

CALIFORNIA COASTAL COMMISSION

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



Th13c

**LCP-3-PSB-22-0018-2 (ST. ANDREWS TRACT SETBACK CHANGES)
JULY 14, 2022 HEARING
EXHIBITS**

Exhibit 1: City resolution and proposed amendment text

RESOLUTION NO. R-2022-027

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH,
CALIFORNIA APPROVING A GENERAL PLAN/LOCAL COASTAL PROGRAM
AMENDMENT TO THE CITY OF PISMO BEACH LAND USE ELEMENT PLANNING
AREA 'E' (ST. ANDREWS TRACT) TO ELIMINATE DEVELOPMENT RESTRICTIONS
IMPOSED BY POLICIES LU-E-1 'A' AND 'B'; AND ADOPTING A NEGATIVE
DECLARATION**

WHEREAS, on March 22, 2022, the Planning Commission duly considered the application of Richard E. Mittry, Mittry Family Trust, for a General Plan/Local Coastal Program Amendment (Project P21-000054) to modify the St. Andrews Tract Policies LU-E-1 'a' and 'b' to allow a new single-family residence to be constructed at 171 Naomi Avenue; and

WHEREAS, following consideration of staff analysis and testimony by the applicant and members of the public, the Planning Commission recommended the City Council approve a General Plan/Local Coastal Program Amendment to eliminate Land Use Element Planning Area 'E' Policies LU-E-1 'a' and 'b'; and

WHEREAS, the City Council held a duly-noticed public hearing on April 19, 2022 on the General Plan/Local Coastal Program Amendment, at which all interested persons were given the opportunity to be heard; and

WHEREAS, the City Council finds, after due study, deliberation, and public hearing, that the following circumstances exist:

A. FINDINGS FOR AMENDMENTS TO THE GENERAL PLAN/LOCAL COASTAL PROGRAM:

1. Policy LU-E-1 'a' and 'b' of the General Plan/Local Coastal Program Land Use Element, Planning Area 'E' (St. Andrews Tract) were adopted in 2012 with limited public dialogue and resulted in several existing two-story single-family residences within the tract becoming legal non-conforming with the second-story stepback requirements of Policy LU-E-1 'b'.
2. The proposed amendments are internally consistent with the remainder of the General Plan and Local Coastal Program. The modifications will allow for single-family residences to be developed in conformance with the implementing ordinance (Section 17.102.020 of the 1983 Zoning Code) which implements the goals and policies of the General Plan and Land Use Element. The modifications will also allow for the two-story single-family residences to be developed with second-story stepbacks consistent with the implementing ordinance and existing pattern of development in the St. Andrews Tract. As such, the language change will not alter the residential character of the St. Andrews Tract, and the Tract will

continue to be developed in a manner consistent with the density standards of the General Plan and the neighborhood.

3. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the city. The amendment would defer/land use limitations in the St. Andrews Tract to the implementing ordinance. This change would allow residences within the tract to be constructed with front setbacks in compliance with the implementing ordinance (Section 17.102.020 of the 1983 Zoning Code), and will allow for two-story residences in the tract to be developed with second-story stepbacks consistent with the implementing ordinance and existing development in the St. Andrews Tract. The change would not be detrimental to the public interest, health, safety, convenience, or welfare of the city as properties will be developed or redeveloped consistent with the 1983 Zoning Code, Building Code, and other applicable state and federal laws to ensure protection of the health, safety, and welfare of the neighborhood and city's residents and conform to the existing pattern and character of development in the St. Andrews Tract.
4. The St. Andrews Tract is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the anticipated land use development and is largely built out. The proposed amendment would not result in any land use limitations or cause an effect of land use in the Tract as the Tract will remain a single-family neighborhood. Right-of-way, public access, and all improvements in the neighborhood are established.
5. With adoption of the Negative Declaration, the proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pismo Beach hereby adopts the General Plan/Local Coastal Program Amendment P21-000054 to eliminate Planning Area 'E' Policies LU-E-1 'a' and 'b', as depicted in **Exhibit A**, attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED that the City Council of the City of Pismo Beach hereby adopts the Negative Declaration with the above findings, which is incorporated herein by this reference.

UPON MOTION OF Mayor Pro Tem Reiss, seconded by Council Member Guthrie, the foregoing resolution was adopted by the City Council of the City of Pismo Beach this 19th day of April 2022, by the following vote:

AYES:	3	Reiss, Guthrie, Waage
NOES:	1	Blake
ABSENT:	0	
ABSTAIN:	0	
RECUSED:	1	Newton

Approved:

Ed Waage
Ed Waage, Mayor

Attest:

Erica Inderlied

Erica Inderlied, City Clerk



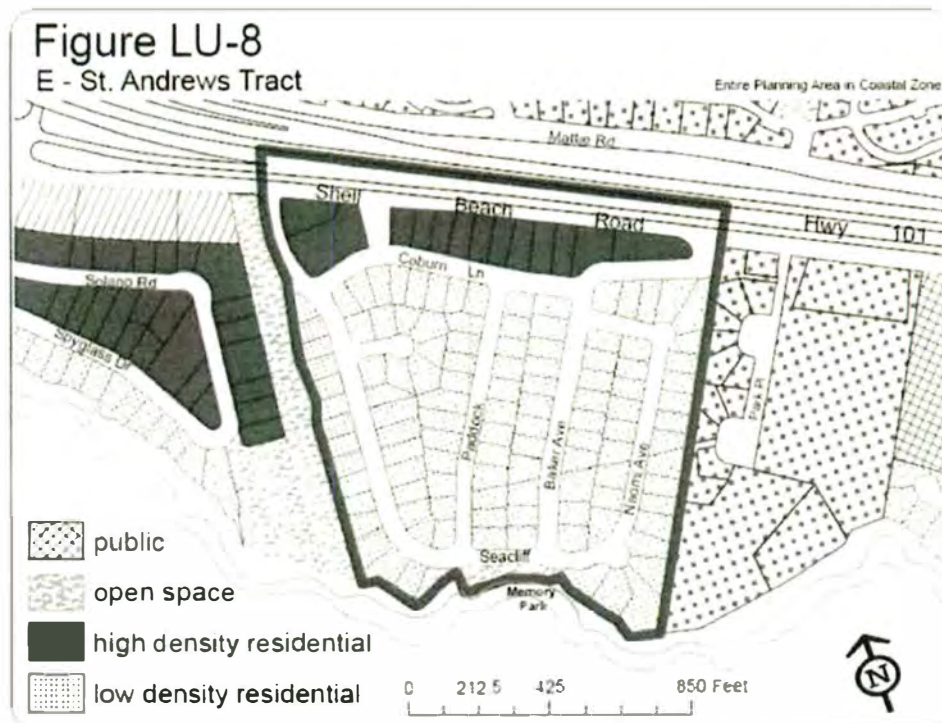
St. Andrews Tract
 Planning Area E

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 bluff top 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 ownership. There is a public access easement from Seacliff to Spyglass Park in the adjacent Spyglass Planning area.



Policies

LU-E-1 Concept: 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 010-500-003, 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-
E-2 Bluff Setback and Protection**

The bluff top setback for development 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 bluff top 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 bluffs and shall specify methods for maintenance.

**LU-
E-3 Viewpoint Marking**

The bluff-top access from Naomi Street and the Memory Park area should be clearly signed for public coastal viewing access.

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

The sign marked "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.