceptual road project from the amendment, and thus **Suggested Modifications** do so, which ensures that the amendment is consistent with protection of parks and recreation areas as required by the Coastal Act.

As modified, the proposed amendment will update the City's vision, goals, and policies to reflect a more modern, multimodal transportation future, and is consistent with and adequate to carry out the Coastal Act. Therefore, staff recommends that the Commission approve the amendment with suggested modifications. The required motions and resolutions are found on page 4 below.

**Staff Note: LCP Amendment Action Deadline**

This proposed LCP amendment was filed as complete on October 25, 2018. The proposed amendment affects the LCP's Land Use Plan (LUP), and the 90-day action deadline is January 23, 2019. (*See* Pub. Res. Code Sections 30512(a), 30514(b).) Thus, unless the Commission extends the action deadline (it may be extended by up to one year per Pub. Res. Code Section 30517), the Commission has until January 23, 2019 to take a final action on this LCP amendment.

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**EXHIBITS**

- Exhibit 1: Proposed LUP Amendment
- Exhibit 2: Existing LUP Circulation Element (to be replaced in its entirety by Exhibit 1)

## I. MOTIONS AND RESOLUTIONS

Staff recommends that the Commission, after public hearing, approve the proposed LCP amendment with suggested modifications. The Commission needs to make two motions in order to act on this recommendation.

### A. Deny the LUP Amendment as submitted

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

**Motion:** *I move that the Commission certify Land Use Plan Amendment Number LCP-3-PSB-18-0076-2-Part B as submitted by the City of Pismo Beach, and I recommend a **no** vote.*

**Resolution:** *The Commission hereby denies certification of Land Use Plan Amendment Number LCP-3-PSB-18-0076-2-Part B 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.*

### B. Certify the LUP Amendment with Suggested Modifications

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.

**Motion:** *I move that the Commission certify Land Use Plan Amendment Number LCP-3-PSB-18-0076-2-Part B if it is modified as suggested in this staff report, and I recommend a **yes** vote.*

**Resolution:** *The Commission hereby certifies Land Use Plan Major Amendment Number LCP-3-PSB-18-0076-2-Part B 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 the suggested modifications within six months of Commission action (i.e., by June 12, 2019), 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. (14 CCR § 13542(b).) The suggested modifications consist only of deletions in the amendment, and are shown in **Exhibit 1** as described below.

1. Delete first paragraph bullet ("Mattie Road Extension") under "Proposed Improvements for Vehicular Access" on **page 16 of Exhibit 1**.
2. Delete last bullet under "Proposed Class I Bike Paths" on **page 20 of Exhibit 1**.
3. Delete Mattie Road extension from map of proposed improvements (Circulation Element Figure 1) on **page 23 of Exhibit 1**.

## III. FINDINGS AND DECLARATIONS

### A. DESCRIPTION OF PROPOSED LCP AMENDMENT

The proposed amendment would update the Land Use Plan's (LUP) existing Circulation Element which was last updated (along with the rest of the LUP) in 1992. The existing Circulation Element includes a description of the road and traffic conditions that existed in Pismo Beach in 1992, a few general policies discussing the vision and goals for traffic circulation, and a listing of potential transportation improvements to meet those goals. The proposed amendment updates all three of these provisions, including updating the existing conditions regarding the City's transportation infrastructure, describing future goals and policies with a more robust emphasis on fostering multimodal transportation, and including a revised list of potential transportation improvements across the City, including bike lanes, sidewalks, traffic roundabouts, and road extensions.

Specifically, the update includes a "Multimodal Circulation Plan," which is essentially a master plan for specific vehicular, pedestrian, and bicycle facility improvement projects that are intended to address multimodal deficiencies in the City. It identifies specific road realignments, extensions, a new roundabout, new traffic signals, and other roadway and bike lane improvements to help improve traffic flow and create a seamless bicycle and pedestrian network for recreational and commuter use. The amendment includes policies that: identify specific corridors for enhancement to facilitate connected intercity multimodal capabilities; require and encourage various improvements and amenities to increase bicycle safety and usage (e.g., demarcation of bikeways, bike storage, bicycling signage, etc.); and require continued development of the City's network of sidewalks and other pedestrian connections to improve resident and visitor abilities to access commercial, residential, and school uses. The proposed amendment also includes a new policy that allows for an increase in the acceptable Level of Severity (LOS) for the Downtown Core to accommodate expected residential and visitor growth

based on LCP policies that seek to direct infill/mixed-use growth to this area. Finally, the amendment would work in conjunction with the LUP's existing Parks, Recreation, and Access Element to address public coastal access and the California Coastal Trail. The proposed amendment includes a policy that encourages the development of a continuous blufftop trail network and overall connectivity for the Coastal Trail, which would support existing public access and related policy requirements in the Parks, Recreation, and Access Element.

Please see **Exhibit 1** for the proposed LUP amendment text and maps, and **Exhibit 2** for the existing LUP Circulation Element (which will be replaced in its entirety by the proposed amendment).

## **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 LUP amendments is that they must be consistent with and adequate to carry out the Chapter 3 policies of the Coastal Act. (Pub. Res. Code § 30512(c).)

### **Consistency Analysis**

#### *Applicable Coastal Act Policies*

The proposed amendment affects transportation, mobility, access, and multimodal circulation in the City of Pismo Beach. The following applicable Coastal Act policies work together to require functional access and circulation, including non-automobile modes, in coastal areas for both residents and visitors.

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 resources areas from overuse.*

Coastal Act Section 30250 directs development in existing developed areas with services and amenities (such as a well-connected transportation system and transit) in a “smart growth” manner. Section 30250 states (in part):

*a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it .....*

Coastal Act Section 30252 specifically requires new development to maintain and enhance public access to the coast by facilitating public transit and providing for non-automobile transportation. Section 30252 states (in part):

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, ... (3) providing*

*nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation ...*

Coastal Act Section 30253 mandates reduced energy consumption and vehicle miles traveled. It states (in part):

*New development shall do all of the following: .... (d) Minimize energy consumption and vehicle miles traveled...*

Finally, since one of the proposed road extensions would also affect protected open space/parkland adjacent to the City of Pismo Beach, Coastal Act Section 30240 is relevant to the analysis:

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

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

### **Consistency Analysis**

The proposed amendment is largely consistent with Coastal Act policies, including policies that: require public access to be protected and maximized; support non-automobile transportation; and require reduction in energy consumption and vehicle miles traveled. Specifically, the amendment is consistent with Section 30210, which requires maximum public access, because it would support and accommodate improved maneuverability on and functionality of City streets and pedestrian and bicycle facilities for visitors to Pismo Beach. The amendment is also consistent with Coastal Act requirements for concentrated development in existing developed areas and the provision of alternative forms of transportation because it promotes circulation functionality and improved non-automobile circulation in the existing developed areas, including the Downtown Core, of the City (Coastal Act Sections 30250 and 30252). Finally, the amendment is consistent with Coastal Act Section 30253, which requires minimization of energy consumption and vehicle miles traveled, because it supports and calls for increased and improved bicycle, pedestrian, and transit access in the City. Thus, the amendment overall improves the LUP's Circulation Element by identifying a more multimodal vision for the City's transportation network, and is generally consistent with the Coastal Act in this regard.

With respect to the identified conceptual transportation improvement projects, the majority of them are located within the existing developed part of the City and are meant to increase the efficiency of the existing transportation network by adding elements such as bike lanes, sidewalks, traffic roundabouts, improved public transit, and extensions of streets to connect "dead ends." These projects are to be understood as conceptual, with the specifics further fleshed out via future coastal development permitting processes, including to ensure consistency with the

LCP. As such, these projects are generally consistent with the Coastal Act at a broad level and do not raise specific Coastal Act consistency issues at this time (due to the conceptual nature of the proposed projects), with the exception of one proposed vehicular improvement that would adversely impact public recreational access and parkland. Specifically, the proposed Mattie Road extension (described on **page 16 of Exhibit 1**) would connect Mattie Road southward to Bello Street in order to provide continuous frontage road access along the east side of Highway 101 between the northern and southern areas of the City. While the exact details of the project are not identified in the proposed Circulation Element update, this road extension is depicted as an approximately half-mile-long roadway segment located adjacent to Highway 101 and passing through the southwestern corner of the 900-acre Pismo Preserve (Preserve). The City has indicated that the proposed Mattie Road extension was included in the list of proposed improvement projects as one option to improve north-south access through the City.

The Preserve was acquired and set aside for permanent conservation and recreational land by the Land Conservancy of San Luis Obispo County in 2014. Hiking trails traverse much of the Preserve, including within the immediate vicinity of the Mattie Road extension identified in Figure 1 of the proposed Circulation Element (see **page 23 of Exhibit 1**). Like much of the Preserve, the southwestern corner consists of steep slopes, several drainages, sensitive plant and animal habitat, and significant cultural resources. The inclusion and endorsement of a roadway at this location in the LUP is problematic from a Coastal Act perspective. Specifically, Section 30240 requires development adjacent to parks and recreation areas to be sited and designed to prevent impacts which would significantly degrade those areas, and also requires that development be compatible with the continuance of those recreation areas. A new road at this location would likely have significant construction-related as well as permanent impacts to a variety of coastal resources, namely sensitive habitat, public access and recreation trails and amenities, the viewshed, water quality, and archaeological resources. This proposed road, the intent of which would be to provide an alternate means of accessing northern and southern areas of the City and to ease traffic on Highway 101, would bring potentially heavy traffic levels immediately adjacent to and through the Preserve, thereby permanently degrading these resources. Although the proposed amendment materials state that the Land Conservancy of San Luis Obispo County (Conservancy), who owns and manages the Preserve, has indicated it will allow this connection on its property, Conservancy staff has expressed concerns to Commission staff regarding potential impacts to the resources on the site from the road extension. Specifically, while the Conservancy is not fundamentally opposed to improving circulation through this area, Conservancy staff indicated that the presence of drainages, steep slopes, and significant cultural resources are serious constraints to a new road connection at this location, and that the Conservancy has not committed to allowing it on its property.<sup>1</sup>

Although the details of the roadway project have not yet been determined, it is problematic to include such a policy commitment for the project in the LUP given the concerns regarding coastal resource impacts of the project, even at a conceptual level. In sum, as proposed, this specific provision of the amendment does not adequately protect a park and recreation area and in fact would likely result in adverse impacts that could significantly degrade and not be

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<sup>1</sup> Kaila Dettman, Executive Director of the Land Conservancy of SLO County, personal communication with Katie Butler, November 6, 2018.



compatible with the resources of the Pismo Preserve. **Suggested Modifications 1 through 3** therefore eliminate the Mattie Road extension project from the “Multimodal Circulation Plan” of the proposed Circulation Element. With these deletions, the proposed amendment ensures that the Circulation Element is consistent with protection of parks and recreation areas as required by 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. (14 CCR § 15251(f).) Local governments are not required to undertake environmental analysis of proposed LCP amendments (Pub. Res. Code § 21080.9), 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 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, other than the suggested modification as detailed above. Thus, the proposed amendment, as suggested to be modified, 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).