

CALIFORNIA COASTAL COMMISSION

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



W15

REVISED VERSION Prepared December 9, 2024 for December 11, 2024 Hearing

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director

Subject: Central Coast District Director's Report for December 11, 2024 (REVISED)

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, emergency CDPs, and LCP certifications for the Central Coast District Office are being reported to the Commission on December 11, 2024. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review in the Commission's Central Coast District Office in Santa Cruz. Staff is only reporting the emergency CDPs and the LCP certifications, and is both reporting and asking for the Commission's concurrence on the other items in the Report. Staff will describe any objections received and any other relevant information on these items to the Commission when it considers the Report on December 11th during the hybrid virtual/in-person hearing.

With respect to the December 11th hearing, interested persons may sign up to address the Commission on items contained in this Report prior to the Commission's consideration of the Report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on December 11, 2024 (see attached)

CDP Waivers

- 3-24-0558-W, MPWMD Carmel River Vegetation Management (Carmel)
- 3-24-0775-W, Strand Avenue Beach and Dune Restoration (Oceano)
- 3-24-0897-W, Oceano CSD Pipeline Replacements (Oceano)
- 3-24-0948-W, Moss Landing Harbor District Improvements (Moss Landing)
- 3-24-0951-W, Arroyo Grande Floodplain Restoration (Oceano)
- 3-24-0964-W, Cayucos Beach Winter Debris Removal (Cayucos)

CDP Amendments

- 3-84-226-A3, Spanish Bay Golf Course/Access Improvements (Del Monte Forest)

Emergency CDPs

- G-3-24-0077, Rocky Creek Slide Viaduct (Big Sur)

LCP Certifications

- LCP-3-SLO-21-0028-1-Part G, Los Osos Community Plan (Los Osos)

CDP Extensions

- None

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NOTICE OF PROPOSED PERMIT WAIVER

Date: November 22, 2024

To: All Interested Parties

From: Kevin Kahn, Central Coast District Manager
Breylen Ammen, Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-24-0558-W
Applicant: Monterey Peninsula Water Management District

Proposed Development

Various vegetation management activities (including brush removal to prevent log jams) as well as various forms of riparian/bank restoration within and on the banks of the Carmel River for a 10-year period (through November 2034), in the Carmel Area of unincorporated Monterey County.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13252 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The lower reach of the Carmel River flows between a mix of private and public development, including the Carmel Area Wastewater District's wastewater treatment plant located on an area of fill directly adjacent to the river and protected by levees, as well as residences and visitor-serving facilities. Log jams pose a significant threat to such development (particularly the wastewater treatment plant) because they can divert the river's flow, causing significant erosion along the riverbank and levees that protect such development. In extreme circumstances, log jams could also cause the river to jump its banks, resulting in widespread flooding. To reduce the risk of log jams forming, the Monterey Peninsula Water Management District (MPWMD) periodically performs both routine and emergency vegetation management consisting of: the removal of brush that may impede flow during a rain event; cutting trees that fall into the river into 10-15 foot long sections to reduce the risk they cause a log jam; and occasionally removing standing trees on the river bank that are at imminent risk of falling into the channel and causing a log jam. These activities are typically authorized via one-time CDP waivers and emergency permits (see, for example, ECDP G-3-23-0028 and CDP waivers 3-13-0512-W and 3-23-0563-W).

The proposed project would allow for the above-described activities, as well as various riparian restoration/enhancement activities (e.g., nature-based bank stabilization projects, placement of wood or other natural features to increase streambed complexity to benefit steelhead, etc.) for a 10-year period. The intent of the program is to more

3-24-0558-W (Carmel River Programmatic Vegetation Management)

proactively manage the river to reduce fallen trees and ensure a healthy riparian system, and to establish a clear set of parameters and best management practices for when management for fallen/excessive vegetation must be employed.¹ To ensure these activities are carried out in a manner protective of the sensitive aquatic/riparian environment, MPWMD proposes a suite of mitigation, monitoring, and avoidance measures, including pre-construction biological surveys, work avoidance during nesting season (except for acute emergency situations), performance of in-stream work with hand tools (e.g., clippers, chainsaws), and a limit of removing at most five standing trees in a given event.² The proposed vegetation management program has been reviewed and approved by fellow resource agencies (e.g., the U.S. Army Corps of Engineers, the Central Coast Regional Water Quality Control Board, the National Marine Fisheries Service, and California Department of Fish and Wildlife) and by the Commission's Ecologist Dr. Rachel Pausch.

In sum, the proposed project, as described above,³ would allow MPWMD to more holistically and proactively manage this portion of the Carmel River, and to continue to perform routine vegetation management to reduce the risk of log jams. Accordingly, the project should benefit coastal resources and can be found consistent with the Coastal Act.

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment. The County of Monterey, acting as lead CEQA agency, determined that the proposed project was categorically exempt from CEQA review pursuant to Section 15308 (as an action taken by an agency to maintain, restore, enhance or protect the environment), and thus the County did not identify any significant adverse environmental effects from the proposed project.

The Commission's review, analysis, and decision-making process for CDPs and CDP amendments has been certified by the Secretary of the Natural Resources Agency as

¹ This project proposes riparian bank/river management and does not include any capture or other work on fish species.

² And MPWMD will notify the Executive Director one month prior to all proposed work for review and approval, including documenting the scope of proposed work, the BMPs/mitigation measures employed, and consistency with the overall vegetation management program.

³ Note that CDP waivers, such as this, are issued based on an evaluation of proposed project parameters, and only that project as described is what is subject to the waiver's authorization. What that means is that if the project is actually undertaken differently than it is described (other than minor changes as may be allowed by the Executive Director if such changes (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources), then that altered project is not covered by the CDP waiver, and instead constitutes unpermitted development and a Coastal Act violation. Thus, the Applicant here is on notice as to the limitations of this CDP waiver authorization, where a project that is not consistent with the project as described herein is not allowed, and undertaking such a project would be a knowing and intentional violation of the Coastal Act.

3-24-0558-W (Carmel River Programmatic Vegetation Management)

being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(c)). Accordingly, in fulfilling that review, this report has discussed the relevant coastal resource issues with the proposal and has concluded that approval of the proposed CDP waiver is not expected to result in any significant environmental effects, including as those terms are understood in CEQA.

Accordingly, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures) as there are no significant adverse environmental effects that approval of the proposed CDP waiver would necessitate. Thus, the proposed CDP waiver will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

Coastal Commission Review Procedure

This waiver is not valid until it has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, December 11, 2024, at the Coastal Commission's hybrid virtual and in-person meeting at the Newport Beach Civic Center. If three or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Breylen Ammen (Breylen.Ammen@coastal.ca.gov) in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: November 22, 2024

To: All Interested Parties

From: Kevin Kahn, Central Coast District Manager
Ryan Moroney, Central Coast District Supervisor

Subject: Coastal Development Permit (CDP) Waiver 3-24-0775-W
Applicant: Strand Avenue Sand Group

Proposed Development

Five-year beach access and dune restoration pilot project along the Strand Avenue paper street (located seaward of homes along Strand Way) and adjoining coastal accessways (between Strand Avenue and Strand Way), and on the adjacent dune area of Pismo State Beach.¹ The project involves both sandy public recreational areas (along Strand Avenue and its accessways) and dune habitat areas (along Pismo State Beach), and would include removing accumulated sand from the public recreational spaces to facilitate access and recreation there (along with some dune revegetation along its edges), and use of that sand to facilitate dune restoration at Pismo State Beach (including sand contouring, invasives removal, and native plantings). State Parks is a project partner, and the project is proposed for a five-year period to measure whether such efforts can successfully stabilize and restore the dunes and prevent sand buildup in the recreational area, and it includes extensive maintenance, monitoring, and reporting (to the Executive Director) provisions.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

For the last several decades, mounds of wind-driven sand have developed during each spring and summer, and over time pile up on the Strand Avenue paper street area and adjacent to the homes along Strand Way and the public coastal accessways from Strand Way to Strand Avenue. At times the sand would build up so high that beach recreational access was essentially blocked off and impossible, and homes would be literally inundated by sand drifts, some as high as second stories. Some homeowners in the past have used heavy equipment to manipulate sand on their properties and on Strand Avenue in order to prevent damage to their homes, but such activities were

¹ Strand Avenue is a public and unpaved 'paper' street of some 60 feet in width that is essentially entirely covered with sand on the seaward side of the residences that line Strand Way, where Strand Way is a public street for vehicular and pedestrian/bicycle access and use. Pismo State Beach, owned and operated by California State Parks, extends seaward from Strand Avenue.

CDP Waiver 3-24-0775-W (Strand/Pismo State Beach Dune/Access Restoration)

mostly not permitted,² nor did they include dune restoration/protection measures, nor other measures to limit sand migration. In some cases, homeowners planted vegetation on the dunes, such as non-native ice plant, in a haphazard attempt to promote stability.

Starting around 2001, the County began issuing permits to allow some homeowners to remove accumulated sand from Strand Way.³ And in 2001, the Coastal Commission also authorized limited sand movement during the 2002 and 2003 spring and summer seasons as a means to avoid the need for emergency permits while a long-term solution could be developed (CDP 3-01-063). Over the next decade, the County issued some ECDPs for individual homeowners threatened by sand accumulation, while other owners have conducted such work without the benefit of a CDP, both in the County's jurisdiction and the Commission's jurisdiction. Around 2013, efforts were made to develop a long-term solution to the issue, and Commission staff drafted a detailed letter to the County and all interested parties identifying the parameters upon which such a solution could be authorized, but no long-term, comprehensive solution ever came to fruition.

Over the course of the past few years, however, wind-driven sand has significantly built up, again blocking public access, threatening residences, and also precluding the ability of native dune plants to take hold. The situation necessitated a reengagement of the various parties, including the homeowners, California State Parks, San Luis Obispo County, and the Commission, to come together to develop mutually agreeable parameters for a dune restoration and public access enhancement project that would also serve to protect the homes from excessive sand buildup. The results of such collaboration and coordination amongst the various parties, including utilizing Commission staff's 2013 letter as a baseline for such measures, is essentially the proposed pilot project herein. Specifically, the proposed project would implement the following:

- State Parks will collect sand from Strand Avenue and the coastal accessways extending to Strand Way to bring the grades roughly to the Strand Way grade, subject to a defined set of biological monitoring and other BMPs.
- State Parks will then transport the collected sand to the approximately 5-acre dune restoration area that includes the seaward portion of Strand Avenue and the adjacent dunes of Pismo State Beach. State Parks would then contour the sand to match natural dune topographies, prepare planting areas, plant native dune plant, and install symbolic fencing to direct users away from the restoration areas. Excess sand would be deposited on the beach landward of the high tide line. Restoration will begin no later than February 2026, and all such activities will be substantially in conformance with the November 21, 2024 Strand Avenue Sand Abatement and

² CDP jurisdiction along Strand Avenue and Strand Way is shared by San Luis Obispo County and the Commission, with most of the area subject to the County's CDP jurisdiction under its LCP. This application is being processed by the Commission as a consolidated application pursuant to Coastal Act Section 30601.3, where the County, the Commission, and the Applicant all agreed to such consolidation, and where the standard of review is the Coastal Act.

³ See, for example, County CDP D010027P; and Emergency CDPs (ECDPs) P000727, P000729, and P000735.

CDP Waiver 3-24-0775-W (Strand/Pismo State Beach Dune/Access Restoration)

Dune Restoration Plan and associated attachments (including the Exhibit F Strand Avenue Sand Removal and Dune Restoration Project Plan prepared by State Parks). Reports will also be submitted (for Executive Director review and approval) at least once every two years as well as a final report at the end of the 5-year pilot summarizing the efficacy of the project and suggesting adaptive management actions moving forward.⁴

- Following initial sand movement activities, a 30-foot wide section of Strand Avenue nearest the homes, and three 20-foot wide paths along the coastal accessways, shall be maintained for transport of sand to the restoration area, passive public recreational and emergency access use. Removal of seasonally accumulated sand in these areas will be allowed subject to defined parameters and BMPs,⁵ and will be used for restoration purposes at Pismo State Beach. Three additional 10-foot public accessways will be delineated with symbolic fencing.
- Coastal access signage will be placed at the entry each coastal accessway at their intersections with both Strand Avenue and Strand Way, including to clearly delineate the 30-foot wide Strand Avenue area and the coastal accessways as public use areas, where such areas will be maintained free of any development (including but not limited to permanent fire rings, picnic tables, furniture, etc.) and maintained free of trash and debris.

The 5-year pilot project thus serves multiple purposes in that it manages sand accumulation in a manner that protects and enhances both dune habitat and public recreational access, and it is designed to assess the efficacy of the measures identified over the longer term, including by understanding whether dune restoration in this area can prevent/reduce excessive sand buildup in this dynamic location. In other words, this pilot project is a test case to understand management solutions that restore dune, protect public access, and reduce the danger to nearby residences. The hope is that through implementation of this pilot project, lessons learned can be gleaned to establish a more permanent/longer-term comprehensive strategy that best meets these three primary goals (i.e., dune habitat health, public access functioning, and residential safety). In the meantime, this project has been the subject of extensive input and impressive collaboration between the various entities and stakeholders, and is supported by the Commission's Ecologist, Dr. Rachel Pausch, and resource managers at California State Parks, all of which agree that the program has the potential to provide for enhanced dune habitat values and better ecological functioning. With such sand relocation, dune restoration, and related measures (including through signage and

⁴ For example, the 2013 Commission staff letter spoke to the need to provide a boardwalk or equivalent access along Strand Avenue, both to facilitate enhanced public recreational access opportunities and to anchor dune restoration and sand management activities around a particular elevation, and additional such measures may be proposed in the future as part of the adaptive component of the project.

⁵ For example, such work would occur for no more than two days on non-holiday weekdays, or as needed if monitored windblown sand accumulates more than 12 inches and threatens adjacent property. Prior to any sand movement activity, the Applicant is required to notify State Parks and the Executive Director for the purpose of verifying removal depth and location, relocation location and deposition parameters, State Parks permission, and monitoring parameters. To protect biological resources, a biologist will monitor the project area for rare and endangered plants and animals prior to and during sand moving activities.

CDP Waiver 3-24-0775-W (Strand/Pismo State Beach Dune/Access Restoration)

other means to direct beach access goes to public recreational areas and away from restoration areas), the project should result in better dune habitat health, better public recreational access, and better homeowner safety overall.

In summary, the proposed project is an attempt to better address sand management needs at this location in a Coastal Act consistent manner, as well as to assess the efficacy of the proposed measures over the longer term. The proposed program will be completed using detailed protocols to avoid and/or minimize impacts to sensitive coastal resources, and the proposed dune restoration work should help improve ecologic functioning and public recreational access, and thus can be found consistent with the Coastal Act.⁶

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment. The County of San Luis Obispo, acting as lead CEQA agency, determined that the proposed project was exempt from CEQA.

The Commission's review, analysis, and decision-making process for CDPs and CDP amendments has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(c)). Accordingly, in fulfilling that review, this report has discussed the relevant coastal resource issues with the proposal and has concluded that approval of the proposed CDP waiver is not expected to result in any significant environmental effects, including as those terms are understood in CEQA.

Accordingly, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures) as there are no significant adverse environmental effects that approval of the proposed CDP waiver would necessitate. Thus, the proposed CDP waiver will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

Coastal Commission Review Procedure

This waiver is not valid until it has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on December 11, 2024 during the hybrid virtual and in person hearing in Newport Beach. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular

⁶ Note that CDP waivers, such as this, are issued based on an evaluation of proposed project parameters, and only that project as described is what is subject to the waiver's authorization. What that means is that if the project is ultimately undertaken differently than it is described (other than minor changes as may be allowed by the Executive Director if such changes (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources), then that altered project is not covered by the CDP waiver, and instead constitutes unpermitted development and a Coastal Act violation. Thus, the Applicant here is on notice as to the limitations of this CDP waiver authorization, where a project that is not consistent with the project as described herein is not allowed, and undertaking such a project would be a knowing and intentional violation of the Coastal Act.

CDP Waiver 3-24-0775-W (Strand/Pismo State Beach Dune/Access Restoration)

CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Ryan Moroney (ryan.moroney@coastal.ca.gov) at the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: November 22, 2024

To: All Interested Parties

From: Kevin Kahn, Central Coast District Manager
Devon Jackson, Central Coast Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-24-0897-W
Applicant: Oceano Community Services District (OCSD)

Proposed Development

Repair and replacement of several pieces of public water infrastructure, including replacing old existing waterline main sections and upsizing other ones, replacing 'dead end' water lines with new waterline loops, installing an emergency intertie with the City of Arroyo Grande, and replacing control valves system wide, all under public streets and rights-of-way in various places in the unincorporated community of Oceano in San Luis Obispo County.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed project will provide much needed upgrades to an existing public water supply system in the community of Oceano in southern San Luis Obispo County. Existing waterlines vary in age from recently installed to almost 70 years old and OCSD has prioritized replacing these dated waterline segments to ensure uninterrupted and continued service to the community. Such work is proposed both within and outside of the coastal zone, with work in the coastal zone taking place under public roads and rights-of-way (ROW) within generally developed residential and commercial neighborhoods. All improvement work will be done via an open cut or jack and bore method, where waterlines and other infrastructure will be dug up, work will be completed, these areas will be backfilled with soil or other aggregate, and then they will be repaved or compacted to restore the area to its preconstruction state. Since work will be taking place in or adjacent to roadways, traffic will sometimes be rerouted around work areas, but no project activities will result in the closure of any driveways or public streets, thereby minimizing potential access impacts to any publicly accessible areas around the community, including to Pismo State Beach. A few of these waterline segments are within ROW sections that are located adjacent to sensitive habitat features, including areas the Commission's Ecologist Dr. Rachel Pausch would consider ESHA. Despite this, no direct impacts to silver dune lupine, mock heather scrub, or Oceano lagoon and its associated riparian habitat, which is considered ESHA under the

CDP 3-24-0897-W (OCSD Water Improvements)

San Luis Obispo County LCP, are expected to occur during construction. Additionally, OCSD will ensure that all staging and storage of materials will take place outside of sensitive habitat areas and will fence these areas with orange construction fencing to ensure it's clear to construction workers. Prior to construction, OCSD will conduct special status wildlife and nesting bird surveys, and during all project activities near sensitive habitat there will be a project biologist on site to monitor birds and special status species to ensure wildlife isn't being impacted. Lastly, there will be worker awareness training, invasive plant control measures, and several other general best management construction practices in place to reduce potential impacts to nearby habitat. OCSD has prepared these construction measures in conjunction with the Commission's ecologists.

In summary, the proposed project¹ will provide for needed repairs and maintenance to critical drinking water infrastructure to ensure its continued reliability and functionality over time. The project will be undertaken in a manner that will not have any significant adverse coastal resource impacts, and therefore the project can be found consistent with the Coastal Act and certified San Luis Obispo County Local Coastal Program.

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment. The Oceano Community Services District, acting as lead CEQA agency, determined that impacts from the proposed project are less than significant with mitigation incorporated. A Final Initial Study - Mitigated Negative Declaration (MND) was completed in August 2024.

The Commission's review, analysis, and decision-making process for CDPs and CDP amendments has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(c)). Accordingly, in fulfilling that review, this report has discussed the relevant coastal resource issues with the proposal and has concluded that approval of the proposed CDP waiver is not expected to result in any significant environmental effects, including as those terms are understood in CEQA.

Accordingly, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures) as there are no significant adverse environmental effects that approval of the proposed CDP waiver would necessitate.

¹ Note that CDP waivers, such as this, are issued based on an evaluation of proposed project parameters, and only that project as described is what is subject to the waiver's authorization. What that means is that if the project is ultimately undertaken differently than it is described (other than minor changes as may be allowed by the Executive Director if such changes (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources), then that altered project is not covered by the CDP waiver, and instead constitutes unpermitted development and a Coastal Act violation. Thus, the Applicant here is on notice as to the limitations of this CDP waiver authorization, where a project that is not consistent with the project as described herein is not allowed, and undertaking such a project would be a knowing and intentional violation of the Coastal Act.

CDP 3-24-0897-W (OCSD Water Improvements)

Thus, the proposed CDP waiver will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, December 11, 2024, during the hybrid virtual in person Coastal Commission meeting in Newport Beach. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Devon Jackson (devon.jackson@coastal.ca.gov) in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER¹

Date: November 22, 2024

To: All Interested Parties

From: Kevin Kahn, Central Coast District Manager
Breylen Ammen, Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-24-0948-W
Applicant: Moss Landing Harbor District

Proposed Development

Replacement of a failed concrete block abutment that supports the gangway that provides access to the Moss Landing Harbor District's North Harbor floating docks with a 6-foot-long, 6-foot-wide concrete abutment supported by two concrete piles and a 7-foot-tall, 30-foot-long sheet pile wall. The application also seeks follow-up authorization for the placement of approximately 10 cubic yards of rip rap on the shoreline of the South Harbor authorized by ECDP G-3-24-0039. All work is located within the Moss Landing Harbor in the Moss Landing area of unincorporated Monterey County.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

Moss Landing Harbor is an important public access amenity used for recreational boating and sightseeing. It also provides for Coastal Act-priority coastal-dependent uses, including commercial fishing, charter fishing, and marine research. The state has granted much of the submerged lands and tidelands within the Moss Landing Harbor to the Moss Landing Harbor District. In these areas, the Harbor District manages various public facilities, including boat berthing areas consisting of floating docks accessible via metal gangways connected to concrete abutments on the shoreline.

The proposed project involves the replacement of the concrete block gangway abutment that provides the only pedestrian access to the North Harbor floating docks, which has failed and is currently unsafe for public use (and thereby preventing access to the boat berths). The new abutment will be supported by two concrete piles. A sheet pile wall will prevent further shoreline erosion that would otherwise compromise the structural integrity of the new abutment. The sheet pile wall was previously authorized via emergency permit to protect the existing abutment (see emergency CDP G-3-24-0039), but the abutment failed before it was constructed. The project also includes the follow-up authorization for rip rap placed pursuant to that same ECDP to stabilize the

¹ Corrected Notice.

CDP Waiver 3-24-0948-W (Moss Landing Harbor District Improvements)

harbor shoreline adjacent to an electrical utility box and gangway that serve the South Harbor floating docks. The project thus represents important improvements to keep this commercial and recreational boating harbor operational, which is a key Coastal Act objective and priority land use. All such work is located within this developed and busy harbor space, and thus does not implicate any sandy recreational beach or other pristine habitat. When understood in this light, the project is a relatively minor, but quite important, fix.

The project also includes a series of construction best management practices to ensure protection of the sensitive marine environment, including in terms of potential noise impacts during pile driving activities. These best management practices and project-specific parameters are the same as those recommended by the Commission's Ecology team and the National Marine Fisheries Service for the more extensive harbor maintenance and pile-driving work permitted under CDP waiver 3-23-0539 in roughly the same locations. They include on-site biological monitoring during construction activities, a 50-foot buffer between construction activities and any marine mammals, and required work stoppage for any marine mammals spotted within this buffer. The Harbor District has agreed to and incorporated such measures into the project. The project also includes the Commission's typical water quality best management practices for in-water work, including the prevention of spills and general good housekeeping of the site at all times.

In sum, the project as described above² will help keep this important harbor space operational and will do so in a manner that will not have any significant adverse impacts on the marine environment. The project can therefore be found consistent with the Coastal Act.

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment. Monterey County, acting as lead CEQA agency, determined that the proposed project was categorically exempt from CEQA review pursuant to Sections 15301(d) (as restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety), and thus the County did not identify any significant adverse environmental effects from the proposed project.

The Commission's review, analysis, and decision-making process for CDPs and CDP amendments has been certified by the Secretary of the Natural Resources Agency as

² Note that CDP waivers, such as this, are issued based on an evaluation of proposed project parameters, and only that project as described is what is subject to the waiver's authorization. What that means is that if the project is actually undertaken differently than it is described (other than minor changes as may be allowed by the Executive Director if such changes (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources), then that altered project is not covered by the CDP waiver, and instead constitutes unpermitted development and a Coastal Act violation. Thus, the Applicant here is on notice as to the limitations of this CDP waiver authorization, where a project that is not consistent with the project as described herein is not allowed, and undertaking such a project would be a knowing and intentional violation of the Coastal Act.

CDP Waiver 3-24-0948-W (Moss Landing Harbor District Improvements)

being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(c)). Accordingly, in fulfilling that review, this report has discussed the relevant coastal resource issues with the proposal, as it is described herein, and has concluded that approval of the proposed CDP waiver is not expected to result in any significant environmental effects, including as those terms are understood in CEQA.

Accordingly, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures) as there are no significant adverse environmental effects that approval of the proposed CDP waiver would necessitate. Thus, the proposed CDP waiver will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, December 11, 2024, at the Coastal Commission's hybrid virtual and in-person meeting at the Newport Beach Civic Center. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Breylen Ammen (Breylen.Ammen@coastal.ca.gov) in the Central Coast District office.

CALIFORNIA COASTAL COMMISSION

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



NOTICE OF PROPOSED PERMIT WAIVER

Date: November 22, 2024

To: All Interested Parties

From: Kevin Kahn, Central Coast District Manager
Ryan Moroney, Central Coast District Supervisor

Subject: Coastal Development Permit (CDP) Waiver 3-24-0951-W

Applicant: San Luis Obispo Flood Control and Water Conservation District

Proposed Development

Demolition of a house and accessory structures, septic system decommissioning, interior fence removal, and native seeding to facilitate future site restoration at 2325 Creek Road in the unincorporated community of Oceano in San Luis Obispo County (APN 061-161-008).

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The San Luis Obispo Flood Control and Water Conservation District (District) is proposing to voluntarily purchase and remove all structural development from the Cardoza Property, an approximately 14 acre residential/agricultural property located on the south side of Arroyo Grande Creek. The property was built in the creek's natural floodplain and frequently experiences extensive flooding during large storm events. The District proposes to purchase the property, demolish existing structures, and ultimately restore the floodplain to its natural condition in order to prevent additional flood damage to the property and existing structures, and to improve the ability of the floodplain to accommodate flood waters. The District proposes herein to remove all existing structures and do some basic native plantings, and then will develop a more comprehensive floodplain restoration project in the future and subject to a separate CDP authorization. The project is thus an important adaptation strategy to remove development from a flood prone area and to ultimately improve riparian habitat and floodplain functioning.

As for construction impacts, given the project's sensitive location near Arroyo Grande Creek, the District proposes to implement a series of avoidance measures and Best Management Practices (BMPs) to protect sensitive resources, including construction air and water quality protection measures, as well as a series of "Conservation Measures" mandated by the U.S. Fish and Wildlife Service to protect sensitive biological resources such as the California red-legged frog (e.g., limiting the proposed work to the dry

CDP Waiver 3-24-0951-W (Arroyo Grande Creek Floodplain Restoration)

season (May 1 – October 31) of 2025, preparing preconstruction surveys and worker education, utilizing existing disturbed areas for parking and staging, and avoiding work during the nighttime and following rain events).

The project has been approved for funding assistance by the Natural Resource Conservation Service (NRCS) through the Emergency Watershed Protection Program, Property Buyout Option, which will provide up to 75% of the project costs if work can be completed within a 220-day timeline following the grant acceptance. As part of that program, the property has been deed restricted to be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions, with allowable compatible uses including parks for outdoor recreation activities, wetland management, water quality improvement, environmental education, and other uses consistent with restoring the hydrological capacity to the natural environment. Moreover, the County has agreed to look for opportunities for potential public access and recreational improvements associated with any future use of the site, which will be identified as part of future site restoration and a separate CDP approval.

In summary, the proposed project will remove vulnerable development from future threats of flooding and restore the property to its historical floodplain status without adverse impacts to coastal resources, and thus can be found consistent with the Coastal Act.¹

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment. The County of San Luis Obispo, acting as lead CEQA agency, determined that the proposed project was exempt from CEQA.

The Commission's review, analysis, and decision-making process for CDPs and CDP amendments has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(c)). Accordingly, in fulfilling that review, this report has discussed the relevant coastal resource issues with the proposal and has concluded that approval of the proposed CDP waiver is not expected to result in any significant environmental effects, including as those terms are understood in CEQA.

¹ Note that CDP waivers, such as this, are issued based on an evaluation of proposed project parameters, and only that project as described is what is subject to the waiver's authorization. What that means is that if the project is ultimately undertaken differently than it is described (other than minor changes as may be allowed by the Executive Director if such changes (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources), then that altered project is not covered by the CDP waiver, and instead constitutes unpermitted development and a Coastal Act violation. Thus, the Applicant here is on notice as to the limitations of this CDP waiver authorization, where a project that is not consistent with the project as described herein is not allowed, and undertaking such a project would be a knowing and intentional violation of the Coastal Act.

CDP Waiver 3-24-0951-W (Arroyo Grande Creek Floodplain Restoration)

Accordingly, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures) as there are no significant adverse environmental effects that approval of the proposed CDP waiver would necessitate. Thus, the proposed CDP waiver will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

Coastal Commission Review Procedure

This waiver is not valid until it has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on December 11, 2024 during the hybrid virtual and in person hearing in Newport Beach. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Ryan Moroney (ryan.moroney@coastal.ca.gov) at the Central Coast District office.

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



NOTICE OF PROPOSED PERMIT WAIVER

Date: November 22, 2024

To: All Interested Parties

From: Kevin Kahn, Central Coast District Manager
Ryan Moroney, Central Coast District Supervisor

Subject: Coastal Development Permit (CDP) Waiver 3-24-0964-W
Applicant: County of San Luis Obispo Parks and Recreation Department

Proposed Development

Annual clean-up of winter debris (e.g., excessive wooden debris) deposited at Cayucos State Beach for a period of five years.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

Cayucos State Beach, which is owned by California State Parks but managed by the County's Parks and Recreation Department, has historically been impacted by substantial debris from winter storms driven by tidal surges and due to its proximity to the mouth of Cayucos Creek, which carries debris and deposits it into the ocean during storm water runoff events, which are only increasing with climate change and sea level rise. As a result, the debris is deposited on the dry sandy beach areas and around beach recreational facilities, including the Cayucos Pier, playground, stairways, lifeguard facilities, and a public restroom. The County is seeking authorization for removal of the debris because it can sometimes: 1) limit accessibility to the beach and other recreational facilities; 2) create a public safety nuisance and risk for beachgoers;¹ and 3) cause damage to public coastal access structures, such as the Cayucos Pier and other recreational facilities along the beach. For example, in 2023 the Cayucos Pier, seawall, and playground were severely damaged by large logs deposited on the beach from Cayucos Creek that were battered around by wave action associated with large winter storms.

This authorization would allow for annual winter maintenance of the beach to include removal of logs, driftwood, and other debris by hand when feasible and by mechanical

¹ The wood itself can be a danger to beach goers and especially younger children that play on them and build temporary structures subject to collapse, and beach visitors often use the excessive amount of wood debris as fuel for unmanaged beach fires, which are only seasonally allowed within fire rings when sufficient sandy beach area exists.

Cayucos Beach Winter Debris Removal (3-24-0964-W)

means (such as a small tractor or mini excavator) when removal by hand is not feasible. As viable, the large logs will be utilized for implementation of the Dune Restoration Plan for the Morro Bay to Cayucos Connector Trail Project approved by the Commission in June 2024 (CDP 3-24-0020). If repurposing such logs is not viable, the logs will be placed in a roll over container on the paved surface parking lot on Ocean Front Avenue then removed and deposited at a local landfill or composting facility.

This project will include best management practices (BMPs) to protect public access and recreation, water quality, and habitat including limiting work to non-holiday weekdays and with a minimum of 3 days advance public notice. If mechanized equipment is used, the BMPs shall include: maintaining a 25-foot buffer between the ocean and creeks, a spill kit on site, a pre-activity biological survey as directed by a County-approved biologist and a review of lessons learned and implementation of changes and best practices for future removal activities.

In summary, the proposed project is relatively minor and will help to clean the public beach and keep it usable for public recreational access purposes, and can be found consistent with the Coastal Act.²

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment. The County of San Luis Obispo, acting as lead CEQA agency, determined that the proposed project was exempt from CEQA.

The Commission's review, analysis, and decision-making process for CDPs and CDP amendments has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(f)). Accordingly, in fulfilling that review, this report has discussed the relevant coastal resource issues with the proposal and has concluded that approval of the proposed CDP waiver is not expected to result in any significant environmental effects, including as those terms are understood in CEQA.

Accordingly, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures) as there are no significant adverse environmental effects that approval of the proposed CDP waiver would necessitate. Thus, the proposed CDP waiver will not result in any significant adverse environmental

² Note that CDP waivers, such as this, are issued based on an evaluation of proposed project parameters, and only that project as described is what is subject to the waiver's authorization. What that means is that if the project is ultimately undertaken differently than it is described (other than minor changes as may be allowed by the Executive Director if such changes (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources), then that altered project is not covered by the CDP waiver, and instead constitutes unpermitted development and a Coastal Act violation. Thus, the Applicant here is on notice as to the limitations of this CDP waiver authorization, where a project that is not consistent with the project as described herein is not allowed, and undertaking such a project would be a knowing and intentional violation of the Coastal Act.

Cayucos Beach Winter Debris Removal (3-24-0964-W)

effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

Coastal Commission Review Procedure

This waiver is not valid until it has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on December 11, 2024 during the hybrid virtual and in person hearing in Newport Beach. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Ryan Moroney (ryan.moroney@coastal.ca.gov) at the Central Coast District office.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: November 22, 2024

To: All Interested Parties

From: Kevin Kahn, Central Coast District Manager
Breylen Ammen, Coastal Planner

Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-84-226
Applicant: Pebble Beach Company

Original CDP Approval

CDP 3-84-226 was approved by the Coastal Commission on March 28, 1985 and provided for the construction of the Spanish Bay resort, condominiums, and public golf course (now collectively known as the Inn at Spanish Bay) in a former sand quarry in the Del Monte Forest area of unincorporated Monterey County. Public access mitigation for the project included a trail from the resort, through the golf course, and connected to a new over half-mile long lateral boardwalk-style section of coastal trail along the coast between the golf course and the beach.

Proposed CDP Amendment

The proposed amendment includes two main components: 1) repairs to and managed retreat of portions of the lateral public coastal boardwalk trail that were destroyed in the 2022/2023 winter storms; and 2) a reconfiguration of the golf course generally within its existing footprint, irrigation system improvements, and realignment and repair of the existing storm drain system. The Commission's reference number for this proposed amendment is **3-84-226-A3**.

Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The lateral coastal boardwalk trail was required by the Commission as part of its approval of CDP 3-84-226 and is a popular accessway that has been heavily used by the public for many decades. It traverses the foredunes of North and South Moss Beach, between the Moss Beach parking lot and Sunset Drive, and offers stunning and expansive views of the coast and surrounding dunescape. The trail provides accessibility for a broad range of users on account of its hard plank surfacing when compared to other portions of the coastal trail in the area.¹ At the time the trail was

¹ The area's sandy soils mean that less formalized trails can pose an access challenge for young children, the elderly, and people with disabilities.

CDP Amendment 3-84-226-A3 (Spanish Bay Improvements)

constructed it was adequately set back from the shoreline so as to avoid coastal hazards; however, wave action from the 2022/2023 winter storms resulted in damage to and loss of large portions of the downcoast section of the boardwalk. The Applicant proposes to replace those damaged sections of the boardwalk in-kind slightly inland to reduce the risk of future damage from storms and to ensure user safety. Such retreat would avoid the need for armoring of the accessway in the future while retaining its recreational value as an accessible trail with direct access to and between North and South Moss Beach as well as the coastal trail connection between Asilomar State Beach and the various public access amenities and destinations along 17-Mile Drive including the coastal trail, lookouts, and beaches.

The golf course reconfiguration includes regrading and reshaping the 18-hole golf course, all generally within the area of existing play and turf coverage. The end result will be an overall reduction of turf coverage (and thus water used for irrigation²) and an increase in native plant cover, including native dune and Monterey pine forest habitats, in non-play areas of the course. The golf course work has been designed so as to not impact any areas of native sensitive species or habitats. The reconfiguration necessitates removal of 27 planted Monterey pine trees, all of which will be replanted at either a 2:1 ratio (for those trees less than 24-inch diameter at breast height (DBH)) or at a 3:1 ratio (for those trees 24-inch DBH or greater), for a total of 63 new planted trees (Monterey pines, coast live oaks, and Monterey cypresses) at appropriate locations on the Spanish Bay property.

The Applicant also proposes a modification of the permit's conditions to add a new special condition, which would require Executive Director approval of a habitat mitigation and monitoring plan that will provide the final detailed parameters regarding the restoration of dune areas of the damaged boardwalk as well as the non-golf play areas amidst and surrounding the course prior to the start of construction. See Exhibit 1 for the condition language.

In sum, the proposed³ CDP amendment would allow for the rebuilding of an important public coastal accessway in response to coastal hazards threats/damage not with hard armoring, but instead through relocation inland/managed retreat away from such threat. It thus can be considered an important adaptation and resilience strategy. The project also includes the reconfiguration of an existing public golf course that will result in

² The golf course is irrigated with non-potable recycled wastewater supplied by the Carmel Area Wastewater District; however, water savings are still a benefit given the overall limited nature of the water supply on the Monterey Peninsula (including the amount of recycled water the plant provides, where a reduction in recycled water used at this site will free up some recycled water for use in other areas).

³ Note that immaterial CDP amendments, such as this, are issued based on an evaluation of proposed project parameters, and only that project as described is what is subject to the amendment's authorization. What that means is that if the project is ultimately undertaken differently than it is described (other than minor changes as may be allowed by the Executive Director if such changes (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources), then that altered project is not covered by the immaterial CDP amendment, and instead constitutes unpermitted development and a Coastal Act violation. Thus, the Applicant here is on notice as to the limitations of this immaterial CDP amendment authorization, where a project that is not consistent with the project as described herein is not allowed, and undertaking such a project would be a knowing and intentional violation of the Coastal Act.

CDP Amendment 3-84-226-A3 (Spanish Bay Improvements)

additional native habitat and less water use. As such, it can be found consistent with the Coastal Act.

California Environmental Quality Act (CEQA)

Section 13096(a) of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). The findings above are incorporated herein by reference.

Under Section 15251(c) of Title 14 of the California Code of Regulations, the Commission's CDP regulatory process has been certified as the functional equivalent to the CEQA process. As a certified regulatory program, Section 21080.5(d)(2)(A) of CEQA still applies to the Commission's CDP regulatory process and prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. As conditioned, there are no feasible alternatives or additional feasible mitigation measures available which would substantially lessen any significant adverse effect which the development may have on the environment. Therefore, the Commission finds that the subject project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative, has no remaining significant environmental effects, either individual or cumulative, and complies with the applicable requirements of the Coastal Act to conform to CEQA.

Coastal Commission Review Procedure

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Wednesday, December 11, 2024 at the hybrid virtual and in-person meeting at the Newport Beach Civic Center. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application will be processed as a material CDP amendment.

If you have any questions about the proposal or wish to register an objection, please contact Breylen Ammen at the Central Coast District office at Breylen.Ammen@coastal.ca.gov.

Exhibit 1: Proposed New CDP Special Condition

SPECIAL CONDITION

CDP amendment 3-84-226-A3 is granted subject to the following special condition:

1. **Habitat Restoration:** PRIOR TO CONSTRUCTION of the development associated with CDP Amendment 3-84-226-A3, the Permittee shall submit a final Habitat Mitigation and Monitoring Plan (HMMP) prepared by a qualified restoration ecologist to the Executive Director for review and written approval. The HMMP shall address any restoration necessitated by the removal of abandoned or damaged boardwalk, as well as the areas of the golf course being restored to coastal habitat, as generally shown as 'native sandy transition/dunescape' on pages 9-14 of the proposed project plans (titled The Links At Spanish Bay, dated November 5, 2024). The HMMP's purpose shall be to describe the methods, timing, monitoring, success criteria, and necessary remedial measures associated with such restoration, with the goal to restore such habitat to a high-functioning, self-sustaining state. The Permittee shall implement the restoration in accordance with the Executive Director-approved HMMP.

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725 FRONT STREET, SUITE 300
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PHONE: (831) 427-4863
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**EMERGENCY COASTAL DEVELOPMENT PERMIT****Emergency CDP G-3-24-0077 (Rocky Creek Slide)****Issue Date: December 9, 2024****(This ECDP Supersedes and Revises ECDP G-3-24-0077 dated December 5, 2024)**

Permittee: California Department of Transportation (Caltrans)

Emergency Location: On the Highway 1 roadway on the Big Sur coast immediately south of the Rocky Creek Bridge (at post mile 60.0) in Monterey County.

Emergency Description: A landslide that occurred on March 30, 2024, undermined approximately six feet of the southbound lane of Highway 1, collapsing the roadway and closing the highway. On May 3, 2024, the Governor issued an emergency declaration covering the March 2024 storms and Rocky Creek Bridge. On May 17, 2024, one lane of Highway 1 was re-opened with one-way traffic control and automated traffic signals. The Executive Director approved a previous ECDP to temporarily address the landslide and stabilize the one-lane opening, which was reported to the Commission on October 10, 2024, for construction of a shotcrete upper bluff wall, substantial reconstruction and expansion to the existing damaged concrete seawall at the base of the bluff, and construction of a below-grade temporary soldier pile wall along approximately the centerline of Highway 1 (see ECDP G-24-0053). This ECDP will take further emergency measures to stabilize the bluff, reopen both lanes of the highway, and restore and repair Highway 1.

Emergency Development: Construction of a roughly 200-foot-long viaduct consisting of 12-foot-wide lanes, 4-foot-wide shoulders, ST-75 bridge rails, end blocks, approach slabs, and a concrete transition barrier. Work is proposed to occur seven days a week, weather permitting. The Executive Director provided initial authorization for such emergency development on November 20, 2024, and this hard copy ECDP represents the formal ECDP covering all such development.

Executive Director's Determination

The Executive Director of the California Coastal Commission hereby finds that: (a) a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services exists (i.e., an "emergency" (see Title 14 California Code of Regulations Section 13009 and California Coastal Act (Public Resources Code) Section 30624); (b) the emergency requires action more quickly than allowed by the procedures for regular CDPs; (c) the emergency development can and will be completed within 30 days unless otherwise specified by the terms of this ECDP; (d) the emergency development carried out under this ECDP is considered temporary work done in an emergency situation to abate an emergency and is undertaken at Permittee risk; (e) a regular CDP must be obtained for

Enclosure: ECDP Acceptance Form

cc: (via email): (via email): Craig Spencer (Monterey County); Kenneth Foster (California State Lands Commission); Karen Grimmer (Monterey Bay National Marine Sanctuary)

Emergency CDP G-3-24-0077 (Rocky Creek Viaduct)

Issue Date: December 9, 2024

the emergency development to become more than temporary emergency abatement and/or if the Permittee wishes to expand the scope of work beyond that authorized by this ECDP; (f) absent obtaining a regular CDP, the emergency development shall be removed and the affected area restored; and (g) Commission staff will review public comment on the proposed emergency development as time allows.

The emergency development is hereby approved, subject to the conditions listed below.

DocuSigned by:
Kevin Kahn
DEF0E587F71C402...

12/09/2024

Kevin Kahn, Central Coast District Manager, for Kate Huckelbridge, Executive Director

Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Permittee and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this ECDP (i.e., by December 24, 2024). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Commission's Central Coast District Office on July 22, 2024, as updated on file as of December 9, 2024. Only that emergency development specifically described in this ECDP and for the specific location listed above is authorized. Any other development requires separate authorization from the Executive Director or the Commission, as applicable.
3. The emergency development authorized on a temporary basis by this ECDP must be completed within 180 days of ECDP issuance (i.e., by June 7, 2025).
4. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., Monterey County, Central Coast Regional Water Quality Control Board, California State Lands Commission, Monterey Bay National Marine Sanctuary, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, NOAA-NMFS, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
5. By exercising this ECDP, Permittee acknowledges and agrees that: (a) the emergency development is temporary, is designed to temporarily abate the emergency, and shall be removed unless and until a regular CDP authorizing the work is approved, and provided the Permittee adheres to such regular CDP's terms and conditions; and (b) a regular CDP is subject to all of the provisions of the California Coastal Act (as codified in Sections 30000 to 30900 of the Public Resources Code) and any applicable Local Coastal Program (LCP) policies and may be conditioned accordingly to avoid and/or to offset coastal resource impacts consistent with the Coastal Act (and LCP as applicable) (including but not limited to requirements for public access provisions (such as offers to dedicate, easements, in-

Emergency CDP G-3-24-0077 (Rocky Creek Viaduct)

Issue Date: December 9, 2024

lieu fees, etc.), assumption/disclosure of risks (including deed restrictions), triggers for relocation/removal, offsetting mitigations, etc.). The Permittee acknowledges that review of the CDP application to determine consistency with the Coastal Act (and LCP as applicable) will be based on the conditions the property was legally in prior to initiation of the temporary emergency development that is the subject of this ECDP.

6. By exercising this ECDP, the Permittee acknowledges and agrees in relation to this ECDP and the emergency development that it authorizes: (a) to assume all risks (including all coastal hazard risks, that include but are not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, tidal scour, storms, tsunamis, coastal flooding, landslide, earth movement, and the interaction of all of these, many of which will worsen with future sea level rise); (b) to unconditionally waive any claim of damage and/or liability against the Commission and/or its officers, employees, agents, successors and/or assigns; (c) to indemnify and hold harmless the Commission and its officers, employees, agents, successors and/or assigns against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement, including as it relates to any damages to public and/or private properties and/or personal injury; (d) that any adverse effects to property or people caused by the emergency development shall be fully the responsibility of the Permittee.
7. The Permittee shall reimburse the Commission in full for all Commission costs and attorneys' fees (including but not limited to such costs/fees that are: (a) charged by the Office of the Attorney General; and/or (b) required by a court) that the Commission incurs in connection with the defense of any action brought by a party other than the Permittee against the Commission, its officers, employees, agents, successors and/or assigns challenging the approval or issuance of this ECDP, the interpretation and/or enforcement of ECDP terms and conditions, or any other matter related to this ECDP. The Permittee shall reimburse the Commission within 60 days of being informed by the Executive Director of the amount of such costs/fees. The Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission, its officers, employees, agents, successors and/or assigns.
8. Within 30 days of the date this ECDP is reported to the Commission, (i.e., by January 10, 2025), the Permittee shall submit revised designs showing that the transition between the new viaduct and the existing Rocky Creek Bridge shall be designed to minimize visual impacts to the greatest extent feasible, including considering more open designs with bridge rails, guardrails, or colorized concrete, or other designs that may reduce visual impacts.
9. Within 180 days of ECDP issuance (i.e., by June 7, 2025), the Permittee shall either: (a) remove all of the materials placed or installed in connection with the emergency development, and restore all affected areas to their prior condition or better, all subject to Executive Director review and approval (and, in some cases, if directed by the Executive Director, subject to a regular CDP); or (b) submit a complete

Emergency CDP G-3-24-0077 (Rocky Creek Viaduct)

Issue Date: December 9, 2024

application (i.e., satisfying the requirements of Title 14 California Code of Regulations Section 13056) for a regular CDP to authorize the emergency development (or for a different project designed to address the emergency development), including submitting all information and materials requested, and as directed, by the Executive Director if/when the Executive Director determines that such application is incomplete. If such regular follow-up CDP application is withdrawn by the Permittee, or is denied by the Commission, or if it remains incomplete for a period of 120 days after the Executive Director informs the Permittee that the application is incomplete, then all of the materials placed and/or installed in connection with the emergency development shall be removed, and all affected areas shall be restored to their prior condition or better, all subject to Executive Director review and approval (and, in some cases, if directed by the Executive Director, subject to a regular CDP).

10. The follow-up CDP described above shall at the least include 1) a proposal for a program for commensurate public access mitigation, including in-lieu fee and identified public access enhancement project components that could be used to address public access mitigation associated with Caltrans' ECDP and CDP authorizations in Big Sur; 2) a proposal for commensurate visual mitigation as compensation for the change in character and views due to the project; and 3) a proposal for commensurate habitat mitigation for any coastal resource habitat impacts of the project on ESHA and/or coastal wetlands.
11. Failure to meet any of the applicable requirements of Condition 9 above shall constitute a knowing and intentional violation of the Coastal Act and may result in formal enforcement action by the Executive Director and/or the Commission. Such formal action may include: recordation of a Notice of Violation on the Permittee's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties of up to \$11,250 per day per violation; a civil lawsuit (that may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day); and/or other applicable penalties and relief pursuant to Coastal Act Chapter 9. In addition, failure to follow and meet all terms and conditions of this ECDP shall also constitute a knowing and intentional Coastal Act violation to which the same actions above may be applied.
12. All emergency development shall be limited to the least amount necessary to temporarily abate the emergency, and shall be undertaken in a time and manner that avoids any and all coastal resource impacts as much as possible, including avoiding impacts to public access. The Permittee shall keep the Executive Director informed regarding emergency development progress, including in terms of any issues encountered that may require adjustment.
13. A licensed civil engineer with experience in coastal structures and processes shall oversee all construction activities and shall ensure that all emergency development is limited to the least amount necessary to temporarily abate the emergency consistent with the terms and conditions of this ECDP.
14. All emergency construction activities shall limit impacts to coastal resources

Emergency CDP G-3-24-0077 (Rocky Creek Viaduct)

Issue Date: December 9, 2024

(including public recreational access and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements:

- a. Construction is prohibited during weekends, from the Saturday of Memorial Day through Labor Day inclusive unless due to extenuating circumstances the Executive Director authorizes such work, and measures are applied to ensure maximum coastal resource protection to the maximum extent feasible. Construction during non-daytime hours (i.e., from one-hour after sunset to one-hour before sunrise) shall include biological monitors at all times and lighting shall be pointed towards the work areas and be minimized to the maximum extent feasible.
- b. Construction work and equipment operations: shall avoid areas seaward of the tidal extent as much as possible; shall be prohibited in ocean waters and/or wetted sand (i.e., areas either wet and/or with a noticeable sheen from tidal and/or wave action); and shall avoid beachgoers and beach recreational areas as much as possible.
- c. Any grading of or in intertidal areas shall be prohibited.
- d. Any construction materials and equipment placed on the beach during daylight construction hours shall be stored beyond the reach of tidal waters. All construction materials and equipment shall be removed in their entirety from the beach area by one-hour after sunset each day that work occurs.
- e. All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and protect public safety to the maximum extent feasible, where such areas shall be limited in their spatial extent as much as possible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
- f. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
- g. All construction activities that result in discharge of materials, polluted runoff, or wastes to the beach or the adjacent marine environment shall be prohibited. Equipment washing, refueling, and/or servicing shall not take place on the beach. Any erosion and sediment controls used shall be in place prior to the commencement of construction as well as at the end of each workday.
- h. All areas impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand that is impacted by construction shall be filtered as necessary to

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remove any construction debris.

- i. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/cleanup of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
 - j. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction. If planning staff should identify reasonable restoration measures, such measures shall be implemented immediately.
15. A qualified biologist or environmental resources specialist acceptable to the Executive Director shall monitor all emergency construction activities (including but not limited to, placement and removal of equipment, construction activities near ocean areas, grading, etc.) to ensure that adverse impacts to sensitive plant and animal species and/or their habitats are avoided and, where avoidance is not possible, are minimized as much as possible and to the satisfaction of both the monitor and the Executive Director. The monitor shall have the authority to stop emergency construction activities if sensitive species and/or their habitats may be threatened in order to consult with the Executive Director on appropriate impact avoidance and minimization measures.
16. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
17. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit site plans and cross sections to the Executive Director clearly identifying all development completed under this emergency authorization (comparing the legal pre-emergency development condition to both the emergency condition and to the post-emergency development condition), and a narrative description of all emergency development activities undertaken pursuant to this ECDP. Photos showing the project site before the emergency (if available), during emergency development construction activities, and after the work authorized by this ECDP is complete shall be provided with the site plans and cross sections.
18. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and the construction coordinator's contact information (i.e., address, email, phone numbers, etc.) including, at a minimum, an email address and a telephone number (with voice mail capabilities) that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and

Emergency CDP G-3-24-0077 (Rocky Creek Viaduct)

Issue Date: December 9, 2024

emergencies). The construction coordinator shall record the contact information (e.g., name, address, email, phone number, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. The Permittee shall submit the record of complaints/inquiries and actions taken in response to the Executive Director on a weekly basis, and upon completion of construction activities.

19. Minor adjustments to the requirements above, including deadline adjustments, may be allowed by the Executive Director if the Executive Director determines that such adjustments: (a) are deemed reasonable and necessary to help to temporarily abate the identified emergency, including as emergency conditions may change; (b) are designed to avoid coastal resource impacts (and limit those that are unavoidable) as much as possible; and (c) in the case of deadline extension adjustments, are appropriate in light of circumstances, including that the Permittee has shown diligence in pursuing the emergency development and meeting all ECDP terms and conditions.
20. By exercising this ECDP, Permittee acknowledges and agrees that this ECDP shall not constitute evidence against and/or a waiver of any public rights which may exist on the property.
21. Failure to comply with the terms and conditions of this ECDP may result in enforcement action under the provisions of Coastal Act Chapter 9. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the property without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Coastal Act Chapter 9.

If you have any questions about the provisions of this ECDP, please contact Eric Stevens of the Commission's Transportation Unit at 301 East Ocean Boulevard, Suite 300, Long Beach, CA 90802; eric.stevens@coastal.ca.gov; or the Commission's Central Coast District office at 725 Front Street, Suite 300, Santa Cruz, CA 95060; centralcoast@coastal.ca.gov; and/or (831) 427-4863.

CALIFORNIA COASTAL COMMISSION

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



W15

Prepared November 22, 2024 (for December 11, 2024 Hearing)

To: Coastal Commissioners and Interested Persons

From: Kate Huckelbridge, Executive Director
Kevin Kahn, Central Coast District Manager
Devon Jackson, Central Coast Coastal Planner

**Subject: Certification Review for San Luis Obispo County LCP Amendment
Number LCP-3-SLO-21-0028-1-Part G (Los Osos Community Plan)**

On June 13, 2024, the California Coastal Commission considered a proposed San Luis Obispo County LCP amendment (LCP-3-SLO-21-0028-1-Part G) to amend the LCP's Estero Area Plan to address long-standing issues related to development constraints in the community including related to water supply, wastewater services, and ESHA. At that time, and after a public hearing, the Commission conditionally certified the amendment provided it was modified as suggested by the Commission.

The San Luis Obispo County Board of Supervisors considered the Commission's conditional certification on October 29, 2024, and approved a modified version of the LCP amendment that day in response to the Commission's conditional certification, including the suggested modifications (see attachment).

The Executive Director has reviewed the County's October 29, 2024 action, and has determined that it is legally adequate to meet all of the Commission's conditional certification requirements. The Executive Director will report that determination to the Coastal Commission at the Commission's December meeting on December 11, 2024 as part of the Central Coast District Director's Report. The Commission meeting starts at 9am on December 11, and the District Director's Report is item number 15 on the agenda for that day. Interested persons are welcome to submit comments and/or to sign-up to testify to the Commission regarding this matter under that agenda item (see the Commission's website at www.coastal.ca.gov for further information and instructions to participate in these ways).

Please note that this certification review is not a time to revisit any substantive issues associated with the approval of the subject LCP amendment, as certification review is limited to the question of whether the County adopted the suggested modifications to the LCP amendment approved by the Commission. Please further note that the Executive Director's determination is not subject to any required concurrence or approval by the Commission, but rather is simply being reported to the Commission as is required by the Commission's regulations in order to allow for the amended LCP to be certified in that form (see Title 14, Division 5.5, Sections 13544 and 13544.5). Upon

LCP-3-SLO-21-0028-1-Part G (Los Osos Community Plan) Certification Review

reporting this item to the Commission in the Central Coast District Director's Report, the amended LCP will be certified as of that date and time.

If you have any questions about this LCP amendment certification review process, including questions about how to submit written comments and/or to testify to the Commission, please contact the Central Coast District office at (831) 427-4863 and/or centralcoast@coastal.ca.gov.

Attachment: San Luis Obispo County Board of Supervisors' October 29, 2024 Action. If you are receiving this notice via mail and would like to view this attachment, please visit our website at <https://www.coastal.ca.gov/meetings/agenda/#/2024/12>. The certification review notice along with the attachment will be within the Central Coast District's Deputy Director's report (agenda item 15 on Wednesday December 11, 2024). Alternatively, if you'd like a copy of the San Luis Obispo County Board of Supervisors' October 29, 2024 Action you can email Devon Jackson (devon.jackson@coastal.ca.gov) out of the Central Coast District Office.

Cdup #18

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tuesday, October 29, 2024

PRESENT: Supervisors John Peschong, Bruce S. Gibson, Dawn Ortiz-Legg, Jimmy Paulding and
Chairperson Debbie Arnold

ABSENT: None

RESOLUTION NO. 2024-255

**RESOLUTION ACKNOWLEDGING RECEIPT AND AGREEING TO CALIFORNIA COASTAL
COMMISSION'S MODIFIED LANGUAGE AND STRUCTURAL CHANGES PERTAINING TO
LOCAL COASTAL PROGRAM AMENDMENT NUMBER LCP-3-SLO-21-0028-1-Part G
(LOS OSOS COMMUNITY PLAN)
LRP2011-00016**

The following resolution is now offered and read:

WHEREAS, the County of San Luis Obispo Board of Supervisors conducted a public hearing on December 15, 2020 and adopted Resolution 2020-294 approving the Los Osos Community Plan and amendments to the San Luis Obispo County General Plan, Land Use Element, Estero Area Plan, and Local Coastal Program (LCP); and

WHEREAS, the County subsequently submitted LCP Amendment Number LCP-3-SLO-21-0028-1-Part G to the California Coastal Commission for certification; and

WHEREAS, on June 13, 2024, the California Coastal Commission recommended modified language and structural changes in LCP Amendment Number LCP-3-SLO-21-0028-1-Part G; and

WHEREAS, on June 13, 2024, the California Coastal Commission certified LCP Amendment Number LCP-3-SLO-21-0028-1-Part G provided the County adopts the suggested modifications contained in the California Coastal Commission's resolution of certification attached hereto and incorporated by reference herein; and

WHEREAS, pursuant to the California Code of Regulations, Title 14, Section 13544, the San Luis Obispo County Board of Supervisors may now accept and agree to the terms and modifications suggested by the California Coastal Commission on LCP Amendment Number LCP-3-SLO-21-0028-1-Part G, and take formal action to satisfy the terms and modifications.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, in a regular meeting assembled on the 29th day of October, 2024, that the Board of Supervisors of San Luis Obispo County acknowledges receipt and hereby accepts and agrees to the modified language, as suggested by the California Coastal Commission, without further changes, pertaining to LCP Amendment Number LCP-3-SLO-21-0028-1-Part G as set forth in Exhibits A and B attached hereto and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED AND ORDERED that pursuant to California Code of Regulations, Title 14, Section 13544, the Board of Supervisors directs staff to submit this resolution to the Executive Director of the California Coastal Commission for determination, in writing, that the County's action is legally adequate to satisfy conditions of certification set forth in the California Coastal Commission's resolution of certification.

BE IT FURTHER RESOLVED AND ORDERED that the LCP Amendment Number LCP-3-SLO-21-0028-1-Part G shall become final, effective, and operative upon the Coastal Commission's concurrence with its Executive Director's determination pursuant to California Code of Regulations, Title 14, Section 13544, at which point the LCP Amendment, as modified and set forth in Exhibits A and B, will become effective immediately.

BE IT FURTHER RESOLVED AND ORDERED that this action is consistent with and covered by the Final Environmental Impact Report (FEIR) (SCH # 2015031090) certified for the Los Osos Community Plan and the Coastal Commission's certification of the Los Osos Community Plan Local Coastal Program Amendment (LCP-3-SLO-21-0028-1-Part G) pursuant to Public Resources Code Section 21000 et. seq. and CA Code of Regulations Section 15000 et seq. Pursuant to CA Code of Regulations Section 15162(a), the Board finds that this action does not result in substantial changes proposed for the project which would require substantial revisions to the FEIR due to either new significant effects or substantial increases in the severity of previously identified significant effects; substantial changes have not occurred with respect to the circumstances under which the project is undertaken; and, no new information of substantial importance has been identified which was not known at the time that the FEIR was adopted. Further, the Coastal Commission's program for the preparation, approval, and certification of Local Coastal Program amendments has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(f)) and to the extent CA Code of Regulations Section 15162(c) applies to this action, the Board makes the same determination that no further environmental review has been triggered under the provisions of Section 15162(a).

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

AYES: Supervisors Gibson, Paulding, Peschong, Ortiz-Legg and Chairperson Arnold

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted on the 29th day of October, 2024.

Debbie Arnold

Debbie Arnold
Chairperson of the Board of Supervisors

ATTEST:

MATTHEW P. PONTES
Ex-Officio Clerk of the Board of Supervisors

By: *Nili Martin*

Deputy Clerk

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: /s/ Brian J. Stack
Deputy County Counsel

Dated: October 3, 2024

STATE OF CALIFORNIA) ss.
COUNTY OF SAN LUIS OBISPO)

I, **MATTHEW P. PONTES**, Ex-Officio Clerk of the Board of Supervisors thereof, do hereby certify the foregoing to be a full, true and correct copy of an order entered in the minutes of said Board of Supervisors, and now remaining of record in my office.

Witness, my hand and seal of said Board of Supervisors on November 6, 2024.

MATTHEW P. PONTES

County Administrative Office and
Ex-Officio Clerk of the Board of Supervisors

By: *Nili Martin*

Deputy Clerk

EXHIBIT A

CALIFORNIA COASTAL COMMISSION'S ADOPTION LETTER AND SUGGESTED MODIFICATIONS TO THE ESTERO AREA PLAN

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



San Luis Obispo, CA 93408

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**Trevor Keith, San Luis Obispo County
LCP-3-SLO-21-0028-1-Part G (Los Osos Community Plan)**

Please let me know if I can assist you in any way in completing action on this LCP amendment, or if you have any questions. Thanks for all your help during this process.

Sincerely,

Devon Jackson
Coastal Planner
Central Coast District Office

Cc: Cory Hahn, San Luis Obispo County Department of Planning and Building

Enclosure (Via Email): Adopted Staff Report with Suggested Modifications

ESTERO AREA PLAN AMENDMENTS

Amendments adopted by the County Board of Supervisors shown in black single ~~strikethrough~~ and underline

Suggested modifications recommended by the Coastal Commission shown in red ~~double-strikethrough~~ and underline

CHAPTER 1

I. PURPOSE OF THE ESTERO AREA PLAN

No changes proposed in this section

II. PHYSICAL CHARACTERISTICS

No changes proposed in this section

III. NATURAL AND HUMAN RESOURCES

No changes proposed in this section

IV. OPPORTUNITIES

No changes proposed in this section

V. VISION AND GENERAL GOALS

No changes proposed in this section

VI. FEATURES OF THIS PLAN

No changes proposed in this section

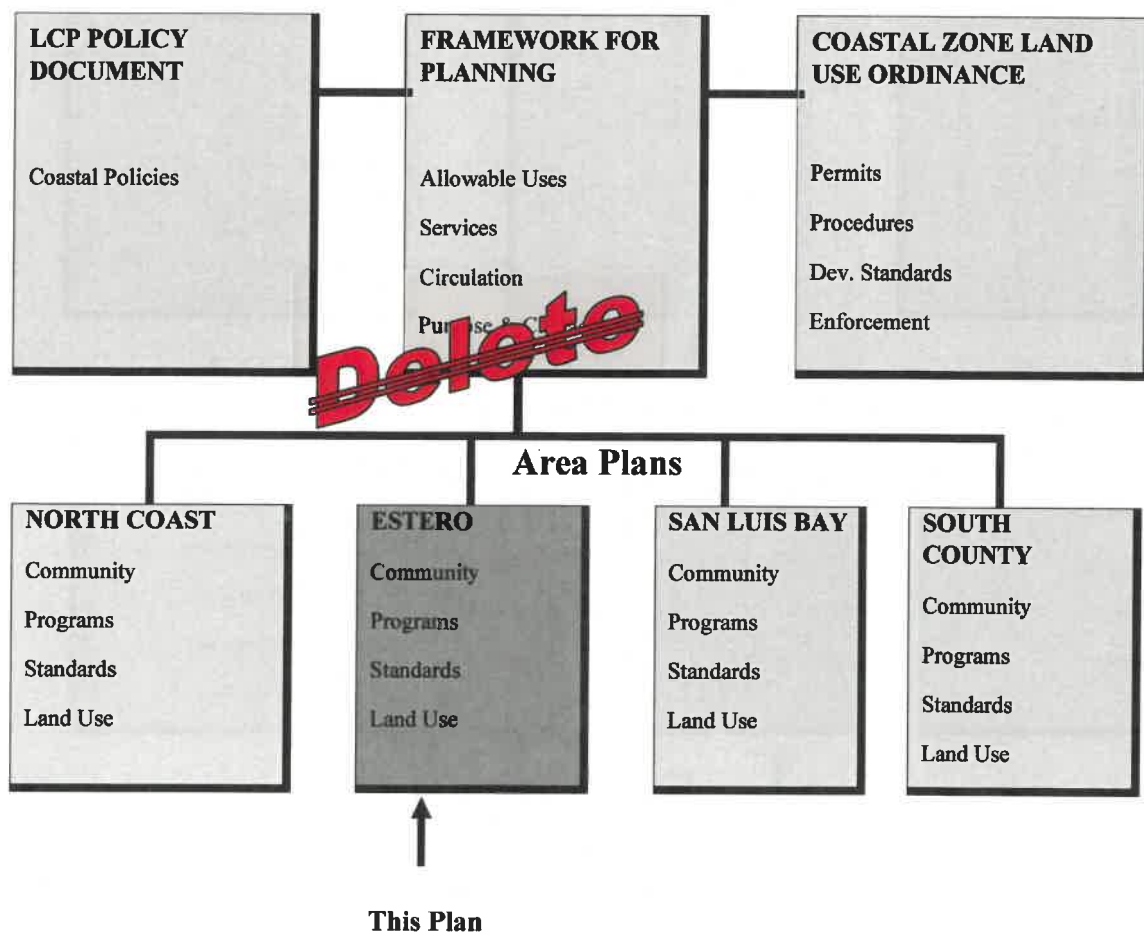
VII. Relationship of the Estero Area Plan to the Local Coastal Program

4. **The Area Plans.** The area plans ~~replace the former community general plans, and~~ provide goals, objectives, policies, programs, and standards unique to each area. The Coastal Zone of San Luis Obispo County is divided into four ~~areas: segments,~~ North Coast, Estero, San Luis Bay, and South County. Community plans may also be adopted as a component of an area plan, in order to focus specifically on an urban or village area (e.g., Avila Beach Specific Plan). ~~For example, the Estero Area Plan also incorporates the~~ Los Osos Community Plan, ~~however, by reference, though the Community Plan~~ is actually a separate document that is not a certified component of the Estero Area Plan or LCP, but does provide helpful background information on Los Osos issues and demographics. The area plans (and related community plans) work with the other elements of the LCP and the county general plan. Key provisions found in the area plans are land use maps, programs, and standards that guide development. In addition, standards guide resource management, conservation, environmental protection, and community character.

~~Delete old diagram:~~

County of San Luis Obispo

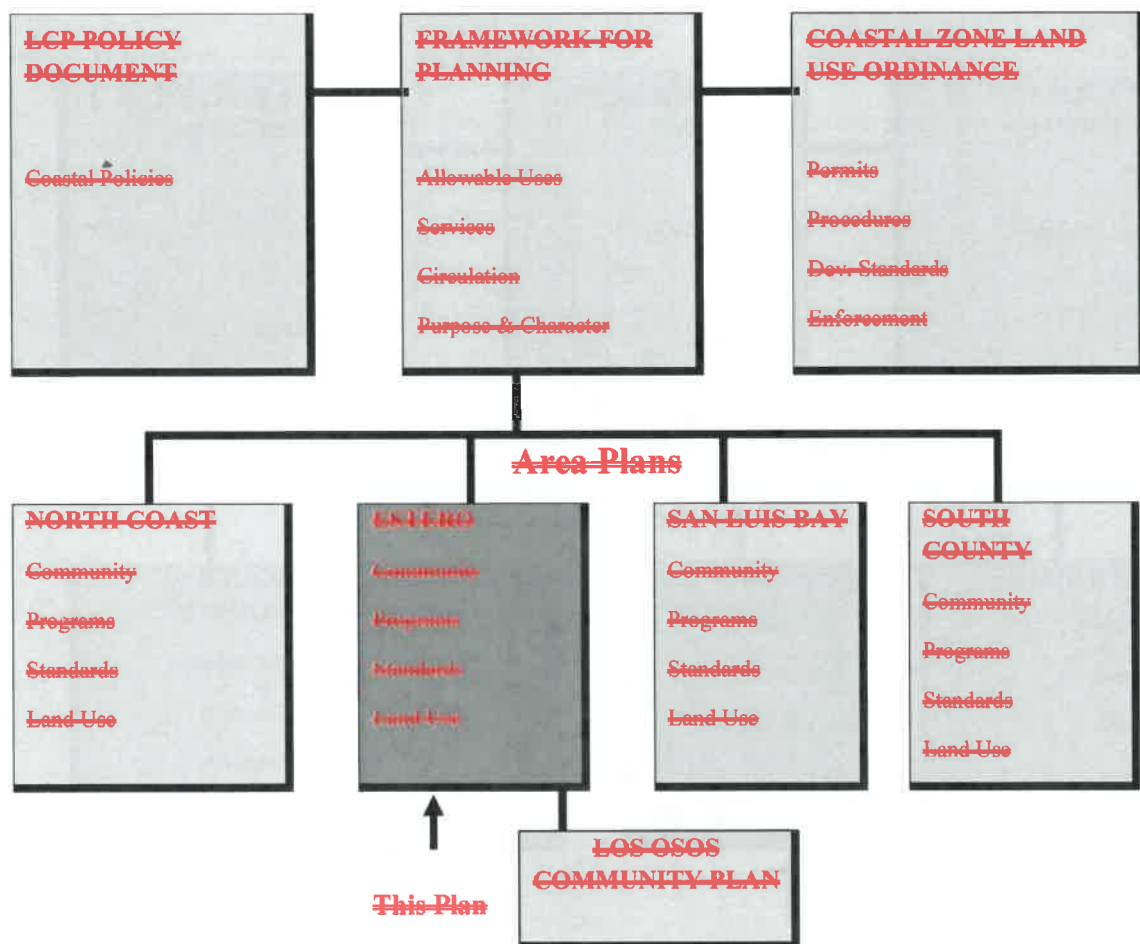
Land Use Element and Local Coastal Program



Replace with new diagram:

County of San Luis Obispo

Land Use Element and Local Coastal Program



CHAPTER 2

I. ECONOMY

A. Existing Situation

The area's economy is fueled primarily by income from jobs located in other communities. Los Osos and Cayucos are "bedroom communities," since roughly 85 to 90 percent of their workers commute to jobs in other communities (see Table 2-1, Place of Work: Workers 16 Years and Over). Although the city of Morro Bay provides some employment for local residents (and contributes significantly to the area's economy), a large percentage of local workers find employment in the San Luis Obispo area.

Los Osos and Cayucos have businesses that provide retail and service uses to local residents, but lack major employers, large-scale manufacturing and industrial uses (the employment of residents by industry is shown in Table 2-2). In Los Osos, although there are many tourist attractions in the area, there are currently few visitor-serving businesses. In Cayucos, this sector of the economy is more important. In both communities, the commercial sectors are currently under-developed compared to nearby incorporated cities, and residents are spending much of their money outside of the planning area. In the rural areas outside of Los Osos and Cayucos, most economic activity is related to agriculture. The city of Morro Bay, located on the north side of Morro Bay, is the recognized visitor-serving center. The economy of the city of Morro Bay is primarily oriented to the strong attraction of tourism/recreation activities and the desirability of the area as a place of retirement. The city also serves as a place of residence for persons employed in other communities, particularly San Luis Obispo.

Los Osos has long been considered highly attractive to permanent and temporary residents alike. The mild climate and slow pace of the "rural-like" setting, coupled with closely surrounding natural areas, contribute to its attractiveness. In addition, Los Osos' proximity to the major employment centers of the county and a relatively high proportion of retired persons make possible a viable community without major growth in its economic base. Other important factors historically have been the availability of relatively inexpensive land and low property taxes. These characteristics however, are in the process of change to a point where low land costs and taxes are diminishing along with their growth-inducing implications.

B. Future Opportunities

Both Los Osos and Cayucos have many attributes that are conducive to economic development. The communities are located in beautiful natural settings with mild, coastal climates and a high quality of life. Major tourist attractions such as Montaña de Oro and Morro Bay State Parks and the Cayucos area beaches draw over 1.5 million visitors per year.

In addition to its natural assets, Los Osos and Cayucos offer several other advantages for businesses looking to locate in the area. For example, the potential work force is attractive to business, as the general level of education of residents in Los Osos and Cayucos is higher than that for residents of the county as a whole (2000 Census of Population and Housing). Businesses should also find the lower housing prices in Los Osos compared to the cities of Morro Bay and San Luis Obispo a definite advantage. These advantages, together with the area's high-quality environment, are becoming increasingly more important considerations for businesses. With continuing advances in telecommunications, many businesses and industries no longer need to locate in traditional locations near major transportation facilities and markets, and instead are freer to locate in areas that offer qualities like those found in the Estero Planning Area.

Updated information regarding the community of Los Osos can be found in Appendix C of the Los Osos Community Plan.

C. Goals and Policies

No changes to this section

D. Attracting and Retaining Business and Industry

No changes to this section

E. Economic Development in This Plan

No changes to this section

F. Economic Effects of This Plan

No changes to this section

II Population and Housing

A. Historical Population growth

The growth rate of the Estero Planning Area had been among the highest in the county until the 1980s. Since that time, growth has slowed, largely because of building limitations due to concerns about water supply in Cayucos and sewage disposal in Los Osos. Most population growth has occurred in the communities of Los Osos and Cayucos, where about 95% of the current unincorporated population in the planning area lives.

Population in Los Osos increased from 3,490 to 10,933 persons or 213% between 1970 and 1980. By 1990, the population of Los Osos was 14,377, an increase of about 31% since 1980. During the same period, the population of the county increased by nearly 40%. The population has changed little since 1990. The population of Cayucos increased from 1,770 to 2,301 between 1970 and 1980, an increase of about 30%. By 1990, the population had increased to 2,960--an increase of about 29%--and has changed little since that time.

The population of the rural portion of the planning area (outside of the urban reserve lines of Cayucos and Los Osos) was about 820 in 1990, and has changed little since that time. Population figures for the rural area are approximate, since census data are not provided that correspond to that geographic area.

Historical population growth is illustrated in Figure 2-5 and Table 2-3. Most population figures in this chapter are taken from the U.S. Census of Population and Housing; the most recent census was in 2000.

Updated information regarding the community of Los Osos can be found in Appendix C of the Los Osos Community Plan.

B. Population Profiles

Compared to the county as a whole, both Los Osos and Cayucos have a smaller proportion of children and teenagers. For example, 24% of Los Osos residents are 20 and under, compared to 19.1% in Cayucos and 26.1% in the county as a whole (see Figure 2-6 and Table 2-4).

Both Los Osos and Cayucos have larger proportions of senior citizens than the county as a whole. In Los Osos, 28.3% of residents are 55 and over, compared to 33.2% in Cayucos and 23% in the county as a whole. This illustrates the desirability of these areas for retirement, and indicates a need to provide housing and services for this large segment of the population.

Education Level

Residents in the Estero Planning Area have generally attained a higher educational level than residents in the county as a whole. In both Los Osos and Cayucos, higher percentages and in some cases substantially higher percentages of residents age 25 and over hold bachelor's, master's and doctorate degrees, compared to the county as a whole.

Household Size

Household sizes in Los Osos and Cayucos are smaller than those in the county as a whole, but the rural area has a higher household size than the county average. In Los Osos, there is an average of 2.44 persons per occupied dwelling unit; in Cayucos, 2.09; and in the rural area, about 2.67. This compares to a county average of 2.66 persons per occupied dwelling unit.

Updated information regarding the community of Los Osos can be found in Appendix C of the Los Osos Community Plan.

C. Population Projections

No changes to this section

D. Housing Vacancies and Occupancy Type

Figure 2-8 shows the percentages of vacant units in Cayucos, Los Osos and the county as a whole as of 2000. According to the 2000 U.S. Census of Population and Housing, Cayucos has a high percentage of vacant dwelling units compared to the county as a whole. This is largely due to a high level of seasonal use (about 33% of total units), which includes recreational and occasional use of dwellings. The vacancy rate in Cayucos is about 38%, compared to only about 5% in Los Osos and 9% in the county as a whole. The preceding vacancy rates apply to the month of April, when the survey was conducted by the U.S. Census; actual vacancy rates may vary throughout the year.

Figure 2-8 also shows the percentages of total dwelling units that are owner and renter-occupied. However, when calculated as a percentage of occupied units only, about 70% of the units in Los Osos are owner-occupied, compared to 57% in Cayucos and 62% in the county as a whole. The Los Osos figure is relatively high, due at least in part to the small percentage of multi-family housing in the community. The Cayucos figure is relatively low due to the high percentage of vacant units in that community.

Updated information regarding the community of Los Osos can be found in Appendix C of the Los Osos Community Plan.

III Programs

No changes to this section

Chapter 3 Public Facilities, Services, and Resources

Introduction

No changes to this section

II Public Facilities, Services, and Resources: Status, Needs, Policies

~~Services in Los Osos are provided primarily through the Los Osos Community Services District (LOCSD). Within the boundaries of the LOCSD, some services are provided to the entire district and others to smaller specific zones of benefit. The LOCSD zones of benefit are shown in Figure 3-2, below. Additional water service is provided by California Cities Water Company and S & T Mutual Water Company. Service areas for water supply are shown in Figure 3-4.~~

Delete Figure 3-2 LOCSD, Zones of Benefit – Los Osos

A. Water Supply

Page 3-7

~~The following table (Table 3-1A) is an inventory of existing local water sources, major uses, and safe yields. Safe yield amounts are derived from the Brown and Caldwell Report of 1974.~~

~~Water usage in Los Osos must also consider impacts on rural and agricultural users drawing water from the same groundwater basins. Another major concern, particularly in South Bay, is protection of water quality from the combined gradual degradation impacts of excessive withdrawals approaching or slightly exceeding safe yields, seawater intrusion in wells too close to Morro Bay or the ocean, septic tank wastewater recharge from extensive residential development, and leaching of agricultural chemicals.~~

Delete Table 3-1a

3. Los Osos Water Supply

~~Perhaps no factor is of greater concern today than the future availability of potable water for Los Osos residents. Along with other north coastal communities, Los Osos is threatened with a potentially inadequate water supply to meet increasing agricultural and urban water demands. Water is supplied entirely through groundwater extraction from the Los Osos basin which underlies the planning area, and is provided by three municipal water suppliers. Some portions of the suburban area are served by individual domestic wells.~~

~~Los Osos is confronted with two basic problems. Groundwater extraction levels are rapidly increasing while groundwater quality is showing indications of possible deterioration. Estimates of groundwater availability or safe yield (the average amount of groundwater which can be extracted over the long run without effecting an adverse change in groundwater storage volume) have been revised upward over time. Most recent estimates indicate a safe yield range of 1,300-1,800 acre-feet, although it may be as high as 3,100 acre-feet. Of critical importance is that point at which net demand equals safe yield of the groundwater basin. The Master Water and Sewerage Plan projected this would occur in the late 1970's. Population projections indicate that importation of~~

nearly 500 acre-feet per year will be necessary in the year 2000 without sewage treatment. With sewage treatment, importation of approximately 1,700 acre-feet will be necessary by then.

Research on groundwater quality implies a potential for long-term degradation in quality. A septic tank moratorium was proposed by the State Regional Water Quality Control Board for 1974. This was temporarily set aside and additional monitoring has been undertaken for the last six years. The potential need for sewerage has been identified by the Regional Water Quality Control Board. Septic tanks return a large portion of the used water to the local groundwater basin, so impacts on water resources must be evaluated if sewerage occurs. Resolution of water quality issues are intricately tied to the need for supplemental water and/or mandatory restrictions of water use.

Of additional concern are the impacts of water use for agricultural purposes. Competing demands from agricultural and urban users can affect the long-term protection of agriculture and the phasing of urban expansion. Expansion of historic agricultural water extractions can reduce opportunities for the design of urban services as water supplies are based on groundwater resources.

Los Osos presently depends on water from the Los Osos groundwater basin underlying the ancient sand dune area of the community and Los Osos Valley. The most recent estimate of safe yield of this basin, provided in the Brown and Caldwell Report of 1974, ranges from 1,300 to 1,800 acre-feet per year. The high figure is based on optimum location of wells and balanced pumping. Net urban demand added to net agricultural demand has already exceeded the lower safe yield limit of 1,300 acre-feet per year cited in the Brown and Caldwell study. The maximum safe yield limit of 1,800 acre-feet per year will be attained when the population reaches 12,600, assuming only modest increases in irrigated agricultural uses. Continued irrigation is realistic since Coastal Act policies require protection of agricultural uses.

A Level II severity for water supply may exist in Los Osos. The lead time necessary to plan and construct an imported water supply system from Nacimiento Lake, the most likely source, is estimated to be seven years. Hence, if safe yield estimates are correct, growth of Los Osos will be limited until alternative water supplies are made available. In the interim until completion of a Resource Capacity Study, priorities must be established on where the limited resources are allocated to assure opportunities for visitor-serving use, protection of agricultural users, and reservation of available water to existing subdivided portions of the community. Where additional surplus above these resources are identified, allocation to further development must also be addressed.

Water sources needed to serve total build-out would include importation from either Nacimiento Lake or the State Water Project. The County Service Area No. 9 Advisory Group has submitted requests for State or Nacimiento Lake water totaling 2,000 acre-feet per year. This amount should offset the potential water deficit that would result from buildout of the community.

B. Sewage Disposal

1. Overview

Wastewater generated in Cayucos, Los Osos, and the City of Morro Bay is collected in a conventional underground sewer system and conveyed to the Morro Bay treatment plant. The balance of the planning area, including rural areas and the community of Los Osos, is served by individual septic systems or small package treatment plants.

3. Los Osos Sewage Disposal.

Sewage disposal is presently handled through individual or collective septic tanks. The adequacy of this method has been evaluated and the Master Water and Sewerage Plan recommends that a sewage treatment facility will ultimately be necessary to handle projected growth. At present, the need for future sewerage has not been resolved. Monitoring of conditions of groundwater degradation, particularly concentration of nitrates, should be continued to provide current information upon which to reevaluate the implications of retaining septic systems. Of additional importance is the interrelationship of groundwater recharge, through the present use of septic systems, to the safe yield analysis of water resources. The transition from septic systems to a central sewage treatment facility will withdraw this water recharge and place the burden onto remaining water supplies, necessitating earlier importation of water. A "Clean Water Grant" study is now underway. It will determine the seriousness of the degradation problem and if necessary, an appropriate solution.

Existing wastewater disposal in Los Osos is by means of on-site septic tanks with leach lines. Highly permeable soils, high groundwater tables, and extensive community development have posed water quality concerns, prompting a study of the feasibility of sewerage for the community. Los Osos' potential problem with water supply is so closely interrelated with sewage disposal that the latter may also be determined to be at Level II severity. One of the problems with sewerage is that exportation of wastewater may lead to lowering of the safe yield of the Los Osos groundwater basin and increase the risk of seawater intrusion. Wastewater from a community sewer system, however, might be sufficiently treated and returned to the groundwater basin by irrigation in the nearby Los Osos Valley. If supplemental water is imported to the community, wastewater disposal with an ocean outfall line may be the best alternative to protect groundwater quality over the long run. A Clean Water Grant to study the alternatives and possible implications of sewerage may be completed soon.

C. Schools

3. Los Osos Schools

Rapid community growth in recent years has placed a considerable burden on existing facilities. The two elementary schools serving the area are presently at or near capacity. A junior high school east of South Bay Boulevard was completed and opened in the fall of 1977.

Projected enrollment figures indicate that a third elementary school site will be needed in the early 1980's. An eleven acre site for an elementary school was acquired in 1980 on Los Osos Valley Road near Pecho Road. Construction is not expected prior to 1985. Long range junior high and secondary educational needs are indeterminate at this time, depending on needs of the Morro Bay area as well. Morro Bay High School presently accommodates all secondary students. Long range consideration, however, indicates there may be a need for high school facilities in the planning area at some future time. If so, it should be located in proximity to the junior high school along a major thoroughfare.

Growth in Los Osos is pushing enrollments of all schools within the local elementary and high school districts to Severity Levels II and III.

D. Drainage

3. Los Osos Drainage

~~Several street intersections and other locations in Los Osos experience localized flooding. Areas where flooding frequently occurs are shown in Figure 3-5. Other drainage concerns are runoff of sediment and pollutants into Morro Bay, which is causing adverse effects on the estuary and wetlands.~~

~~Drainage issues have been studied in the Preliminary Engineering Evaluation, Los Osos/Baywood Park Community Drainage Project, County Service Area No. 9J, completed in April, 1998. The study attributes drainage problems to a combination of rising groundwater levels, the existence of natural sumps, the paving of open space and subsequent reduction of the area available for stormwater infiltration, and disruption of natural surface drainage patterns by urban development. Recommended solutions include the construction of storm drains and retention basins. An assessment district for drainage purposes was approved by Los Osos voters in 1998 to maintain existing drainage facilities.~~

Delete Figure 3-5

E. Parks

3. Los Osos Parks

~~Current park acreage. Los Osos presently has only one park in the neighborhood and/or community park category, the 6.2 acre Los Osos Community Park. In addition, Los Osos residents have convenient access to Montaña de Oro State Park, El Chorro Regional Park, and other "special" recreation facilities, including Sweet Springs Nature Preserve, Elfin Forest Natural Area, Morro Bay State Park and Golf Course, and Los Osos Oaks State Reserve. Giving half credit for school recreation facilities in Los Osos, the community has a total of about 24 acres of neighborhood and community parks. According to NRPA recommended guidelines, a community the size of Los Osos needs about 87 acres of neighborhood and community parks. In particular, Los Osos needs more opportunities for "active" recreation, such as ball fields, children's play equipment, recreation programs, etc.~~

Remove Los Osos from Table 3-5 Neighborhood and Community Parks

F. Roads

No changes to this section

G. Solid Waste Disposal

No changes to this section

H. Police Service

No changes to this section

I. Fire Protection

No changes to this section

J. Emergency Medical Services

No changes to this section

K. Libraries

No changes to this section

L. Human Services

No changes to this section

M. Air Quality

No changes to this section

III Programs

A. Water

Los Osos

- ~~1. Water Management. Based on community initiation, the county Public Works Department should work with communities, property owners and the Regional Water Quality Control Board to develop and implement a basin-wide water management program for Los Osos which addresses population levels in relation to water availability, groundwater quality, and the need for alternative liquid waste disposal plans.~~
- ~~2. Alternative Water Sources. Supplementary water such as reclaimed sewage effluent and water from existing impoundments should be used to prevent overdraft of groundwater. New impoundments for recharging underground basins should be carefully considered along with other alternatives.~~

- ~~3. Well Sites—Los Osos. Locate and reserve future well sites in the Los Osos area to optimize safe withdrawals from the groundwater basin before development fills in the most favorable sites.~~

B. Wastewater

- ~~2. Sewage Disposal—Los Osos. The county should study the future need for a community sewer system in Los Osos in relation to the extent and density of development and its impact on groundwater quantity and quality.~~

C. Schools

- ~~3. School Sites—Los Osos. The county and school district should jointly study educational facility needs in Los Osos and acquire school sites before private development overly restricts choices in location.~~

D. Drainage

No changes to this section

E. Government and Community Services

- ~~2. Government Services Center—Los Osos. Government functions in Los Osos should be concentrated into a centrally located services center which could include such facilities as a community hall, library, sheriff's substation, and medical and social services.~~

F. Underground Utilities

- ~~2. Undergrounding—Los Osos. The county Underground Utilities Committee should evaluate and prioritize Los Osos areas for the undergrounding of overhead utility lines.~~

G. Recycling

H. No changes to this section

CHAPTER 4 LAND USE POLICIES AND PROGRAMS

This chapter further defines a vision for the Estero Planning Area, discusses land use issues, sets land use policies, and recommends programs to implement those policies. The following sections discuss land use issues and policies by land use category as shown on the maps following Chapter 7:

- **Areawide:** describes issues affecting most or all of the planning area.
- **Rural Area:** discusses areas outside of urban reserve lines.
- **Morro Bay Fringe Area:** discusses land use issues in rural areas that may influence planning within the city of Morro Bay.
- ~~Los Osos:~~ discusses the area within the Los Osos urban reserve line.
- **Cayucos:** discusses the area within the Cayucos urban reserve line.

Policies and programs for the following special features are discussed in Chapter 6: combining designations, Los Osos habitat conservation, and the Morro Bay Estuary and its watershed.

The last section in this chapter is Land Use Programs. It recommends actions to be taken by the county or other public agencies to help implement the goals and policies of this plan (the goals and policies are also implemented by development standards in Chapter 7).

Updated information regarding the community of Los Osos can be found in Appendix C of the Los Osos Community Plan.

~~Update Remove Los Osos from Table 4-1 with information from Table 3-1 in the Los Osos Community Plan~~

II Rural Land Use Policies

No changes to this section

III Morro Bay Fringe Land Use Policies

No changes to this section

IV Cayucos Land Use Policies

No changes to this section

~~V Los Osos Land Use Policies~~

~~The natural setting of Los Osos is a place of unique beauty. The Los Osos urban area lies at the westerly end of the picturesque and agriculturally productive Los Osos Valley. Los Osos is bounded by the environmentally important Los Osos Creek and riparian corridor to the east and~~

southeast, and the older coastal dunes to the north, south, and southwest. The creek and dune-covered hills form a natural edge to and greenbelt for the community. Morro Bay and its tidelands, an estuary of national importance, lie to the north. The scenic Irish Hills on the south, rugged Montaña de Oro State Park on the southwest, and popular Morro Bay State Park on the northwest form natural, scenic backdrops.

Although generally referred to as Los Osos, the area consists of several loose-knit neighborhoods, including Baywood Park, Los Osos, and Cuesta by the Sea.

The urban reserve line encompasses approximately 2,590 acres (four square miles) and allows for substantial future growth through infilling of existing developed areas and expansion onto adjacent vacant lands.

The Los Osos area is divided into neighborhoods to show local facilities needs such as schools, parks, and convenience shopping. These neighborhood units are named simply to provide a convenient aid to location in the text discussion of land uses.

A. Open Space

An important area in Los Osos designated Open Space is Los Osos Oak Forest, a 60-acre state park reserve with a looping footpath for observation of the pygmy oaks and other natural features. A smaller portion of the oak forest includes the dense stand of pygmy oaks preserved in open-space lots within Tract 527. (This is a high fire hazard area that is not open to public access.) Another area is the northeasterly fringe area of Los Osos where Los Osos Creek enters Morro Bay.

All other Sensitive resource areas (notably including the bay frontage and Cuesta by the Sea marshes) are now designated for passive recreation and would be redesignated Open Space if acquired by government or preserved by open-space easements.

B. Recreation

Recreation land in Los Osos may be divided into active and passive recreational areas. Active recreation areas include community parks, special recreation activities and tourist lodging facilities. Passive recreation areas have limited or no access and are intended for protection of their natural biotic and scenic resources.

South Bay Park is a typical community park with picnic, sports, and playground facilities. As the community grows, another community park with picnic facilities, walking paths through both landscaped and significant native vegetation areas, and similar facilities befitting the hilly terrain and capitalizing on the scenic overlook of Morro Bay should be developed in the Highland area.

Neighborhood parks should be developed adjacent to future schools and Baywood Elementary School. This will provide recreation facilities throughout the community and

~~allow for joint use of each facility. Additional neighborhood parks should be developed in the area west of 1st Street and south of Santa Ysabel Avenue and in the area south of the existing mobilehome parks south of Ramona Avenue.~~

~~The development of a recreational trails system, providing routes for bicycle and pedestrian-oriented activities to link parks and other scenic area is essential.~~

~~Significant tree groves of oaks, willows, pines, cypress, and eucalyptus within Los Osos should be studied for potential public park sites before private development occurs. Native and introduced trees include oaks, willows, pines, cypress, and eucalyptus. Use of such areas may range from small parkland areas with walking and bicycle access only to fully developed neighborhood or community parks.~~

~~Among specialized recreation facilities is the 9-hole Sunset Terrace Golf Course. The 18-hole golf course in Morro Bay State Park is within a relatively short driving distance from Los Osos.~~

~~A variety of outdoor activities, primarily related to public access to the ocean shoreline, is provided in the nearby Montaña de Oro and Morro Bay State Parks.~~

~~Other areas indicated for recreation are the bay frontage including the Cuesta by the Sea, Sweet Springs, and portions of the Santa Ysabel peninsula. Each of these areas supports unique habitats must be preserved with minimal disruption of the ecological system. These areas are included in the Sensitive Resource Area combining designation and are encouraged for preservation by either public acquisition or open-space easements. Once this occurs, the areas would be redesignated as Open Space during the course of future general plan amendments.~~

C. Residential Rural

~~A small area has been designated Residential Rural in the northern portion of Los Osos. This area is covered with a dense stand of pygmy oaks sloping toward the bay and the marshlands. This area is being considered for acquisition by the State Department of Parks and Recreation and would be redesignated Open Space if acquired. If acquisition does not occur, any development proposed should be through resubdivision of the area and clustering of the units in the least sensitive portion of the site. (Otto property Whitehole)~~

~~The eastern fringe along Los Osos Creek is designated Residential Rural. Parcel sizes are generally larger and areas of agricultural use are found within this area. To provide protection for the agricultural uses and the riparian vegetation along the creek, parcel breakdown should be no smaller than five acres.~~

D. Residential Suburban

Large suburban home sites are available in the eastern portion of the community known as the Creekside Area. This area is generally bounded by South Bay Boulevard on the west, Los Osos Creek on the east and Los Osos Valley Road on the south; small areas adjoining this area lie east of South Bay Boulevard and immediately south of Los Osos Valley Road. Growth in the area has been slow. The area is characterized by a rural atmosphere and parcel sizes of one acre and larger. Significant natural features in this area include pygmy oak groves and riparian habitats along the creek. This area serves as a buffer between the more intensive urban community and adjacent agricultural areas. Incidental light agricultural uses are generally compatible with suburban residential uses; some land has the potential for productive agricultural uses, depending on the topography and water availability.

The undeveloped western portion of the Sunset and Highland areas are also designated for Residential Suburban use. Lot sizes are generally large, and access is limited to much of this area. Portions of the area support large stands of eucalyptus groves which add significantly to the character. In addition, much of this area is immediately adjacent to the habitat for the Morro Bay Kangaroo Rat, an endangered species.

A third area identified for Residential Suburban use is the southern hillsides of the community. The steeper portion located south of the proposed extension of South Bay Boulevard will develop at suburban densities. It is anticipated that the development will be clustered on the more gentle slopes of the area with the upper steeper slopes being preserved in their natural state.

A fourth area designated for Residential Suburban use is in the undeveloped area north of Santa Lucia Avenue (Santa Venetia Ave.) and east of 11th Street. This area is substantially covered with pygmy oaks and sensitive site design will be necessary. A standard requiring resubdivision of the property and design as a Planned Development is included. (Otto property Whitehole).

E. Residential Single Family

Single family residential uses occupy more land than any other land use in Los Osos and include a wide variety of residential neighborhoods ranging from the older tract areas developed in the late 1800's with undersized 25 foot wide lots, to hillside homes with lots ranging from 10,000 square feet to one acre. Each presents a unique neighborhood feeling that blends to form the community character of Los Osos. Significant environmental resources are found throughout the community and serve as a scenic backdrop surrounding the periphery.

Growth is occurring through both in-filling of existing tracts on a lot-by-lot basis and lot divisions and larger subdivisions. The timing and ultimate size of the community's growth must be directly related to available water resources and other urban services. The following is a discussion of specific neighborhoods shown in Figure 4-4.

El Moro

The El Moro neighborhood is the largest in terms of both land area and population. Its 704 acres are bordered on the north by Morro Bay and on the south by the village area. Most of the area was subdivided in the late 1800's into lots of slightly more than 3,000 square feet with 80 foot street rights-of-way laid out in a grid pattern. Development has occurred sporadically, primarily in single family uses, and most building has occurred on multiple lots. A mixture of housing styles and sizes gives the present character to the community. Small, older homes, many of which were initially built for second homes or retirement, are scattered throughout the area. Future growth will involve in-filling of vacant lots, so the present mixture of housing types will continue; however, larger homes are being built on these small lots, often resulting in a cramped, overcrowded feeling. Of particular concern in some of this area is the lack of street trees or other features that tie the neighborhood together. A street treatment program to break the grid pattern would improve neighborhood appearance and character.

Highland

This area lies in the southerly portion of the planning area and is only partly developed. Cabrillo Estates contains nearly all of the current population on lots exceeding 10,000 square feet. All remaining parcels in the Highland area are five acres or more in size. The Morro Palisades Development Plan involves 205 acres in the southeastern portion of the Highland area.

The Highland area is the only part of the planning area with significant steep slopes. Topography changes continually from the area's northerly boundary where slopes range from 0-10% to slopes in excess of 30% along the southerly boundary. The landscape of the neighborhood is dominated with vegetation. Much of the flatter area is covered with chaparral and scrub oaks, while the steepest areas are comprised of dense stands of California live oak with scattered eucalyptus and other varieties of trees. These natural vegetation areas should be retained through clustering of lots. The residential single family area is generally located north of the proposed extension of South Bay Boulevard. Minimum lot size for this area would be one half acre.

Bayview Heights

Most of the existing single family residential uses are suburban residential in character. Minimum lot sizes in this area will ultimately range from one-half acre to one acre. The present rural atmosphere should be maintained. Access to newly created parcels has been the primary concern in the area. The pattern of rights-of-way dedication has not been consistent; similarly, the lot pattern has not been consistent.

Guesta Area

The Cuesta area lies north of Los Osos Valley Road and contains approximately 369 acres. Almost 30% of the area is subdivided into 3,000 to 4,000 square foot lots, another 16% is in parcels of approximately one acre, and the remainder of the area is essentially unsubdivided but planned for development under an approved development plan. Uses are almost entirely individual single family lots with the exception of Morro Shores Mobile Home Park. The approved Morro Palisades Development Plan envisions a mixture of both single and multiple family uses as well as recreational and commercial uses in the southern portion of the planning area along Los Osos Valley Road.

Parcel sizes of slightly more than one acre are predominant in the Martin Tract area situated north of Los Osos Valley Road between Pecho Road and Broderick Avenue. The plan recommends lots ranging from 10,000 to 20,000 square feet. Provision of an adequate circulation pattern in this area is essential.

Upland

This neighborhood is located just south of the Cuesta area and west of the Village area. It is the smallest neighborhood in land area with 210 acres but one of the larger in population. Lot sizes range from 5,000 to 10,000 square feet and are almost entirely developed. Views of the bay are enhanced by the terrace layout of the lot pattern.

Sunset

This neighborhood lies along the westerly perimeter of the planning area and is comprised of 219 acres. Much of the area is relatively undeveloped. Existing uses are chiefly single family residential with some multiple family adjacent to the privately owned 9-hole golf course.

Among the chief concerns in the area are tideland and marshlands along the neighborhood's northerly boundary and Kangaroo rat habitat on the west. In addition, significant stands of eucalyptus cover approximately 35 acres in the middle of the area. Development plans for these areas should incorporate protection of sensitive features through clustering of uses.

F. Residential Multi-Family

Recent high population growth rates are attributed in large part to less expensive housing costs due to single family building site availability. As this availability diminishes, the demand for multiple family units may increase. Only 25 acres are presently in multiple family residential use and is concentrated in areas identified for continuation in the same use. This plan provides for expansion of this use, but high development densities should be avoided to help protect water quality in the underlying groundwater basin. Smaller properties are restricted to low intensity multiple family residential use because of lack of

space for adequate septic systems. Densities could be increased if the community is eventually sewered. Proposed multiple family residential uses are designated in the following areas:

Los Osos Village

This area lies adjacent to the central commercial or office and professional areas. In the areas with substandard lots, aggregation should be encouraged to produce adequate building sites and allow for separation buffering from adjacent areas. The areas east of Vista del Morro provide larger building sites where clustering of units can produce on-site open space.

The long-range development plan covering the area between Ramona Avenue and Los Osos Valley Road indicates a mixture of single and multiple family residential uses, each clustered around a common area. Multiple family areas are located north of the neighborhood commercial areas and community park. The development plan proposes a park to serve the area, as well as a system of pedestrian and bicycle links between and within clusters of development.

El Moro

This area lies adjacent to the neighborhood commercial area along Santa Ysabel and east of Second Street. Much of this development will be in duplexes interspersed with single family residences, similar to the existing pattern. Whenever possible, substandard lots in the El Moro area should be aggregated to provide adequate building sites and to permit screening and avoid rows of garages and parking areas.

G. Office and Professional

Office and professional uses are presently scattered throughout the community but are mostly located in the downtown commercial center. Four areas are identified for concentration of these uses. The first is immediately north and east of the central business area which will serve as a buffer between retail commercial and multiple family residential uses. The second is immediately west of the community park, adjacent to the proposed neighborhood commercial area at the intersection of Los Osos Valley Road and Ravenna Avenue extension.

A third node of Office and Professional uses is provided along El Moro Avenue as an extension of the Baywood commercial center. A fourth area identifies the existing Baywood Community Building, however, use is limited to the existing types of community services.

H. Commercial Retail

Commercial land uses will become increasingly important as community growth occurs. Existing commercial uses occupy about 17 acres of land throughout the community. The plan proposes 60 acres for retail commercial uses with additional allowance for small neighborhood shopping centers.

Los Osos Village

General commercial uses are concentrated in the downtown or village area of Los Osos. Commercial development in the village has proceeded at a slow pace over the years. The village has good existing and potential circulation characteristics, served by Los Osos Valley Road, Ninth Street and South Bay Boulevard. An internal loop system may be developed around the central Village area using Santa Ynez Avenue, Los Olivos Avenue and Vista Del Morro Drive.

While larger commercial establishments such as supermarkets, financial institutions, department stores and theaters are important components, smaller scale uses such as specialty shops, eating places and shops offering personal services certainly complement the area. Building design and landscaping should be oriented toward a plaza-like, people-oriented center.

Baywood Village

Existing uses in the Baywood Village are characteristic of the kinds of uses appropriate as neighborhood commercial. These uses presently occupy about three acres; the plan proposes about 12 acres. The natural and scenic attributes of the make it particularly suitable not only for convenience shopping needs of nearby residents, but also for tourist-oriented needs including specialty shops, restaurants and motels or hotels. Lots are almost exclusively 25 by 125 feet in size and pose constraints to development flexibility. Complementary to the character of the area, a neighborhood park is recommended to be linked with the commercial district.

The absence of large ownerships will likely cause piecemeal and small-scale development to occur. While this may be somewhat in keeping with the neighborhood concept, it also creates circulation and parking difficulties. A program to assure orderly and attractive development of Baywood Village should include adequate parking and a unifying design theme.

I. Commercial Service

Service commercial and light industrial uses are presently scattered throughout the commercial areas. These uses should be concentrated into an area of approximately 22 acres immediately northeast of the Los Osos retail commercial area.

Care must be taken to provide for more intensive traffic including supply and service

~~trucks that frequent service commercial areas. On-site parking and loading facilities must be used to expedite traffic flow. Uses should be limited to the more essential community commercial services and uses which do not require large sites. For example, large new or used car and mobilehome sales lots, vehicle and freight terminals, and major warehousing and storage facilities would be inappropriate to the coastal community character.~~

~~J. Public Facilities~~

~~Only those public services and facilities that have a direct effect on land use and are publicly managed are considered. The public facilities needed for Los Osos are based on policies by many public agencies. Standards for these facilities may be found in Chapter 3, Public Facilities, Services and Resources. The public facilities proposed for Los Osos are noted on the Combining Designations map for Los Osos at the end of Chapter 7.~~

~~Governmental Center~~

~~Government facilities should be incorporated into a complex with such features as a community hall, library, sheriff's substation, human services center, and similar service-oriented operations. Consideration should be given to locating the complex together with the new library site adjacent to the community park.~~

~~Schools~~

~~Existing schools are Monarch Grove Elementary School north of Los Osos Valley Road, Baywood Elementary on Ninth Street in Baywood Park, and Los Osos Junior High School on the east side of South Bay Boulevard.~~

~~The general location of one additional elementary school site is indicated symbolically in the area north of Buckskin Drive in the creekside area. The site will be needed as the community approaches its maximum size under this plan. A high school site, if needed in the future, would be favored south of the junior high school.~~

~~VI Programs~~

~~C. Land Use, Los Osos~~

~~1. Interim Resource Management. The following procedures should be initiated:~~

~~a. The Planning Department, in cooperation with the local purveyors of water and the county Public Works Department, is to provide the Board of Supervisors and Planning Commission with a semi-annual report on water usage and development activity in the Los Osos area. This shall include reevaluation of estimated agricultural water use and project urban growth. Development applications are to be categorized by coastal priority and non-priority uses.~~

b. The Board of Supervisors, after receiving a recommendation from the Planning Commission, is to make findings as to whether development of priority uses will be affected by any proposed development.

c. If the Board finds that proposed development will result in water demand approaching 1800 acre-feet per year for the Los Osos Basin or that proposed coastal priority uses will be affected by water restrictions, then all development applications are to be elevated to Development Plan review with preference given to priority uses.

Commercial Retail

2. CBD Plan. The Board of Supervisors should appoint advisory groups from chamber of commerce, commercial property owners and tenants for local guidance in the improvement, design, and development of the Los Osos and Baywood Village areas. The advisory group and the county Planning Department should work toward preparation of village plans to define design objectives and development standards for siting structures, exterior building materials, signing, landscaping, parking, lighting, and street furniture. The CBD plans should also provide for include the following features:

a. Pedestrian access within the villages and connections with adjacent residential and recreation areas.

b. Undergrounding of utilities along Los Osos Valley Road in Los Osos Village, and along 2nd Street between Santa Ysabel Avenue and El Moro Avenue in Baywood Village.

c. Establishment of assessment districts to provide for common parking areas, landscaping, and other features as identified in the development of the plans.

Residential Multi-Family

3. Multi-Family Housing. Strong consideration should be given during the update of this area plan to including additional land in the Residential Multi-Family land use category in order to increase opportunities for multi-family, rental and affordable housing. In particular, consideration should be given to making the following land use category changes as shown in Figure 4-6. [Amended 1991, Ord. 2443]:

a. Change 9.3 acres from Office and Professional to Residential Multi-Family on the east side of Fairchild Way south of Santa Ynez Avenue and on the north side of Santa Ynez Avenue east and west of Fairchild Way. [Amended 1991, Ord. 2443]

~~b. Change 3.1 acres from Commercial Service to Office and Professional on the west side of Fairchild Way south of Santa Ynez Avenue. [Amended 1991, Ord. 2443]~~

Residential Single Family

~~4. Circulation System Design—El Moro. The county Planning and Public Works Departments should work with the community to conduct a special study in El Moro to improve circulation and neighborhood character, including the following:~~

~~a. Develop a street design to utilize the 80 foot rights-of-way more effectively and provide for storm drainage runoff, pedestrian and bikeway access, and street tree planting and maintenance. Standard curb and gutter treatment should be avoided for much of the area.~~

~~b. Establish pedestrian and bicycle links interconnecting residential areas, schools, and recreation areas.~~

~~c. Work with property owners and LAFCo to initiate formation of special assessment districts to carry out programs.~~

~~d. Initiate a program for undergrounding of utilities for the area north of Santa Ysabel and west of 2nd Street. Evaluate other visual areas for future undergrounding.~~

Residential Suburban

~~5. Circulation System Design. The county should encourage extension of stub streets where necessary for access to developing parcels and for eventual linkage to form loop patterns.~~

~~6. Habitat Protection—Sunset Area. The state Department of Fish and Game should continue to study the need and feasibility for public acquisition of significant habitat areas in the Sunset Area (Figure 4-4)~~

F. County Parks, Los Osos and Vicinity

~~1. Boat Launching Ramp. The county should work with the community toward acquisition and development of a site for a small boat launching ramp at Cuesta by the Sea.~~

~~2. Parksite Reservation—Bayshore. The county should work with the community to identify and reserve a community park site for passive recreation along the south shore of Morro Bay.~~

~~3. Parksite Reservation — Los Osos The county should work with the community to develop neighborhood park facilities near Baywood Elementary School, Los Osos Junior High School and Baywood peninsula.~~

CHAPTER 5 CIRCULATION

I. Introduction

Land use and transportation planning support each other and need to be closely linked. The planned circulation system--roads, pedestrian routes, bikeways, and other means of transportation--needs to take into account the planned amount and location of future development. At the same time, planning for future development must consider transportation needs and capacities. Accordingly, this plan describes existing and proposed major transportation routes and public facilities that are closely coordinated with land use.

This chapter implements the goals, objectives and policies of the Circulation Element in Coastal Framework for Planning. That element, together with this chapter, constitutes the circulation element for the Estero Planning Area. This chapter includes information and provisions from the following sources:

- ~~• The Los Osos Circulation Study, first adopted by the Board of Supervisors in 1994 (updated annually)~~
- The 2001 Regional Transportation Plan, (RTP) adopted by the San Luis Obispo Council of Governments
- The County Bikeways Plan, adopted by the Board of Supervisors in 1994, and subsequently amended.
- The County Trails Plan, adopted by the Board of Supervisors in 1991
- The proposed Parks and Recreation Element of the county General Plan
- The revised Draft Environmental Impact Report for the Estero Area Plan Update, 2003

II. COUNTYWIDE CIRCULATION GOALS

No changes to this section

III ESTERO CIRCULATION GOALS

A. Cayucos and Rural Areas

1. Plan transportation system improvements to provide for, but not exceed, the demand of visitors and permanent residents in the year 2030. These improvements should be consistent with the land use patterns allowed by both the land use element and the cities' general plans, so that growth is not facilitated or induced in inappropriate amounts or locations.
2. Establish an efficient circulation system and pattern of land uses that minimize the number of automobile trips.
3. Encourage alternatives to single-occupant automobile travel, such as pedestrian and bicycle travel, transit, carpooling, and tele-commuting.

IV ESTERO CIRCULATION POLICIES

No changes to this section

V. CIRCULATION ISSUES

Los Osos

The following circulation deficiencies exist:

1. ~~Los Osos Valley Road between 9th Street and Pine Avenue. Existing capacity deficiencies exist along this segment of Los Osos Valley Road.~~
2. ~~Ramona Avenue. Roadway alignments and intersections at 4th and 9th Streets are no longer efficient for the traffic volume.~~
3. ~~Doris Avenue between Rosina Drive and South Court. The unimproved segment of this road prevents a direct connection between the residential area of Cuesta by the Sea and Monarch Grove Elementary School. A project to complete this connection is being planned.~~

~~Other deficiencies and perceived problems have been identified by the community, but they cannot be measured against an engineering standard. Instead, they are based on people's perceptions, which affect how people make their transportation choices. Those deficiencies may also need to be addressed, and include the following:~~

4. ~~Los Osos Valley Road, Los Osos Creek to 9th Street. Traffic moves too fast, the street is too wide for pedestrians to cross safely, and the wide street disrupts the character of the community.~~
5. ~~Traffic Speed. Traffic routinely exceeds posted speed limits on many streets, such as Santa Ysabel Avenue, South Bay Boulevard, Los Osos Valley Road, Bayview Heights Drive, and Rodman Drive. The best solution may be a greater emphasis on enforcement of traffic speed laws.~~
6. ~~Unpaved roads. Many unpaved roads cause inefficient traffic patterns, create excessive dust and discourage pedestrian and bicycle travel.~~
7. ~~Pedestrian and Bicycle Facilities. Pedestrian and bicycle travel are discouraged by many factors, but the primary one is a lack of an adequate and convenient system of pedestrian and bicycle facilities that connect residential areas, schools and commercial areas. Class I bikeways should be developed, or Class II bikeways need to be located on streets with minimal traffic in order to encourage bicycle use by school-age children, commuters, shoppers, senior citizens, and others.~~

~~8. Regional Transit Service. Ridership on buses is low for many reasons. They include infrequent service and other service deficiencies, poor access to bus stops, lack of sheltered bus stops, a poorly located park and ride lot, and a lack of incentives to use transit. Since over 75 percent of workers living in Los Osos and Cayucos commute to jobs in other communities, providing a high level of transit service is an important need.~~

VI. CIRCULATION IMPROVEMENTS

~~a. Los Osos~~

~~Ravenna Avenue.~~

VII. OTHER TRANSPORTATION FACILITIES

No changes to this section

VIII. OTHER STRATEGIES TO REDUCE AUTO DEPENDENCY

No changes to this section

IX. CIRCULATION PROGRAMS

~~D. Los Osos~~

Trails

~~1. Trails. The county should work with the community and affected property owners to develop a riding and hiking trails program with major emphasis on a trail route across the Los Osos hillsides to Montaña de Oro State Park and scenic routes within and on the fringe of the community linking public recreation areas.~~

Coastal Access

2. ~~Beach Access.~~ The county should retain all present public street accesses to the bayfront.
3. ~~Prescriptive Rights Study.~~ The county should request the Attorney General to complete a study of public prescriptive rights in the Cuesta Inlet area.
4. ~~Street End Improvement—El Morro.~~ The county should accept the implied offers to dedicate on 3rd–10th Streets between Santa Ysabel and the bayfront. These street ends should be improved as cul-de-sacs for vista points.
5. ~~Street End Improvement—Tract 40.~~ The county should accept the implied offers to dedicate public access (within the right of way of the paper street) at First Street, Bay Street, and the ten-foot easement between Block 3 & 4, Lot II and I.
6. ~~Street End Improvements—Cuesta by the Sea.~~ The county should accept the implied offers to dedicate (within the right of way of the paper street) at Broderson, Pine, Fearn, Doris, Nancy Pecho, Sunny Hill Avenue and the causeway at the end of Mitchell Drive.
7. ~~Access Improvements—Santa Ysabel.~~ The county will complete the coastal conservancy access grant for public access improvements for Lot APN No. 38-692-12 and the extension of Santa Ysabel. The project will provide the following improvements approved in the grant: parking area, signs, trail, trash receptacles and railing for wetland protection.
8. ~~Public road abandonments that impact public access to the shoreline shall require a coastal development permit.~~

CHAPTER 6 ENVIRONMENTAL AND CULTURAL RESOURCES POLICIES AND PROGRAMS

I. INTRODUCTION

No changes proposed in this section

II. BIOLOGICAL AND GEOLOGICAL RESOURCES

No changes proposed in this section

III. COMBINING AND OTHER DESIGNATIONS

~~Cayucos and Vicinity~~

~~**12. Los Osos Dune Sands Habitat (SRA).** The southern shore of the Morro Bay estuary, extending to the southern slopes of the first range of the Irish Hills and to Los Osos Creek, is comprised of sandy soils—primarily “Baywood fine sands,” as identified by the Natural Resources~~

~~Conservation Service in the Soil Survey of San Luis Obispo County, Coastal Part (see Figure 6-3). These sands also underlie some areas outside of Los Osos, and occur in the city of Morro Bay. The areas underlain by these sands outside of Los Osos are included in the Sensitive Resource Area combining designation and are also an Environmentally Sensitive Habitat (Terrestrial Habitat).~~

~~These sands provide the soil characteristics that support globally rare habitat in a unique composition of the following biological communities, as described in detail in the Environmental Impact Report for the Estero Area Plan Update. The habitats of Los Osos have been disturbed from time to time for agriculture, silviculture and development. However, they usually recover quickly and result in high quality vegetative cover.~~

~~▲ Coastal foredune communities usually occur adjacent to open, sandy beaches and barren active dunes near the coast. They often integrate with dune scrub communities on more stabilized dunes away from the coast and in areas with well established dune hummocks. Coastal foredunes usually contain a low diversity of species, with plants that are tolerant of repeated burial by shifting sands and that usually have small and somewhat succulent leaves.~~

~~▲ Central dune scrub communities are generally located inland from the coastal foredune communities. They are primarily established on recent to ancient coastal sand dunes. Away from the coast, these communities typically integrate with chaparral, coast live oak woodland or coastal sage scrub communities. Central dune scrub generally contains a high diversity of species, with plants that are characterized by semi-woody shrubs. Coastal dune scrub habitat is one of the most endangered habitats in California (Morro Bay National Estuary Program, Comprehensive Conservation and Management Plan, 2000).~~

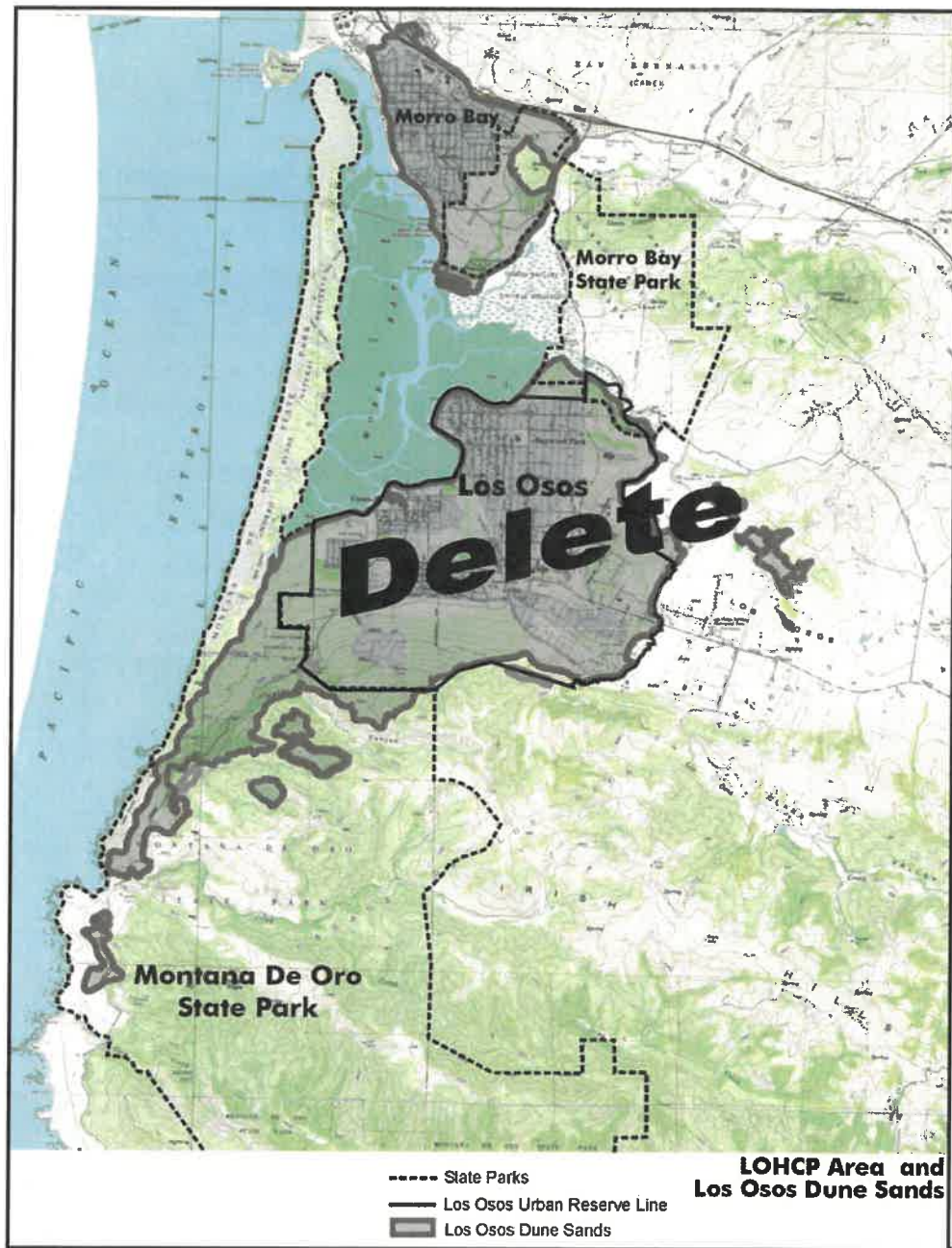
~~▲ Central (Lucian) sage scrub communities occur extensively in the Estero Planning area at low elevations on the coast and along steep slopes with shallow soil. They typically integrate with dune~~

scrub or maritime chaparral communities. The plants that occur in the central sage scrub communities are characteristically aromatic, low growing and drought-tolerant.

▲ Central maritime chaparral communities have a limited distribution in the Estero Planning Area and are most often established on well-drained, sandy substrates within the zone of summer fog incursion.

They tend to form a mosaic with central dune scrub, coastal scrub and coast live oak communities. Stiff, woody shrubs dominate in central maritime chaparral. Together, these communities support a diversity of native plant species and a number of rare, endangered or threatened species of plants and animals, including the Morro manzanita, Indian Knob mountainbalm, Morro shoulderband snail, and perhaps the last known population of the endangered Morro Bay kangaroo rat. Many species in these habitats are

found nowhere else in the world. In order to protect the Los Osos Dune Sands, planning area standards are included in Chapter 7 of this plan. The standards recognize that the most valuable habitat surrounds the more developed portion of Los Osos.



IV. AREAWIDE WATER QUALITY

A. Policies, ~~Cayucos and Rural~~ Areawide

V. MORRO BAY AND ITS WATERSHED

A. Policies, ~~Cayucos and Rural~~ Areawide

VI. Programs

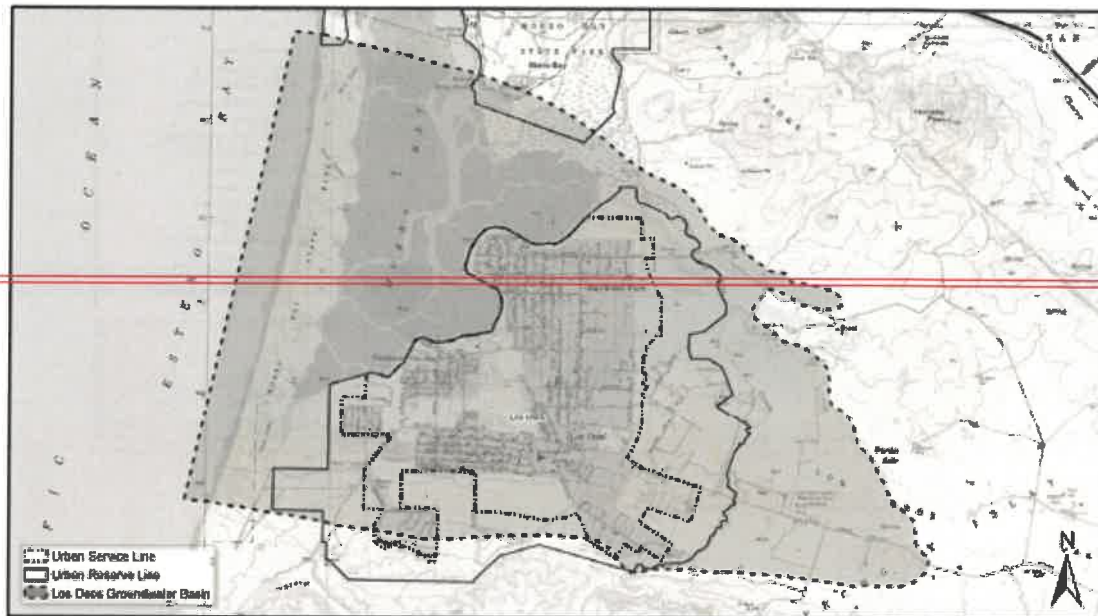
No changes proposed in this section

CHAPTER 7 PLANNING AREA STANDARDS

III. AREAWIDE STANDARDS, EXCLUDING LOS OSOS

~~I. Los Osos Groundwater Basin~~

~~New development using water from the Los Osos Groundwater Basin (see Figure 7-7) shall be required to offset water use within the Los Osos Groundwater Basin and shall not result in a net increase in water use.~~



~~Figure 7-7: Los Osos Groundwater Basin~~

VI. LOS OSOS URBAN AREA STANDARDS

The following provisions apply to all development within the Los Osos Urban Reserve Line, as shown in Figure 7-38, to the land use categories or specific areas listed, unless otherwise stated.

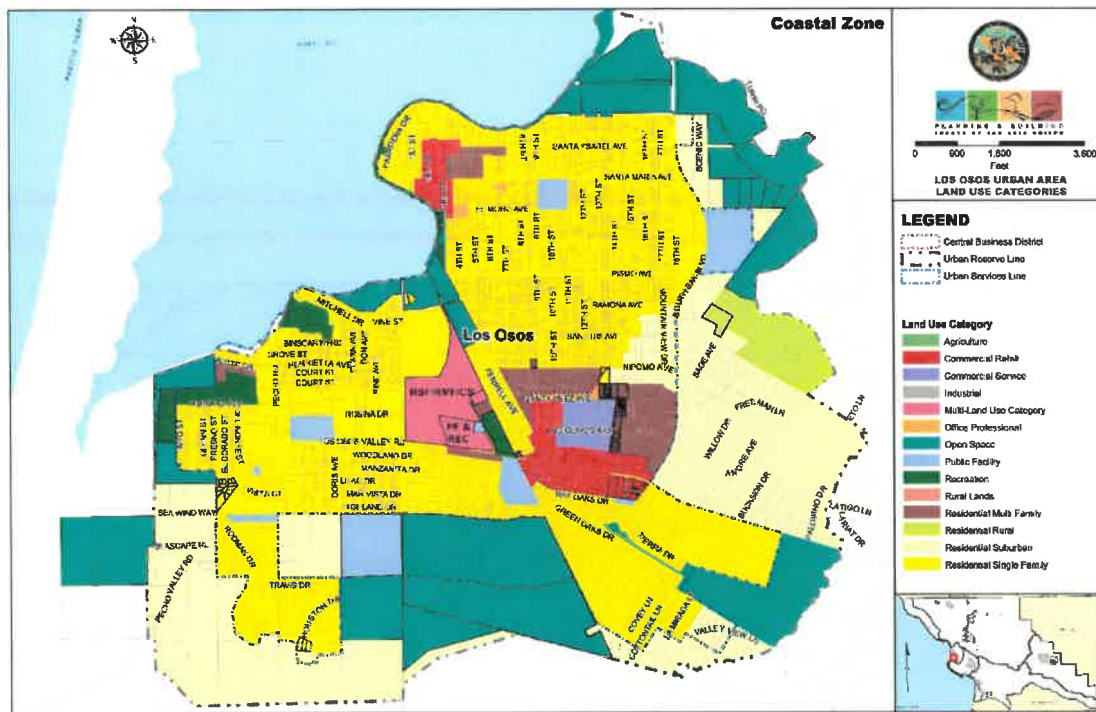


Figure 7-38: Los Osos Urban Area Land Use Categories

COMMUNITYWIDE STANDARDS

A. Water Supply

All development within the service area boundaries of public/community water supply systems (i.e., Los Osos Community Services District, Golden State Water Company, and S&T Mutual Water Company) shall connect to such systems, with private wells within such areas prohibited and only allowed outside of such service area boundaries. Development shall only be approved if it can be served by an identifiable, available, adequate, and long-term sustainable water supply, where this requirement shall be deemed satisfied only if the amount of water pumped from the Los Osos Groundwater Basin is at or below the sustainable yield as defined by the best available science. In no case shall the number of CDPs for new residential units exceed a rate of 1% of the total number of residential units in the community per year.

B. Wastewater Services

Development shall only be approved if it can be served by an identifiable, available, adequate, and long-term sustainable wastewater treatment system. All development within the Los Osos Water Recycling Facility service area shall connect to that system for wastewater services, and all private septic/wastewater systems shall meet all applicable State and Federal water quality requirements and do not adversely impact coastal resources.

C. Habitat Resources

Areas within Los Osos are underlain by Baywood fine sand soils, and as such, could potentially contain habitat supporting protected plant or animal life. The Los Osos Habitat Conservation Plan (LOHCP)

addresses conservation of such habitat with a holistic approach that balances conserving contiguous land with greater habitat value (as described in the LOHCP) while allowing development in the urban area, subject to mitigation of habitat impacts by contributing to the conservation and improvement of greater habitat value areas within the Priority Conservation Area. To ensure that this holistic approach to address potential habitat is implemented and enforced, development in Los Osos shall participate in the LOHCP and comply with all applicable provisions of the County's community-wide Incidental Take Permit for Los Osos. Development that includes disturbance within the LOHCP Area mapped on Figure 7-39 is defined as any activity that disturbs and/or removes soils or vegetation in that area, and shall only be approved if it is mitigated as described below. The disturbance envelope for purposes of compensatory mitigation includes the area of habitat that is temporarily impacted as a result of construction activities including access and staging, and is restored following completion of the project, as well as the area of permanent habitat impacts, but excluding disturbance within/on any existing legally permitted structures and hardscape.

Development shall only be approved if a fee is paid prior to development occurring to the County (or other appropriate conservation entity approved by the County) to fund land acquisition and restoration projects within the Priority Conservation Areas shown in Figure 7-39. The fee shall be at least \$52,234 per disturbed acre (i.e., \$1.20 per disturbed square foot) or the fee authorized by the adaptive management provisions of the HCP, whichever is greater.

Development located within the LOHCP Priority Conservation Areas as shown on Figure 7-39 shall be consistent with the approved LOHCP or shall be limited to uses dependent on the habitat therein (e.g., habitat restoration, scientific research, low-intensity public interpretive access, etc.), and shall be sited and designed to protect against significant disruption of habitat values. All other development shall be prohibited in the LOHCP Priority Conservation Areas, except for land divisions that are more protective of the habitats therein than the current lot configurations.

For purposes of appeal to the Coastal Commission, only development located within the Priority Conservation Areas is appealable for purposes of the sensitive coastal resource area criterion.

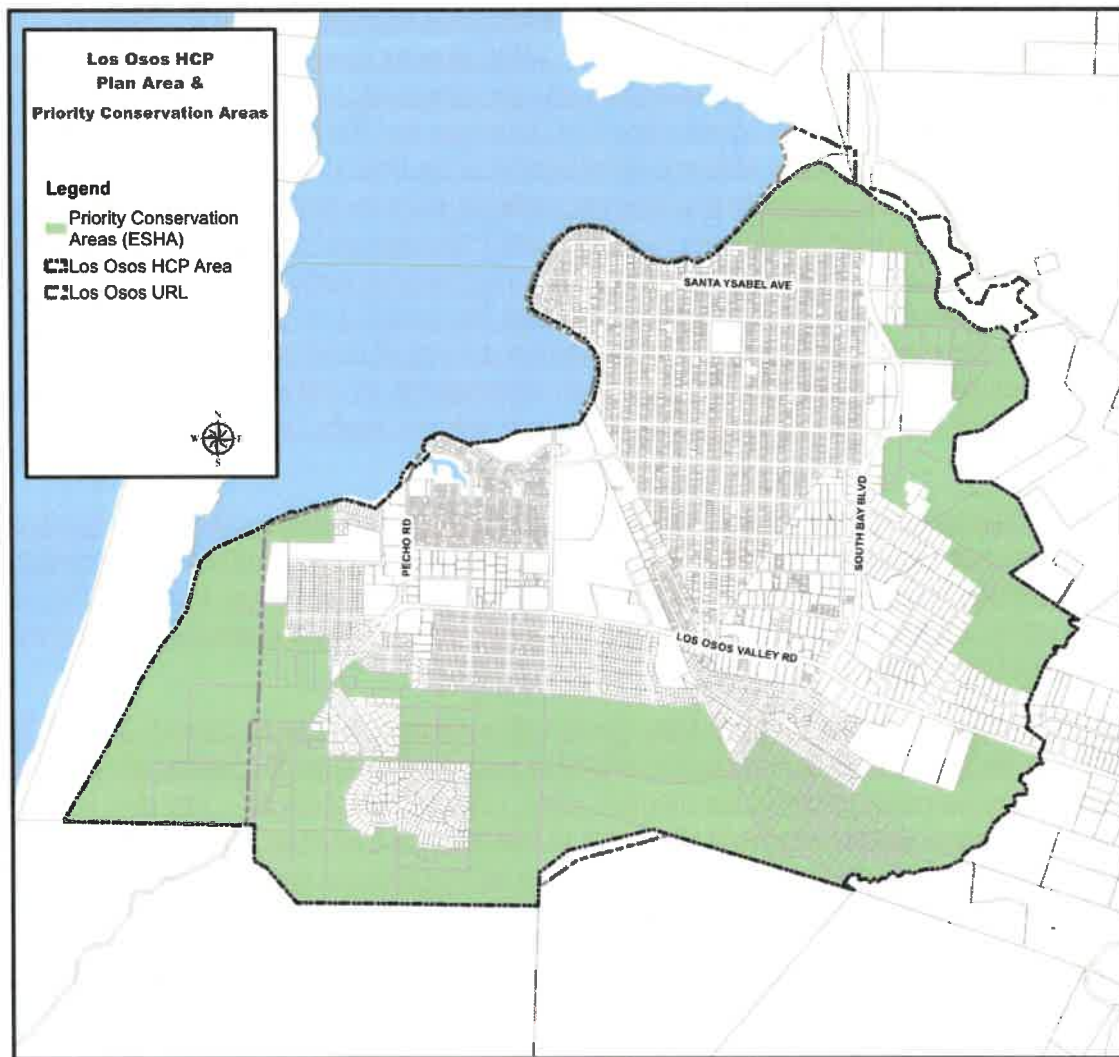


Figure 7-39: LOHCP Priority Conservation Areas (ESHA)

D. Public Views

Development shall only be approved if it ensures that public views are not significantly impacted, and if it does not adversely affect significant public views. In addition, the provisions of Coastal Zone Land Use Ordinance Section 23.04.210 shall apply to: (1) Pecho Valley Road between Rodman Drive and Montana de Oro State Park; (2) South Bay Boulevard; and (3) Los Osos Valley Road east of South Bay Boulevard.

E. Bayside Development

In addition to other LCP provisions that apply, development within 100 feet of the edge of Morro Bay shall meet the following requirements:

1. **Height.** All structures on sites that are bayward of the line shown on Figure 7-40 shall be limited to a maximum height of 14 feet, except where a greater height limit is noted on Figure 7-40. Exceptions to height limitations pursuant to Chapter 23.04 of the Coastal Zone Land Use

Ordinance shall not apply in this area, with the sole exception of solar panels which may extend up to an additional 2 feet.

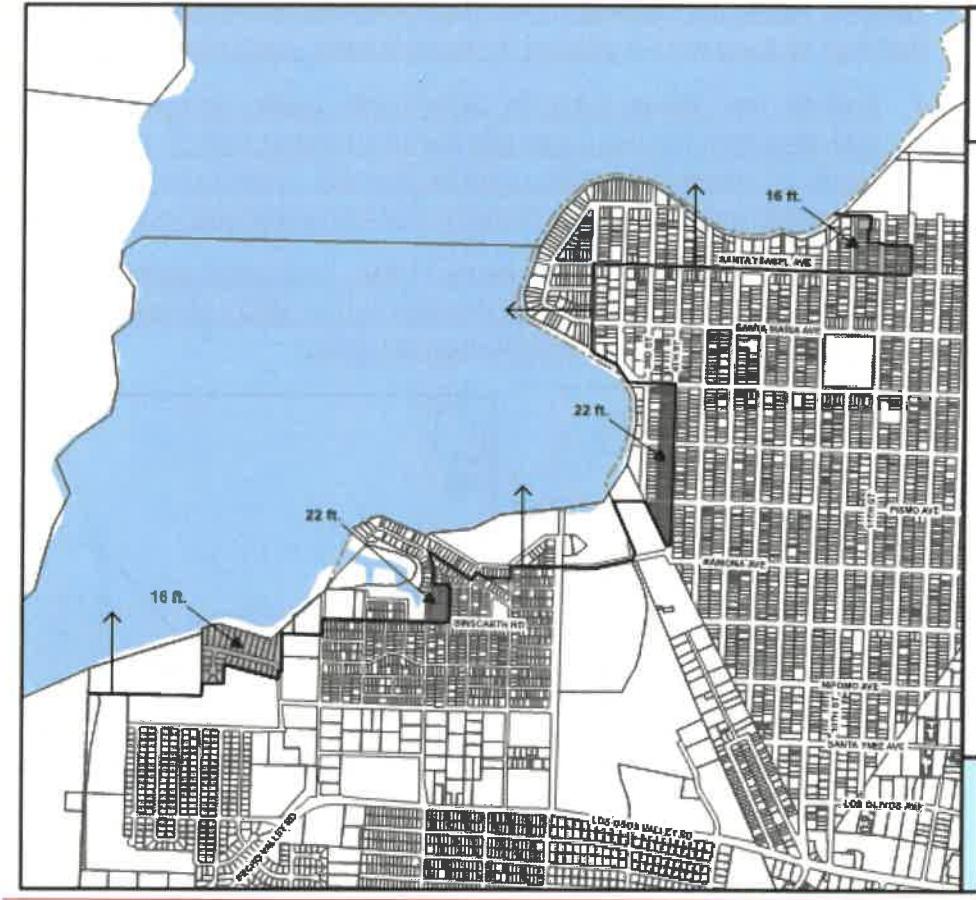


Figure 7-40: Los Osos Height Limits

2. **Soil/Vegetation Protection.** Hydrophytic and other sensitive vegetation shall be preserved as much as possible. Grading shall be minimized and limited to the building pad and driveway, road, and other required improvements.
3. **Fences.** Fences that would degrade public views towards the bay, or that would impede public access, or that would significantly interfere with native wildlife movement/migration, shall be prohibited.
4. **Retain Public Recreational Access.** Existing public recreational access areas and features shall be preserved, and shall be free to the public.
5. **Public Piers Only.** Private piers, docks, boardwalks or similar such structures in and/or adjacent to Morro Bay waters shall be prohibited. Existing such structures that were not legally established shall be removed, and legally established such structures are encouraged to be made public.

6. **Retain Public Parking.** Development that results in a net loss of public parking that serves public recreational access facilities and/or users shall be prohibited.
7. **Required Public Recreational Access Improvements.** Development in the following areas shall only be approved if it includes the improvements specified as follows:
 - a. **Tract 40 (see Figure 7-41).** An ambulatorily public recreational access easement, extending from the mean high tide line to a point at least 30 feet inland of the inland extent of wetland vegetation, shall be provided, where such area shall be protected, preserved, and enhanced for habitat and public recreational access purposes.
 - b. **Bayfront/Cuesta Inlet (see Figure 7-41).** Maximum public recreational access opportunities to and along the shoreline in this visitor-serving priority area shall be provided consistent with the protection of habitat.



Figure 7-41: Bayfront Access

8. **Wetland/Shoreline Protection.** The marshes and wetlands of the Morro Bay shoreline shall be protected and restored as a high priority nature-based adaptation strategy and coastal resource enhancement, including by all of the following means:
 - a. **Sediment Reuse.** Restoration projects shall facilitate the delivery of clean, dredged sediment for areas where existing wetlands are or may become sediment-limited due to sea level rise.
 - b. **Natural Shorelines.** Development required to protect existing structures in danger from erosion shall use “soft” (also referred to as “natural” and “living shoreline”) solutions if feasible (e.g., planting, dune restoration, sand nourishment, etc.), and “hard” shoreline protection (e.g., retaining walls, seawalls, riprap, etc.) shall be prohibited unless soft solutions are infeasible.
 - c. **Natural Flood Prevention Processes.** Flood hazard prevention and mitigation shall prioritize restoration of low-lying flood-prone areas and natural drainageways. Native plants and nature-based, “soft” stabilization shall be prioritized over methods that rely on concrete channelization or other “hard armoring” stabilization methods.

- d. Wetland Setbacks. Development shall be set back from the upland extent of wetland vegetation as shown in Table 7-1 and Figure 7-46 (see Morro Bay Shoreline (SRA) section in Combining Designation standards below). A biological survey performed consistent with Coastal Zone Land Use Ordinance Chapter 23.07 shall be used to determine the upland extent of wetland vegetation.
- e. Acreage Calculations. Net acreage, where all areas of wetland are excluded/subtracted from gross area calculations, shall apply to all area and/or density minimum/maximum calculations.

F. Advisory Council Referral

Applications for land divisions, general plan amendments, Minor Use Permits, and Development Plans shall be referred to the Los Osos Community Advisory Council or its successor for review and comment.

G. Fire Safety Clearance

All applications for new development shall receive fire clearance from the applicable fire protection agency.

H. Consistency with Circulation Element

All proposed public and private development and circulation improvements shall be consistent with the Circulation Element, Chapter 5 of the Los Osos Community Plan—including recommended roadway, pedestrian, intersection, traffic calming, bikeway, and other improvements, and the circulation policies found in Chapter 2, Section 2.5.4 of the Los Osos Community Plan, so long as it is otherwise LCP-compliant.

I. Light and Glare

At the time of application for any land division, land use permit or coastal development permit, the applicant shall provide details on any proposed exterior lighting, if applicable. Except as necessary to support agricultural operations, all lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark-colored.

J. Drainage

Los Osos Lowland Areas--Drainage Plan Requirement. In areas designated in Figure 7-42, all permit applications for grading, new structures or additions to the ground floor of existing structures shall require drainage plan approval pursuant to Chapter 5 of the Coastal Zone Land Use Ordinance. Development shall not cause adverse impacts to downstream properties, wetlands or the Morro Bay estuary from runoff, sedimentation, or pollution.

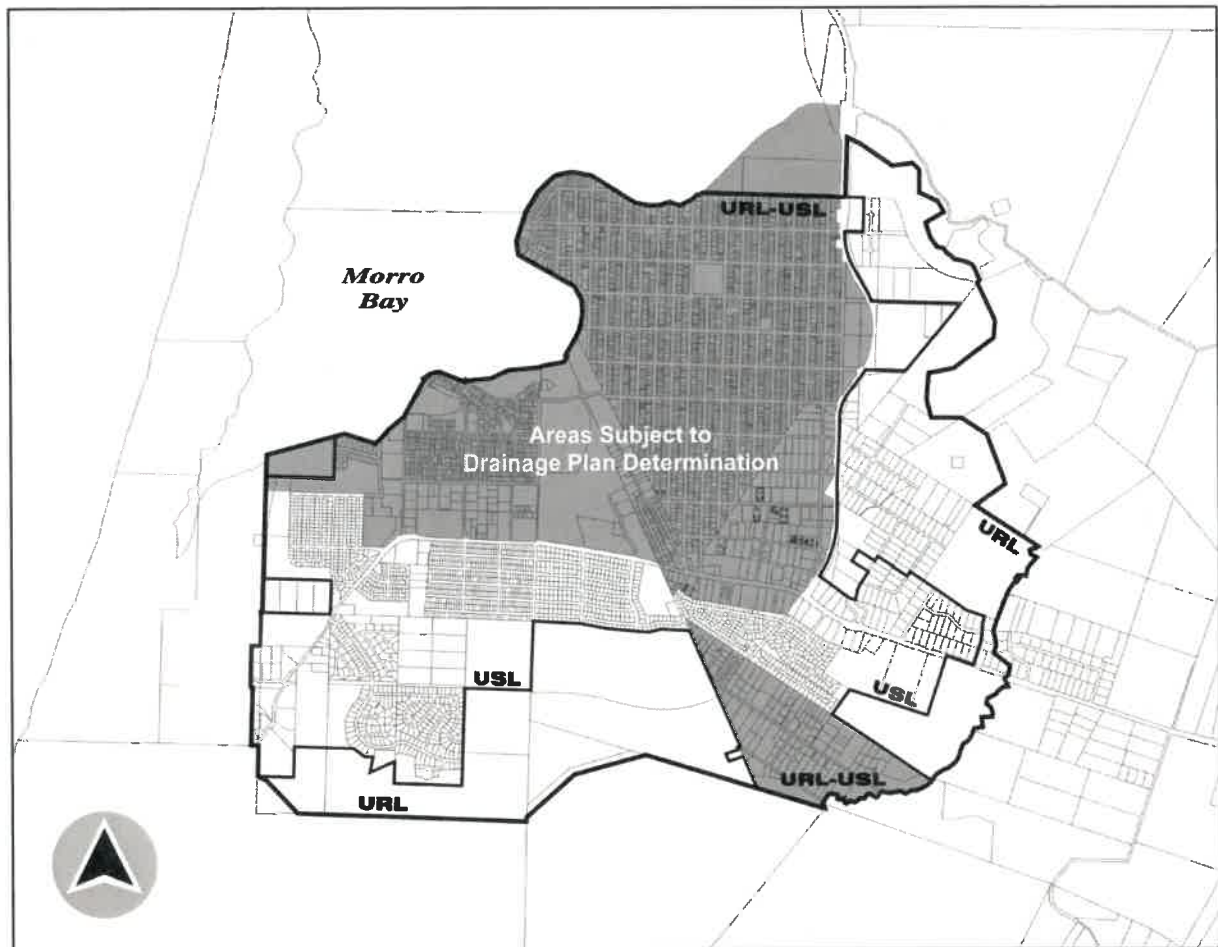


Figure 7-42: Los Osos Lowland Areas Drainage Plan Required

K. Tree Protection and Replacement

1. **Tree Protection.** Development shall be designed to protect and maintain stands of native trees, or tree stands that provide valuable habitat or scenic value to the maximum extent feasible, while allowing reasonable use of the property.

Tree protection plans are required for any construction activity that occurs within twenty feet of the drip line of a native tree.

2. **Native Tree Retention and Replacement.** Development shall: a) be designed to retain healthy Native trees where feasible, except where removal is appropriate for habitat restoration or enhancement or where removal cannot be avoided; b) provide for replacement of diseased or aging Native trees at a 2:1 ratio with Native tree species approved by the County that are

drought tolerant, appropriate to the climate, resistant to disease, and compatible with the character of the area.

3. **Construction Practices.** Construction practices to protect trees shall be implemented. These construction practices are to include a minimum:
 - a. **Protective Measures.** Practices to protect trees shall include but not be limited to: installing orange construction fencing around protected areas shown on the site plan; protecting tree trunks and other vegetation from construction equipment by wood fencing or other barriers or wrapping with heavy materials; disposing of waste, paints, solvents, etc. off-site by approved environmental standards and best practices; and using and storing equipment carefully.
 - b. **Stockpiling of Materials.** Materials, including debris and dirt, shall not be stockpiled within 15 feet of any tree, and shall be minimized under tree driplines. Stockpiled materials shall be removed frequently throughout construction. All stockpiled materials shall be removed before final inspection.
 - c. **Construction Practices.** Excavation work shall be planned to avoid root systems of all on-site trees and trees on abutting properties. Any trenching for utilities that may occur within the dripline of trees on the project site shall be hand dug to avoid the root system of the tree.

L. Streets and Circulation

1. **Curb, Gutter and Sidewalk Improvement Requirements.** Requirements and exemptions for installation of curb, gutter, and sidewalk improvements are specified in Section 23.05.106 of the Coastal Zone Land Use Ordinance (Title 23). Alternative walkways are encouraged in place of standard concrete sidewalks and may be approved by the Department of Public Works as an exception to the public improvement standards.
2. **South Bay Boulevard Extension.** New development and land divisions shall preserve, and where needed, include offers to dedicate a right-of-way easement of the South Bay Boulevard extension (see the Circulation map) for habitat conservation and potential trail uses only.
3. **Trees.** Planting of trees in the streetscape is required for all new land divisions and all construction of new dwellings and new non-residential development. Trees shall meet the following requirements; unless a streetscape-tree master plan has been approved by the County, in which case the requirements of that plan take precedence (see Figure 7-43):
 - a. **Size:** At least 15-gallon containers.
 - b. **Number:** An average of one tree per 25 feet of frontage. If that number is not feasible due to the following location requirements, the number of trees shall be the maximum that is consistent with those requirements.
 - c. **Location:** Outside of the street right-of-way and 10-15 feet behind the sidewalk or street (if no sidewalk); alternatively, within the street right-of-way where an encroachment

permit has been issued and establishes perpetual maintenance responsibilities. Trees may be grouped rather than equally spaced. Trees shall be planted at least 10 feet from driveways; 10 feet from streetlights; 10 feet from fire hydrants; and in locations that maintain appropriate sight distances and that do not interfere with underground or overhead utilities.

- d. **Characteristics:** Drought tolerant, appropriate to the climate, resistant to disease, compatible with the character of the area, consistent with the scale of the roadway, and of a size that will not impair major public view corridors to and along the coast.

4. **Public Street and Access Connections.** The following standards apply to land divisions, and Minor Use Permits and Development Plans for development of more than one dwelling unit.

- a. **Public Access.** Except where infeasible, dedicate and improve public right-of-way easements for vehicular, bicycle, pedestrian, and equestrian connections to surrounding areas where they: (1) provide efficient and convenient links to adjacent neighborhoods, nearby schools, nearby recreational areas, and other nearby activity centers; (2) are shown on the Circulation Element map; or (c) are needed for adequate emergency access.
- b. **Street Extensions.** Where feasible and where no adverse impacts to environmentally sensitive areas will occur, dedicate and improve public right-of-way easements for streets in order to provide access to adjacent parcels and create an interconnected circulation system.

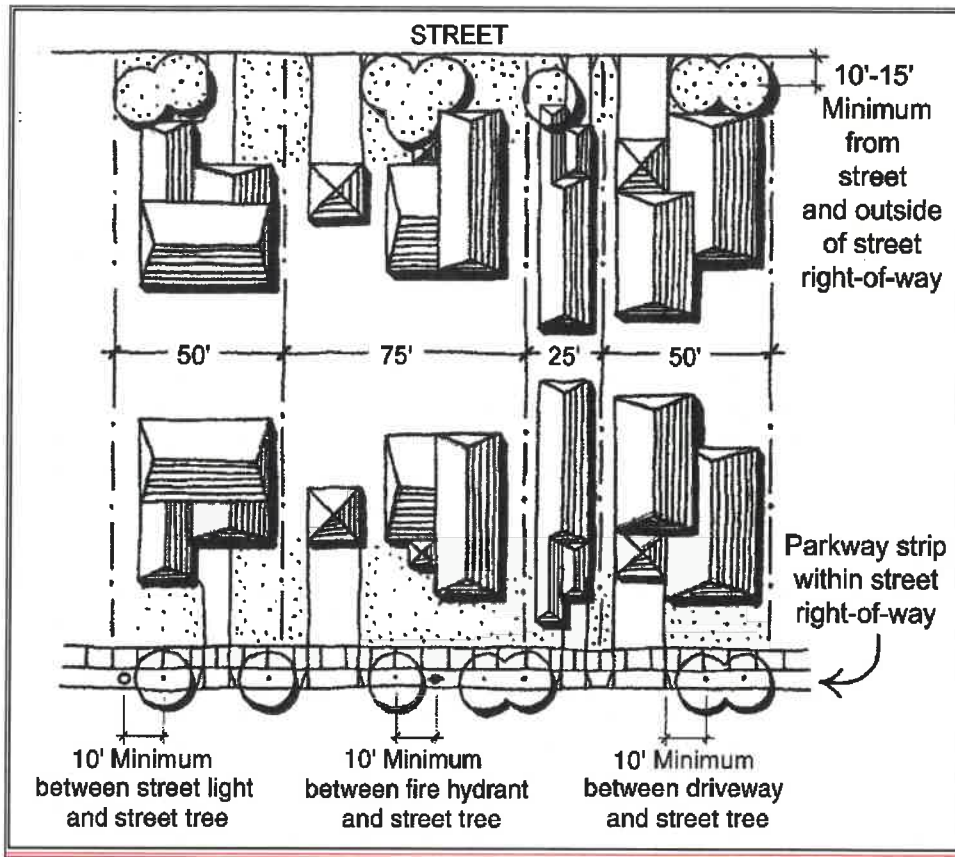


Figure 7-43: Street Tree Location

M. Residential Garage Size and Location

The following standards apply to land divisions, Minor Use Permits and Development Plans for new development that is located on lots less than one acre in area. The intent of the following standards is for garages to not dominate the structure as viewed from the fronting street (see Figure 7-44). Garages shall be located as follows:

1. On the rear portion of the site, or
2. On the front portion of the lot as follows:
 - a. The garage door shall not be directly visible from and face the fronting street (e.g., a side entrance garage), or
 - b. Where the garage door is directly visible from and faces the fronting street, its width shall not exceed 50 percent of the total width of the street-facing building facade. If the parcel width is too narrow to comply with this standard, the following alternatives may be approved by the review authority:
 - (1) Stacked or tandem parking, or

- (2) A garage setback of at least five feet from the front plane of the residential portion of the building (the individual garage bays may be staggered if there is at least a five-foot setback between the rear-most bay and the front plane of the residential portion of the building), or
- (3) If the preceding alternatives are not feasible, other design or decorative measures that accomplish the intent of this standard may be approved by the review authority.

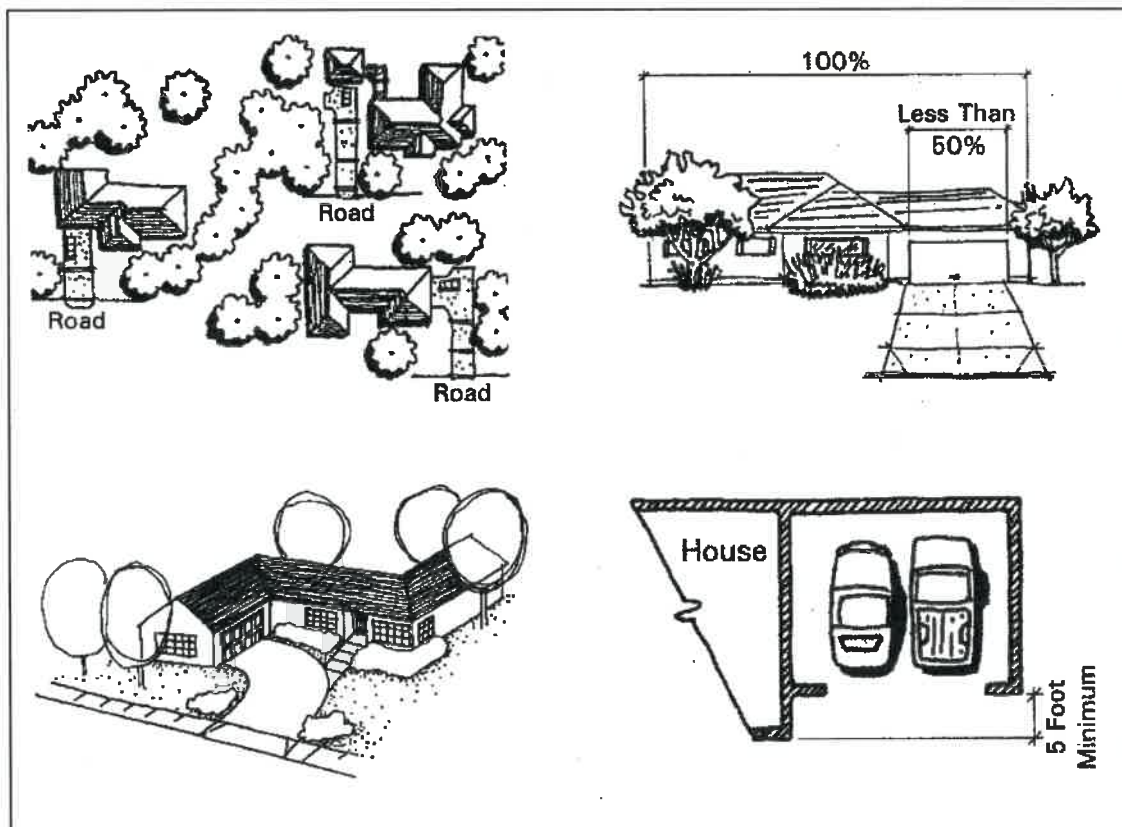


Figure 7-44: Residential Garage Size and Location

N. Historical Resources

1. **Historical Resources Evaluation.** Prior to issuance of permits for demolition or development, the County shall ensure that buildings or structures erected prior to 1970 on the subject parcel or any adjoining parcel are documented according to professional standards and their historical significance is evaluated. No permits shall be issued for any demolition, development, or other activity that would adversely affect the integrity of an officially designated Historic Landmark, historical buildings or structures eligible for the CRHR, or identified historical districts.

2. Secretary of Interior' Standards and Guidelines. Projects that that would adversely affect the integrity of an officially designated Historic Landmark, historical buildings or structures eligible for the CRHR, or identified historical district shall be designed to comply with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. The applicant shall retain a qualified professional architectural historian to conduct design review and ensure compliance with the Standards and Guidelines.

O. Paleontological Resources

1. Paleontological Surveys. If individual projects in areas of high paleontological sensitivity (i.e., the Pismo Formation; Figure 7-45) require grading, excavation, or trenching that would result in ground disturbance within previously undisturbed sediments, the following measures shall apply:
 - the applicant shall retain a qualified professional paleontologist to perform a pre-construction paleontological survey to visually inspect the ground surface for exposed fossils or traces thereof and to further evaluate geologic exposures for their potential to contain preserved fossil material at the subsurface.
 - The qualified Paleontologist shall have a Master's Degree or equivalent work experience in paleontology, shall have knowledge of the local geology and paleontology, and shall be familiar with paleontological procedures and techniques.
 - All fossil occurrences observed during the course of fieldwork shall be adequately documented and recorded during the survey. The data collected for each fossil occurrence shall include, at minimum, the following information: Universal Transverse Mercator (UTM) coordinates, approximate elevation, description of taxa, lithologic description, and stratigraphic context (if known). In addition, each locality shall be photographically documented with a digital camera.
 - The paleontologist shall assess the significance of any identified fossil resources, and all significant or potentially significant fossils shall be collected at the time they are observed in the field.
 - If the fossil discovery is too large to collect during the survey (e.g., a whale skeleton or bone bed) and requires a large-scale salvage effort, then it shall be documented immediately and the paleontologist shall consult with the County regarding a strategy for preservation or recovery.
2. Paleontological Monitoring. If a pre-construction survey identifies significant fossil resources, or if a qualified paleontologist determines the need for monitoring during construction, the following measures shall apply:
 - a qualified paleontologist shall observe excavation, grading, and/or trenching.
 - If a paleontological resource is discovered during monitoring, the paleontologist shall have the authority to temporarily divert the construction equipment around the find until

it is assessed for scientific significance and collected if appropriate. The paleontologist shall notify the County within 24 hours of any such discovery, and the location shall be protected from further impact until the significance evaluation and any necessary recovery is completed. Work may not resume without approval of the paleontologist and County.

- All significant fossils collected shall be prepared for curation in a properly equipped paleontology laboratory. Preparation shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary.
- Following laboratory work, all fossils specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to an accredited museum repository for permanent curation and storage.
- The paleontologist shall prepare a technical report describing the results of the paleontological mitigation efforts, including a summary of the field and laboratory methods, an overview of the project area geology and paleontology, a list of taxa recovered, an analysis of fossils recovered and their scientific significance, and recommendations. A copy of the report shall be submitted to the County and the designated museum repository. The cost of fossil recovery, analysis, and curation shall be the responsibility of the individual Project proponent.

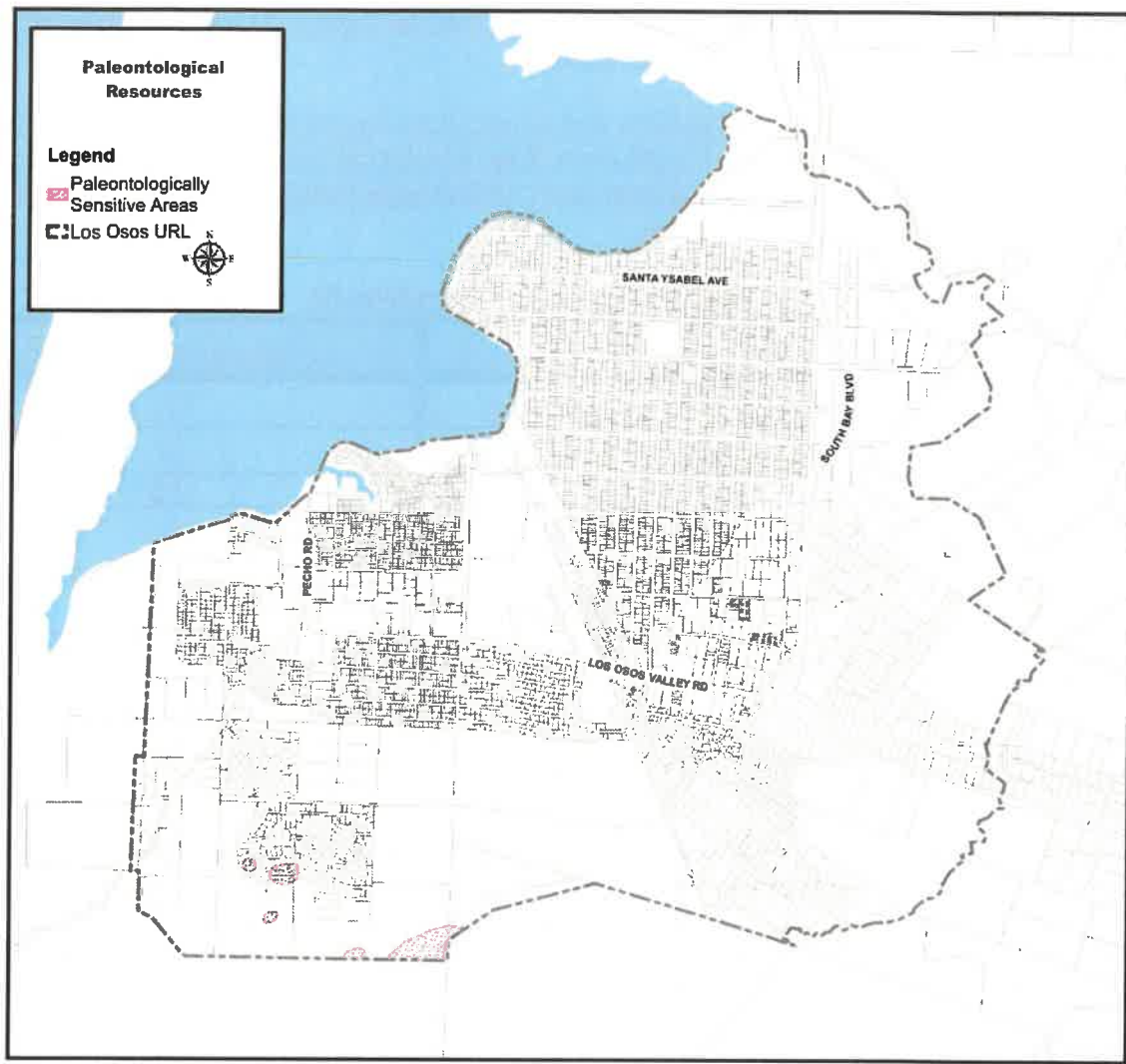


Figure 7-45: Paleontological Resources

COMBINING DESIGNATION STANDARDS

The following standards apply to lands in the Local Coastal Plan (LCP), combining designations, as listed below. If specific standards are not listed, the standards of Chapter 23.07 of the Coastal Zone Land Use Ordinance apply to the respective combining designations.

[Designation of properties in the Sensitive Resource combining designation does not in and of itself convey or imply any right of public use, access, trespass or violation of privacy. The same is true when the LUE/LCP identifies a need for open space preservation through easement, contract or other instrument.]

A. Morro Bay Shoreline (SRA)

1. Residential Density, New Land Divisions. Density shall be computed on the gross site area minus the portion that is identified as wetland.
2. Wetland Setbacks. New development shall be set back from the upland extent of wetland vegetation as shown in Table 7-1 and Figure 7-46. A biological survey performed consistent with Chapter 23.07 of the Coastal Zone Land Use Ordinance shall be used to determine the upland extent of wetland vegetation.

Table 7-1, Required Wetland Setbacks

LOCATION (See Figure 7-46)	MINIMUM SETBACK (FT.)¹
<u>West of Tract 316 (Butte Drive Residential Single Family)</u>	<u>100</u>
<u>Tract 316 (Butte Drive Residential Single Family category)</u>	<u>50</u>
<u>Butte Drive to Pecho Road</u>	<u>100</u>
<u>Pecho Road to Doris Avenue (south half of Cuesta inlet)</u> <u>Blocks 4 and 5 , Cuesta-by-the-Sea Tract)</u>	<u>75</u>
<u>North half of Cuesta inlet (blocks 13,14, and 35 Cuesta-by-the-Sea Tract)</u>	<u>50</u>
<u>Doris Avenue to Tract 40 near (1st street.)</u>	<u>75</u>
<u>Tract 40 (Along Pasadena Drive, Santa Lucia Ave.)</u>	<u>75</u> <u>(may be adjusted² but to no less than</u> <u>50 feet)</u>
<u>East of 3rd Street</u>	<u>50</u> <u>(may be adjusted² but no closer than</u> <u>25 feet from the mean high tide line)</u>
<u>1. The required setbacks are minimum distances as measured from the upland extent of wetland/riparian vegetation.</u> <u>2. Section 23.07.172 of the Coastal Zone Land Use Ordinance.</u>	

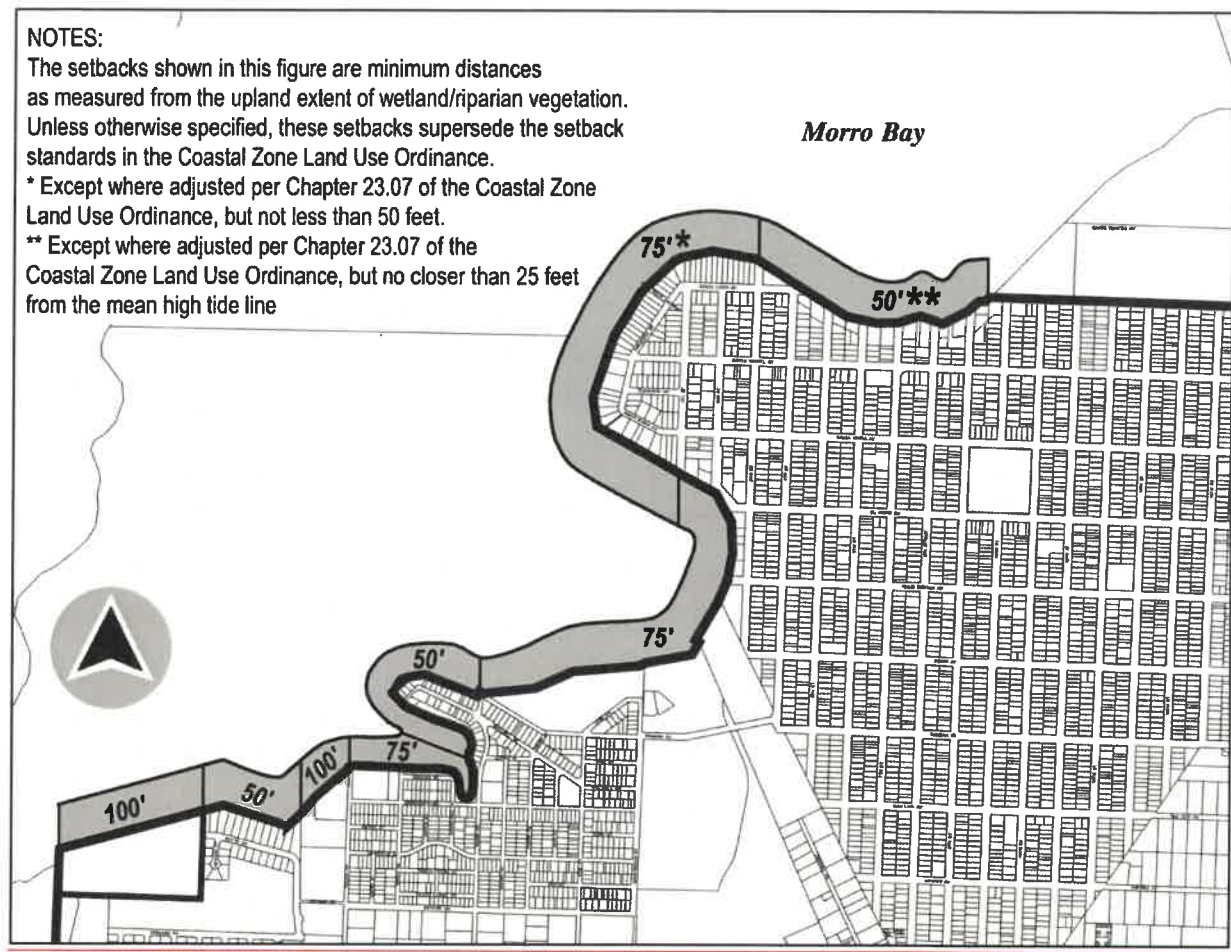
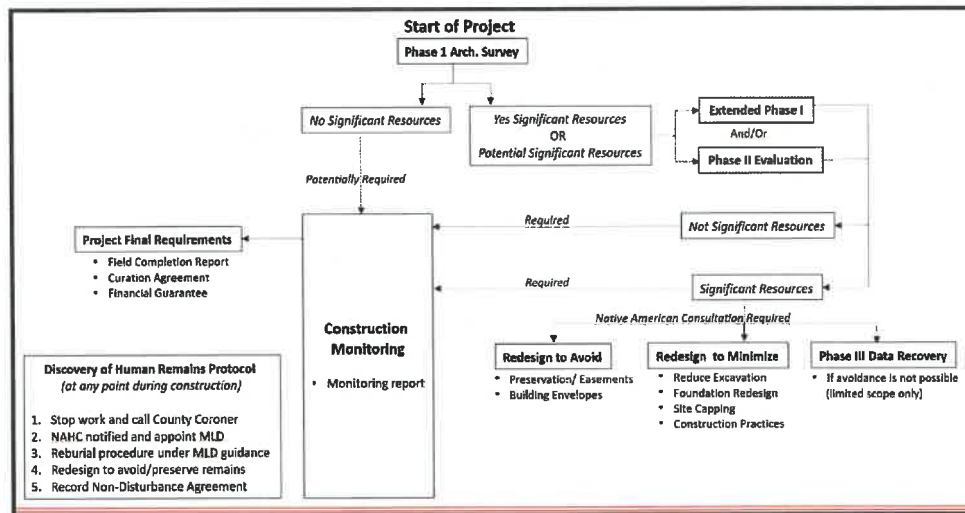


Figure 7-46: Wetland Setbacks

B. Archaeological Sensitive Areas

The Archaeological Sensitive Area (ASA) map in Los Osos has been revised to identify areas updated with highly sensitive cultural resources. The purpose of this updated map (Figure 7-47) and the application of the following procedures and requirements set forth in this section below is to streamline permit requirements for future developments and ensure the maintenance and protection of the County's archeological and tribal cultural resources in Los Osos.

1. **Applicability of Standards.** The standards set forth in this section apply to all uses requiring a land use permit or construction permit located within the mapped ASA areas inside the urban reserve line as shown in Figure 7-47.
2. **Permit and Processing Requirements.** The land use permit requirements established by Chapters 23.03 (Permit Requirements), and 23.08 (Special Uses) are modified to include additional requirements for the ASA combining designation as follows:



a. Initial Submittal: The type of land use permit application to be submitted is to be as required by Chapter 23.03 (Permit Requirements), Chapter 23.08 (Special Uses), or by Planning Area standards.

(1) Development proposed within the boundaries of a known archeological site shall require a Minor Use Permit/ Coastal Development Permit (MUP/CDP).

(2) If no land use permit is required, the following standards in this section are still applicable for a construction permit application.

b. Application Content: Land use and construction permit applications for projects within the ASA shall include the following Archeological Resource Assessment report(s) as applicable, and evidence of measures proposed to protect the sensitive resources as outlined in Subsection (1) in this section.

(1) Archaeological Resource Report. Written reports shall be prepared consistent with the report format requirements contained in the State Office of Historic Preservation Archaeological Resource Management Reports (ARMR): Recommended Contents and Format guidelines. A single report may incorporate more than one Phase where appropriate to minimize redundancy and expense. All reports shall be filed with appropriate State information center.

The report(s) shall be prepared, at the applicant's expense, by a qualified archaeologist, either from the County's list of archaeological consultants or by a member of the Register of Professional Archaeologists, meeting the Secretary of the Interior's Professional Qualification Standards, who is familiar with California Central Coast archaeology. The applicant shall also be responsible for paying for the costs of data recovery and curation of recovered materials, if applicable.

If the assessment determines that a proposed development may have significant effects on existing, known, or suspected archeological resources, a mitigation plan shall be prepared by a qualified archeologist. The purpose of the plan is to protect the resource and highest priority shall be given to avoiding disturbance of sensitive resources. The mitigation plan shall be submitted to and approved by the Environmental Coordinator and considered in the evaluation of the development.

Submittal of the listed report(s) below, to the Environmental Coordinator, is required prior to a land use permit application being deemed completed. These report(s) are also required at the time of construction permit application in order to determine the applicability and/or requirement for a MUP/CDP before continued processing of the construction permit.

(i) Phase I Archeological Resource Assessment (Required). All project applications shall include at minimum, a Phase 1 Archeological Resource Assessment which is a preliminary site survey and record search with Central Coast information Center (CCIC). The survey shall be conducted by a County-qualified archaeologist knowledgeable in local Native American culture. The County will provide pertinent project information to the Native American tribal groups.

1. If the site survey findings are negative, no further review is necessary. However, monitoring maybe required at the discretion of the County to ensure no impacts to potential resources during construction.

2. If the site survey reveals information indicating the presence or proximity to archeological resources or it is determined by the County there is a likelihood for the site to contain archeological resources, an Extended Phase I or Phase II Evaluation shall be required unless either of the following apply:

(a) There is substantial evidence (such as existing evaluations that adequately characterize the resource), absent the Phase II, that the project will have a significant impact on archaeological resources and those impacts cannot be avoided pursuant to Section C of this section, in which case a Phase III Data Recovery Plan may be prepared without a Phase II Evaluation; or

(b) The Phase I survey provided reasonable determination of the resource location(s) and all development is located to avoid impacts to those identified resources, in which case no further archaeological evaluation is necessary. Monitoring may still be required at the

discretion of the County to ensure no impacts to potential resources during construction.

- (ii) Phase II Evaluation of Archaeological Resources. A Phase II Evaluation shall be prepared with the goal of determining site extent and spatial variability (both vertical and horizontal), evaluating the site's significance pursuant to California Code of Regulations, Title 14, State CEQA Guidelines, 15064.5, and evaluating resource protection measures pursuant to Subsection C of this section, as applicable. A Phase II Evaluation may include test excavations when adequate data from previous reports are not available to assess a site's significance; however, prior to recovering any archaeological materials for testing and/or carbon dating, the archaeologist shall consider the appropriate disposition of materials in consultation with the Planning Director and the property owner.
1. If no significant archeological resources found, no further reports are necessary unless the Planning Director determines that there is substantial evidence in the record that significant resources may be affected by the project. Conditions recommended by the archaeologist and the Native American tribal groups through the consultation process shall be applied to the project as appropriate.
 2. If significant archeological resources are found, the Phase II Evaluation plan shall include consideration of the avoidance measures required in Subsection C.1. If significant resources cannot be avoided, a Phase III Data Recovery Plan will be required.
 3. The Planning Director reserves the right to decide, based on substantial evidence, that non-significant archaeological resources can be significant tribal cultural resources pursuant to PRC Section 21074. In making such a determination, the Planning Director shall consider input from, and the importance of the resource to, the Native American tribal groups.
- (iii) Phase III Data Recovery Plan. A Phase III Data Recovery Plan shall be prepared to evaluate a project's unavoidable impacts on significant archaeological resources and shall set forth the reasons, based on substantial evidence, why avoidance and impact minimization measures required in Subsection C are not feasible. Data recovery excavation shall not incur additional impacts to the archeological resources and if applicable, previous data collected for Phase II may be credited towards the overall sampling required. Impacts to an archeological site and significant resources shall not exceed 10% of the cultural site area on a project site in order to qualify for a typical proportional sampling mitigation in Phase III.

1. Report Guidelines. The plan shall incorporate results of Phase II study with detailed information considering proportional sample size related to the extent of impact, existing body of documentation and significance of the resource. The Phase III Plan shall include treatment of resources with cultural appropriate dignity taking into account the tribal cultural values and meanings, including but not limited to protection of the cultural character, integrity, traditional use and confidentiality of the resource.
 2. Content: A Data Recovery Plan shall include at minimum: dates of fieldwork and personnel qualifications, level and location(s) of excavation needed, laboratory processing and analysis protocol, detailed notes, photographs and drawings of all excavation and soil samples, curation and cost estimates.
 3. Timing: The Data Recovery Plan shall be submitted and approved by Environmental Coordinator before fieldwork can begin. All excavation and recovery activities shall require Native American monitoring. Curation or a financial guarantee for data analysis filing and curation must be demonstrated to the County before land use permit approval, or prior to final building inspection, to allow the project to move forward.
- (2) Monitoring Plan. A monitoring plan shall be submitted to the County prior to issuance of construction permit, prepared by a County-approved archaeologist, for review and approval by the Environmental Coordinator. The intent of this Plan is to outline monitoring guidelines and protocol for all earth-disturbing activities in areas identified as potentially sensitive for cultural resources. The monitoring plan shall include at a minimum:
- (i) List of personnel involved in the monitoring activities;
 - (ii) Inclusion of involvement of the Native American community and culturally affiliated Native American community, as appropriate;
 - (iii) Description of how the monitoring shall occur;
 - (iv) Description of frequency of monitoring (e.g., full-time, part time, spot checking);
 - (v) Description of what resources are expected to be encountered;
 - (vi) Description of circumstances that would result in the halting of work at the project site (e.g., What is considered "significant" archaeological resources?);
 - (vii) Description of procedures for halting work on the site and notification procedures;
 - (viii) Description of monitoring reporting procedures; and
 - (ix) Description of provisions defining education of the construction crew and establishing protocol for treating unanticipated findings. This training will include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources and sacred sites to the Native

- American community and culturally affiliated Native American community, and the laws protecting significant archaeological and historical sites.
- (x) The Native American monitor or a tribal representative should participate in the cultural sensitivity training for the project participants.
- c. **Environmental Determination:** Pursuant to CEQA Section 15183, projects complying with all standards set forth in this section will be consistent with the community plan certified EIR. Failure to meet all the standards will require additional environmental review necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.
- d. **Required Findings:** Any land use permit application within the ASA shall be approved only where the Review Authority can make one of the following required findings.
- (1) The site design and development incorporated adequate measures to fully avoid impacting archeological resources and ensure that archeological resources will be acceptably and adequately protected, or
- (2) The site design and development cannot be feasibly changed to avoid intrusion into or disturbance of archaeological resources. The project design and construction incorporated adequate site measures and methodology to minimize and mitigate impacts to identified archeological resources.
3. **Development Standards.** All new development shall be considered compliant with the community plan when they incorporate all site planning and design features necessary to demonstrate (in order of priority): avoidance of impacts to sensitive resources, minimization of impacts through careful siting, considerate design and construction practices if avoidance is not possible, and as a last resort, excavation and recovery of those resources as mitigation for unavoidable impacts.
-
- All development within ASA shall include the following minimum standards:
- a. **Resource Protection:** Impacts to significant archaeological resources and tribal cultural resources shall be avoided to the extent feasible. In all cases where significant archaeological resources or tribal cultural resources are identified, the following avoidance measures shall be considered:
- (1) **Avoidance/ Preservation in Place.** These protection measures include but not limited to, revising the project design or location to avoid the resources entirely. Avoidance means relocation of all development, including grading, utilities, foundations, drainage facilities, and major landscaping. Pools, basements, or any project feature requiring extensive excavation that would impact significant cultural resources is not allowed. No land division of a parcel containing archaeological resources shall be permitted unless all proposed building sites are located entirely outside of the archaeological site.

- (2) **Protection of Resources.** If full avoidance is not feasible, sensitive areas shall be placed under culturally appropriate protection and management criteria such as permanent conservation easements or other interests in real property. Public access and site disturbance work including habitat or site restoration and revegetation work shall be kept to a minimum. Other feasible methods of avoidance and protection of the resource shall be considered and approved by the Environmental Coordinator.
- (3) **Minimize Impacts to Significant Resources.** If full avoidance, preservation or protection in place is not feasible, project redesign may be required to reduce impacts to less than significant level. Project redesigns shall include and not limited to, any of the following:
- (4) **Reduce Excavation.** Moving foundation elements, designing spanning foundations, reducing proposed excavation volumes, and altering proposed utility lines and connection alignments.

(i) **Foundation Redesign.** Foundation design may need to be altered to minimize site disturbance. "Side-by-side" comparisons of disturbance and calculations of volume of cultural materials affected will be submitted to show the revised foundation design will result in the least disturbance. The approved redesign(s) shall be verified by the County prior to construction work.

(ii) **Site Capping.** Where project must encroach within the identified cultural resource(s), incorporation of fill shall be considered. Only sufficient fill shall be placed over the site so as to allow native soils to remain undisturbed (e.g. 18 inches for residential footings, 6-8 inches for driveway construction). Clean, sterile fill, consisting of a layer of other conspicuous material (e.g. fill of a noticeable different color and texture than native soil) shall be placed over the native soil prior to placement of any other clean fill material. Native soils shall not be disturbed or compacted (or compacted to the most limited extent necessary) within the cultural resource areas. The use of fill shall be the minimum necessary to protect the resource. Additional height (up to 24") shall be allowed as follows:

<u>Fill</u>	<u>Additional Height Allowed</u>
<u>12"</u>	<u>6"</u>
<u>18"</u>	<u>12"</u>
<u>24"</u>	<u>18"</u>

- (5) **Phase III Data Recovery Plan.** Where development is likely to adversely impact any important or unique archeological resources and it is not feasible to avoid or preserve resources, total and partial recovery through excavation may be considered the only feasible mitigation measure. A Data Recovery Plan shall be prepared per the guidelines set in Section 2b(iii) and submitted to the Environmental Coordinator for review and approval before work can continue.

b. **Construction Practices.** Projects with potential impacts to identified archeological resources shall include the following into the construction documentation submittal.

(1) **Project Limit Area.** Plans submitted shall clearly show a 'project limit area' established in a manner that avoids impacts to resources to the maximum extent possible, located on the least sensitive portion of the site, and safeguards the resources on site. The project limit area shall include all areas on and off site where ground disturbance will occur including access road grading, utility trenching or similar works related to the project.

(2) **Construction Methodology.** Specific construction methods may need to be employed that provide for maximum protection of resources. This may include and not limited to:

- (i) Grubbing shall be limited to the first six inches of top soil and compaction can be done with a heavy rubber tire machinery. Compaction should be done with care as not to rip into the soil with aggressive wheel turns.
- (ii) Trenching for utilities shall be limited so underground services are grouped as closely as possible, to minimize native ground excavations. Trenching work must be monitored.
- (iii) Smaller excavating equipment is preferred to allow for controlled monitored excavation. Excavations in identified sensitive areas shall be done in shallow increments as recommended by the archeologist. If significant cultural resources, such as human remains are present at a site, hand excavation may be warranted.
- (iv) Machineries should have rubberized, non-tracked wheels that will minimize disturbance of the native soils or a protective barrier such as metal sheets shall be used as a protective layer between the construction machinery and the native ground.
- (v) Clean, sterile fill of a noticeable distinct color than native soil can be placed over project. Depth of fill should be sufficient to prevent foundation elements from extending into native soil. Fill shall be placed from the outwardly portion of the site so machine tires will roll on placed fill instead of native ground.
- (vi) Alternative foundation design such as floating mat slab that will minimize excavations and compaction. Capping of significant resources is encouraged with placing of concrete slabs or flatwork.
- (vii) Graded native soils shall be monitored, screened as applicable and balanced on site, as much as possible. Exporting of dirt is discouraged and off-site location for hauled materials shall be disclosed in a County-approved monitoring plan.

If applicable, stockpiled materials waiting to be screened shall be covered in a secure manner including protection from rain, wind, and erosion.

(viii) If inadvertent discovery is found on site, a minimum 25-foot buffer around the find shall be installed. Work in other areas may proceed after getting approval from the County.

- (3) **Construction Monitoring.** During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and culturally affiliated Native American Representative to monitor all earth disturbing activities including offsite grading /trenching work for access and utilities per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity of the resource (precise area to be determined by the archaeologist and the Native American Monitor in the field) until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

The archaeologist shall verify implementation of the Monitoring Plan during any ground disturbing activities. A final report on compliance shall be submitted by the archaeologist prior to final inspection.

- (4) **Changes to Design.** If significant archaeological resources are identified on site, the applicant's construction drawings shall demonstrate incorporation of all revised design and/or mitigation measures approved by the Environmental Coordinator to avoid significant impacts or reduce to a less than significant level. If construction is underway, all work shall stop until a redesign is reviewed and approved via After-Issuance Change' permit from the County

- c. **Project Final Requirements.** After the completion of construction monitoring and any Phase III data recovery excavations, the applicant shall submit the following to the Environmental Coordinator prior to final inspection or occupancy (whichever comes first):

- (1) **Field Completion Report.** Archeologist-prepared report summarizing all monitoring and/or mitigation measures conducted, field findings, and construction compliance. The report shall be provided in ARMR format describing field tasks by date, location, and results. The report shall include field methods, results and photographs, artifact analysis and interpretation, updated site maps and/or appropriate State site record forms. The final report shall be submitted electronically to the County, the property owner, and the State site record/information center.
- (2) **Financial Guarantee.** If the analysis included in the Phase III Data Recovery Plan or inadvertent findings is not complete at this milestone, the applicant shall provide to the County proof of obligation to complete the required analysis and file final reports.

4. **Consultation with Native American Tribal Groups.** Consistent with Section 15183, the incorporation of standards set forth in this section are intended to streamline the review of

projects within the ASA combining designation in Los Osos. Pursuant to PRC Section 21080.3.1, AB52 consultation with Native American tribal groups are considered fulfilled when a project complies with all standards set forth herein. In addition to the archeological report(s) and development standards set in this section, the Director of Planning can provide notifications to the California Native American tribe(s) that may be traditionally and culturally affiliated with the project area(s) to initiate additional consultation when any of the following below occurs:

- a. The project's Phase I Archeological Assessment reports a positive finding and additional Phase II and/or Phase III is warranted.
 - b. There is inadvertent finding during project development i.e. human remains, significant cultural resource or similar.
 - c. The project has to incorporate *additional* mitigation measures to avoid and/or minimize impacts to identified significant archeological resources.
 - d. The Planning Director decides, based on substantial evidence, that a non-significant archeological resource can be significant tribal cultural resources pursuant to PRC Section 21074.
5. **Discovery of Human Remains.** If human remains are encountered during construction, the procedures outlined by the Native American Heritage Commission (NAHC), in accordance with Section 7050.5 of the California Health and Safety Code (HSC) and Section 5097.98 of the Public Resources Code (PRC), would be followed, as well as the provisions of the CZLUO 23.05.150. A general summary of these provisions and best practices are as follows:

If it is determined or suspected that a discovery includes human remains:

- a. Work in the immediate vicinity (within 50 feet) of the find would cease.
- b. The San Luis Obispo County Coroner shall be contacted immediately.
- c. In addition, the County Environmental Coordinator shall be notified as soon as possible. The County will also issue a "Stop Work" for any construction activities that have the potential to disturb the resource or for all activities on a site if additional resources are suspected to be present and to insure compliance with CZLUO 23.05.150.
- d. As a courtesy, the archaeologist should also notify the NAHC.
- e. The remains should be secured immediately with steel plating cover, or similar. No work is to proceed in the discovery area until consultation procedures are complete, procedures to avoid or recover the remains have been implemented, and the "Stop Work" has been lifted and the owner/developer has been notified that all County and State required provisions have been satisfied.
- f. The Coroner has 2 working days to examine the remains after being notified in accordance with HSC Section 7050.5. If the coroner determines that the remains are Native American and are not subject to the to the coroner's authority, the coroner has 24 hours to notify the NAHC of the discovery.

- g. The NAHC should immediately designate and notify the Native American Most Likely Descendent (MLD), who has 48 hours after being granted access to the location of the remains to inspect and make recommendations for proper treatment of the remains.
- h. The archeologist and Native American MLD should meet with the owner /developer, other design professionals, as well as with County staff, to plan for and implement the recommended treatment, which may include design and construction modifications to avoid further impacts.
- i. A Covenant of Non-Disturbance of Native American Heritage Site may be required by the County to prevent future disturbance of the remains identified.

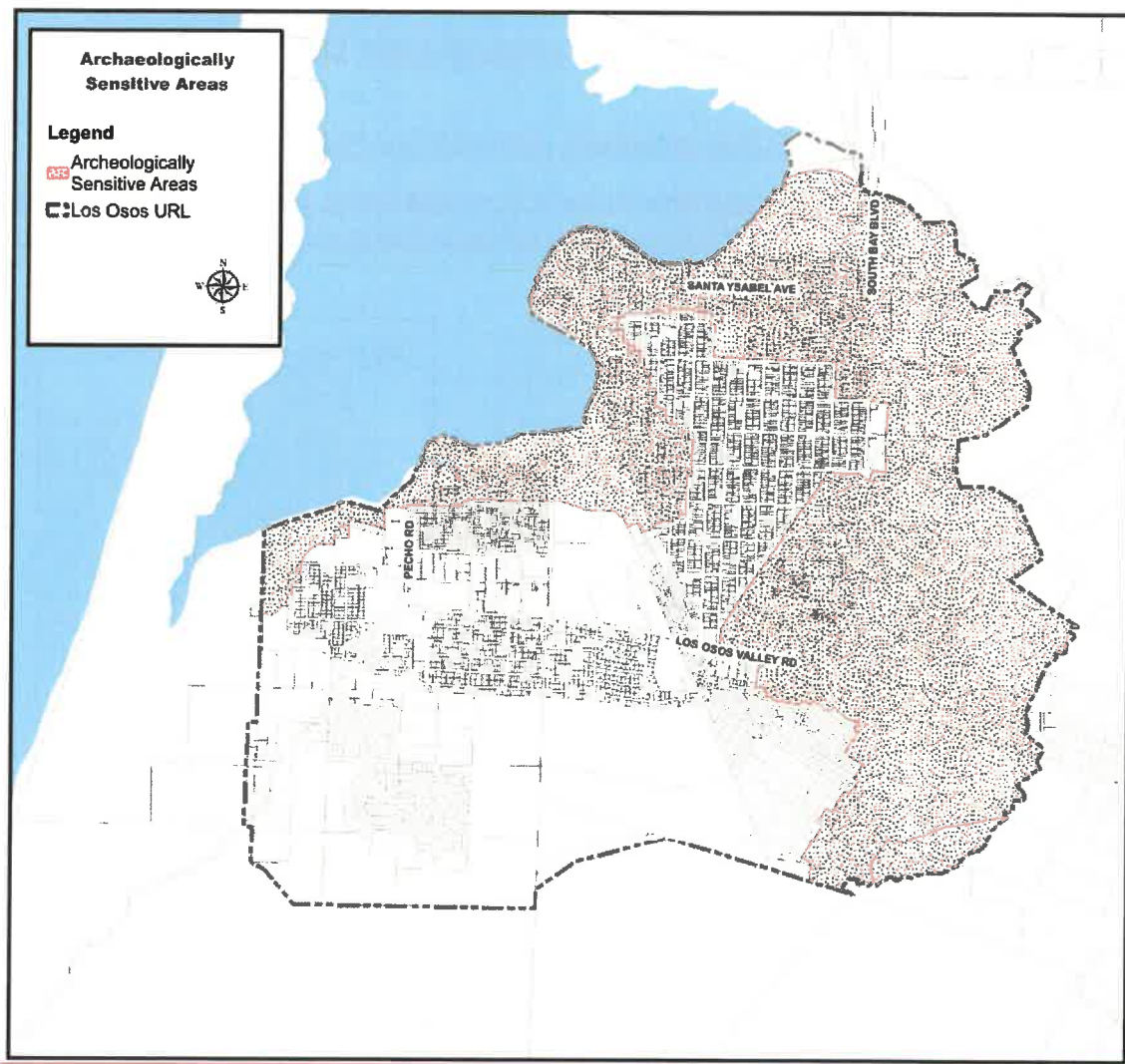


Figure 7-47: Archaeological Sensitive Area

LAND USE CATEGORY STANDARDS

A. Commercial Retail (CR)

The following standards apply only to lands within the Commercial Retail land use category in the specified areas.

1. Drive-Through Facilities. No new drive-through facilities shall be established.
2. Central Business District and Baywood Commercial Area, Permit Requirement. Notwithstanding the requirements of the Coastal Zone Land Use Ordinance, new development may be authorized in the Central Business District and Baywood Commercial Area (see Figure 7-48) through Minor Use Permit approval in lieu of a Development Plan when the project complies with applicable planning area standards and design guidelines, except in any of the following circumstances:
 - a. When modifications or waivers from Coastal Zone Land Use Ordinance standards are required.
 - b. When a Development Plan is specifically required by the Planning Area Standards.

This standard shall not be construed to require Minor Use Permit approval where the Coastal Zone Land Use Ordinance otherwise allows ministerial approval through the Plot Plan or Zoning Clearance process.

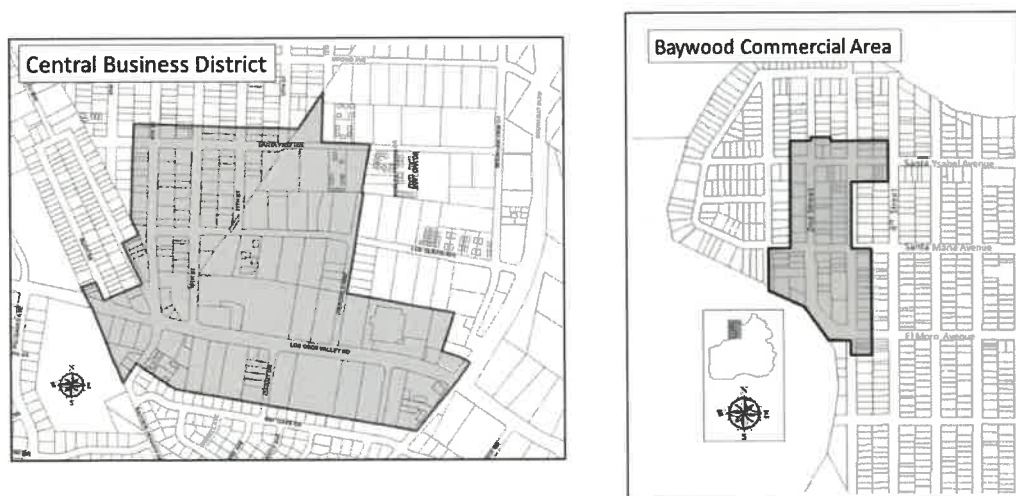


Figure 7-48: Los Osos Central Business District and Baywood Commercial Area

3. Central Business District and Baywood Commercial Area, Parking. (see Figure 7-48), the number of on-site parking spaces provided shall be no more than that required by Chapter 23.04 of the Coastal Land Use Ordinance. Community parking areas within a 1/4-mile radius and on-street parking within the same block may be used to satisfy parking requirements.

4. **Central Business District.** The following standards apply within the central business district, as shown in Figure 7-48:
- a. **Height.** Maximum building height shall be 35 feet.
 - b. **Mixed-Use Development.** This standard is intended to encourage provision of a mixture of residential and non-residential uses on the same site, to encourage provision of affordable and senior housing in close proximity to shopping and services, and to increase economic and social activity downtown.
 - (1) **Residential Uses.** Residential development shall be subject to the standards in Chapter 8 of the Coastal Zone Land Use Ordinance--Residential Uses in Office and Professional or Commercial Categories--except that where those standards conflict with the following standards, the following standards shall prevail.
 - (2) **Site Coverage.** Residential development, excluding garages, shall comprise no more than 50 percent of the total floor area of the entire mixed-use site (residential and non-residential), and no more than 60 percent of the total floor area of the entire mixed-use site for development that meets the housing affordability standards in Chapter 23.04 of the Coastal Zone Land Use Ordinance.
 - (3) **Floor and Open Area.** The maximum floor area and minimum open area requirements in Chapter 4 of the Coastal Zone Land Use Ordinance shall not apply. Instead, the land use permit shall require an amount of private open space and common area for privacy, recreation, light, and air that is appropriate for the nature of the project.
 - (4) **Residential Density.** Maximum residential density shall be 15 dwelling units per acre, calculated using the acreage of the entire mixed use site. The density of senior citizen housing shall be as specified in the following Subsection (vi).
 - (5) **Detached Residential Development.** Residential development that is not attached to the non-residential use may be approved only if all of the following are satisfied, in addition to the preceding standards for mixed-use development:
 - (i) **Location.** Residential development shall be located mainly behind or on the second floor of the primary non-residential use(s) on the same site.
 - (ii) **Site Coverage – Separate Parcel.** If residential uses are developed on a separate parcel, that parcel shall comprise no more than 50 percent of the parcel area of the total mixed use site.
 - (iii) **Agreement for Non-Residential Use – Separate Parcel.** Residential uses may be developed on a parcel that is separate from the one developed with non-residential uses. In this circumstance, the owner of the parcel to be developed with non-residential uses shall enter into an agreement with the County to prohibit any future residential development on that parcel.
 - (iv) **Side and Rear Setbacks.** Where the side or rear yard of residential development is adjacent to a non-residential land use category, the minimum

setback for the residential development shall be as specified in Chapter 4 of the Coastal Zone Land Use Ordinance for side and rear setbacks, as applicable, in Commercial and Industrial categories adjacent to a residential category/residential use.

- (v) **Pedestrian Connections.** Mixed use development shall include, where possible, convenient pedestrian connections between residential and retail commercial uses on the site.
- (6) **Senior Citizen Housing.** Senior citizen housing is subject to the following standards, in addition to the preceding mixed-use development standards. Senior citizen housing consists of either a) residential development that is specifically designed to meet the physical and social needs of persons aged 62 and over; or b) residential development consisting of at least 35 dwellings specifically designed to meet the physical and social needs of persons aged 55 and over.
 - (i) **Residential Density.** Maximum residential density shall be 19 dwelling units per acre calculated using the acreage of the entire mixed-use site.
 - (ii) **Parking.** Parking spaces shall be provided at a ratio of 0.75 space per dwelling unit in accommodations for independent living, and 1 space per 3 dwelling units in assisted living accommodations.
 - (iii) **Design.** Projects shall be sensitively designed to meet the special needs of senior citizens, especially with regard to: general safety; safe and convenient pedestrian access on gentle slopes, both within the project and connecting to community services and facilities; recreational choices; environmental amenities; social interaction; and integration with the larger community
- (7) **Site Design.** New development shall facilitate pedestrian movement and activities and bicycle travel through design of buildings, parking areas, landscaping, and streetscapes. Design measures shall include the following and are conceptually illustrated in Figure 7-49:
 - (i) Locate building entry facades primarily adjacent to, but no more than 5 feet from the sidewalk along front and street-corner side property lines, or adjacent to interior pedestrian spaces with access to streets.
 - (ii) Landscape all pedestrian spaces. Provide public gathering spaces with benches on the site. Provide conveniently located bicycle racks throughout the site.
 - (iii) Encourage shared parking among businesses.
 - (iv) Locate landscaped parking areas to the rear or side of non-residential buildings and design the parking areas to be integral with (not dominating) the buildings.

- (v) Provide convenient connections between parking areas, businesses, and adjoining properties through pedestrian-oriented and scaled spaces.
- (vi) The number, location and design of driveways shall function in accordance with the planned center median on Los Osos Valley Road as recommended in Chapter 5 of the Los Osos Community Plan.
- (vii) No building service facades shall face Los Osos Valley Road.
- (viii) Where feasible and where adequate right-of-way exists, sidewalks shall provide a clear walking lane at least eight feet wide, not including any areas needed for street trees, street furniture, newspaper racks, and the curb.

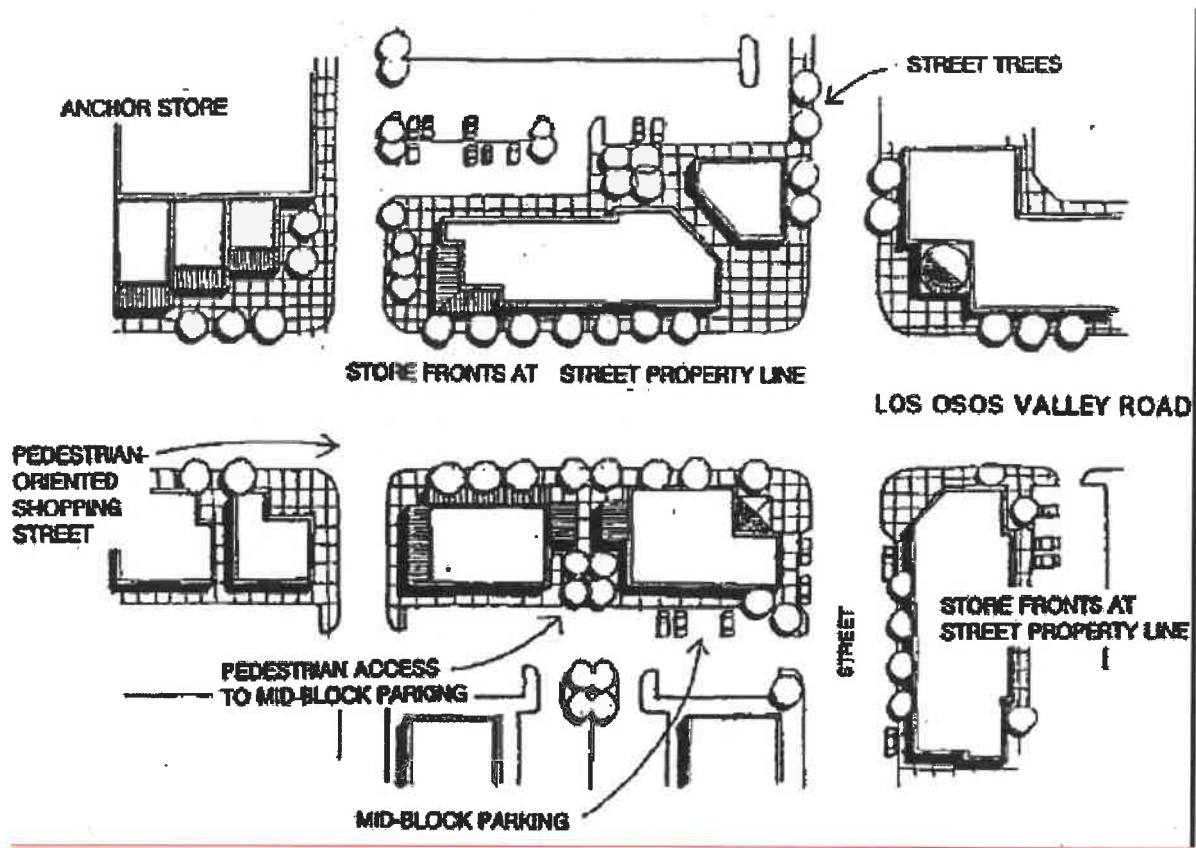


Figure 7-49: Pedestrian-Oriented Design Concept

- (8) Drainage Basins. Drainage basins in new development shall be placed either a) underground; or b) on the surface if designed for recreational or other public use and attractively landscaped.
- c. Design Guidelines – Central Business District

Ground Floor Uses

In order to attract customers and promote pedestrian activity, retail uses are encouraged on the ground floor fronting the street, while office, residential and other non-retail uses should be located on the upper floors or on the rear portion of the site.

Building Design

The design of new construction shall be pedestrian-oriented and have a human scale that is compatible with the scale of existing development in the Central Business District. Preferred design measures include the following:

- Articulation of building facades to create relief and visual interest by using architectural elements such as awnings and projections, trellises, detailed parapets, and arcades.
- Locations of building entries within recessed entry bays to create transitional spaces between the street and buildings.
- Use of overhangs and awnings. Use of balconies over transitional spaces.
- Use of transparent glass windows or doors that together comprise more than 50 percent of the entry facade at ground level in order to allow pedestrians to see inside.
- Placement of store entrances/display windows at frequent intervals such as 25 feet in order to maintain visual interest for pedestrians. (see Figure 7-49).
- Building facades or public spaces should occupy most or all of the site frontage, except where infeasible due to sensitive vegetation or other physical or environmental constraints.
- Sidewalks along Los Osos Valley Road shall be in accordance with County public improvement standards. Recommended materials for pathways and areas outside the public right-of-way are brick, concrete pavers and concrete.

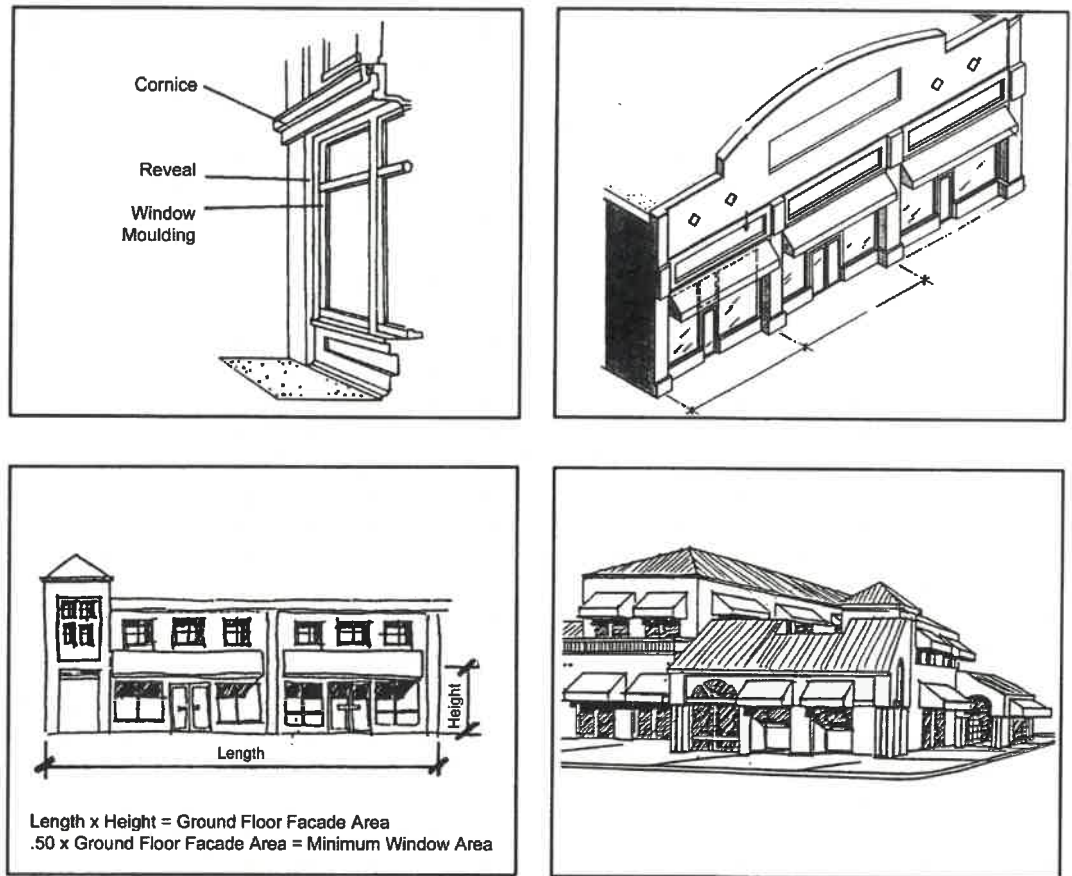


Figure 7-50: Example of Façade Building Design

5. Baywood Commercial Area (Special Community). The following standards apply within the Baywood Commercial Area as shown in Figure 7-51.

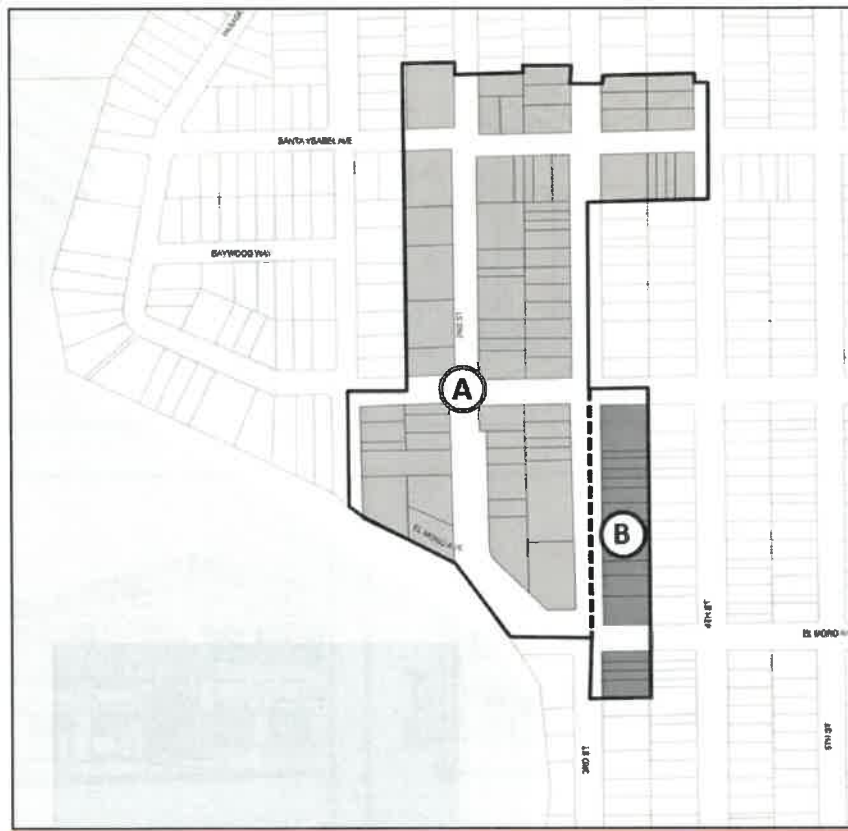


Figure 7-51: Baywood Commercial Area

- a. **Limitation on Use.** All allowable uses are permitted in accordance with Coastal Table O, Part I of the Land Use Element, except as follows: auto, mobile home and vehicle dealers and supplies; and food and kindred products as a primary use.
- b. **Height.** Maximum building height shall 25-feet, except where a lower height limit is established (see Figure 7-40).
- c. **Signs.** Freestanding signs, other than monument signs, are not permitted. Monument signs shall not exceed a height of six feet and a sign area of 20 square feet.
- d. **Sidewalks on 2nd Street.** Sidewalks shall include a minimum clear walking lane of six feet in width, and a minimum four-foot wide parkway between curb and sidewalk.
- e. **Sidewalks on Other Streets.**
 - (1) On street frontages other than 2nd Street, sidewalks shall be a minimum four feet wide, with a minimum four-foot wide parkway between curb and sidewalk.
 - (2) Additional width may be needed to accommodate proposed street furniture, or as needed to comply with the requirements of the Americans with Disabilities Act (ADA).
 - (3) These requirements for sidewalk or parkway width may be modified at the discretion of the review authority in consultation with the Department of Public Works through

a Minor Use Permit (unless a Development Plan is otherwise required), based upon site-specific right-of-way and topographic constraints.

- f. **Setbacks and Parking Location, 2nd Street and Street-Corner Sites.** Locate building entry facades primarily adjacent to, but no more than five feet from the sidewalk along front and street-corner side property lines adjacent to 2nd Street, or adjacent to interior plazas with access to streets. Locate landscaped parking areas to the rear or side of non-residential buildings. Design the parking areas to be integral with (not dominating) the buildings.
- g. **Bay Access.** New development adjacent to the bay shall provide improved public access to the bay where feasible and consistent with protection of natural resources.
- h. **Mixed Use.** Single-family and multi-family dwellings are allowable on the same site as non-residential development as follows:
 - (1) Mixed-use projects shall be in accordance with the standards in Chapter 23.08 of the Coastal Zone Land Use Ordinance for Residential Uses in Office and Professional or Commercial Categories, except that maximum residential density is 15 dwelling units per acre, calculated using the acreage of the entire mixed use site (residential plus non-residential).
 - (2) **Additional standards applicable to Area “A” as shown in Figure 7-51.** The following standards supersede any conflicting standards of Chapter 23.08 of the Coastal Zone Land Use Ordinance:
 - (i) **Location.** Residential development shall be located on the upper floor(s) above a non-residential use or in the rear of the site behind a non-residential use.
 - (ii) **Density.** Maximum residential density is 15 dwelling units per acre, calculated using the acreage of the entire mixed-use site (residential plus non-residential).
 - (iii) **Parking.** Notwithstanding any other provisions of this plan, the number of parking spaces shall be as required by the Coastal Zone Land Use Ordinance and shall be provided on the site.
 - (iv) **Existing single-family residences.** Residential uses existing prior to adoption of the Los Osos Community Plan and located on properties may continue and be expanded or remodeled as a primary use without the limitations imposed by Section 23.09.026 Nonconforming Uses of Land and without being required to include commercial development.
- i. **Residential multi-family development as a principle use in Area “B” as shown in Figure 7-51.** Multi-family dwellings are allowable as a principal use in accordance with applicable Coastal Zone Land Use Ordinance standards for multi-family development, except as follows:

- (1) Chapter 23.08, Coastal Zone Land Use Ordinance. The standards for residential uses in Office and Professional and Commercial categories shall not apply.
- (2) Density. Maximum density shall be 15 dwelling units per acre.
- (3) Side and Rear Setbacks. Where the side or rear yard of residential development is adjacent to a non-residential land use category, the minimum setback shall be as specified in Chapter 23.04 of the Coastal Zone Land Use Ordinance for side and rear setbacks, as applicable, in Commercial and Industrial categories adjacent to a residential category/residential use.

j. Baywood Design Guidelines

New development should apply the following design principles. An example of how these principles might be applied is illustrated in the Baywood Commercial Area Design Concept shown in Appendix B, Figure B-2 of the Los Osos Community Plan.

- Design streets, streetscapes, landscaping, parking lots, and buildings to encourage pedestrian use and activities and bicycle travel.
- Provide building facades or public spaces that occupy most or all of the site frontage, except where infeasible due to sensitive vegetation or other physical or environmental constraints.
- Landscape all pedestrian spaces, which should be inter-connected by a network of walkways and plazas. Encourage shared parking among businesses.
- Encourage the use of modifications to the parking standards in the Coastal Zone Land Use Ordinance to allow, where appropriate, the use of on-street parking spaces to help satisfy requirements for the number of on-site parking spaces.
- Provide convenient connections between parking areas and businesses through pedestrian-oriented and scaled spaces. Fences and other barriers between non-residential development should be avoided, especially on 2nd Street.
- Design new development to emphasize the importance of public spaces.

B. Commercial Service (CS)

The following standards apply only to land within the Commercial Service land use category.

1. Height. Maximum building height shall be 35 feet.
2. Compatibility. All commercial development subject to discretionary approval shall incorporate measures to assure compatibility with nearby residences (including on-site caretaker units), with regard to impacts associated with, but not limited to, noise, vibration, odor, light, glare, hazardous materials, truck traffic, exhaust, unsightliness, or hours of operation. Land use permit applications shall include a description of activities that may be incompatible with residential neighbors and measures to avoid or mitigate those

incompatibilities. This may require the applicant to submit special studies, such as a noise study, to address the issue(s). The size, scale, and design of such facilities must be consistent with the existing small-town character of Los Osos and compatible with adjacent residential and retail development. Land use compatibility shall be based on Planning Commission review of a commercial project's impacts to nearby residences related to noise, lighting, air quality, and traffic, based on technical studies associated with such projects, as determined to be appropriate by the Department of Planning and Building.

C. Office and Professional (OP)

The following standards apply only to lands within the Office and Professional land use category in the specified areas.

1. **Central Business District, Parking (See Figure 7-48).** The number of on-site parking spaces provided shall be no more than that required by Chapter 23.04 of the Coastal Land Use Ordinance. Community parking areas within a 1/4-mile radius and on-street parking within the same block may be used to satisfy parking requirements.
2. **Height, Central Business District.** Maximum building height in the central business district shall be 35 feet.
3. **West Side of 7th Street Between El Moro and Santa Maria Avenues.** The following standards apply only to the property shown in Figure 7-52.
 - a. **Limitation on Use.** Uses identified in Coastal Table O, Part I of the Land Use Element/Local Coastal Plan as "A", "S" or "P" uses are limited to: churches, schools – pre to secondary, caretaker residence, residential care, membership organization facilities, and residential accessory uses.
 - b. **Site Design Criteria.** All new development shall resemble the size, character and scale of the surrounding residences, and shall provide landscaping between the new development and the frontage of the nearest public road. Pedestrian sidewalk(s) shall be provided between new development and the nearest public road. All outdoor lighting, play areas, and new parking spaces shall be located away from the adjacent residential property lines or shall be separated by a minimum 10-foot wide landscaping screen.

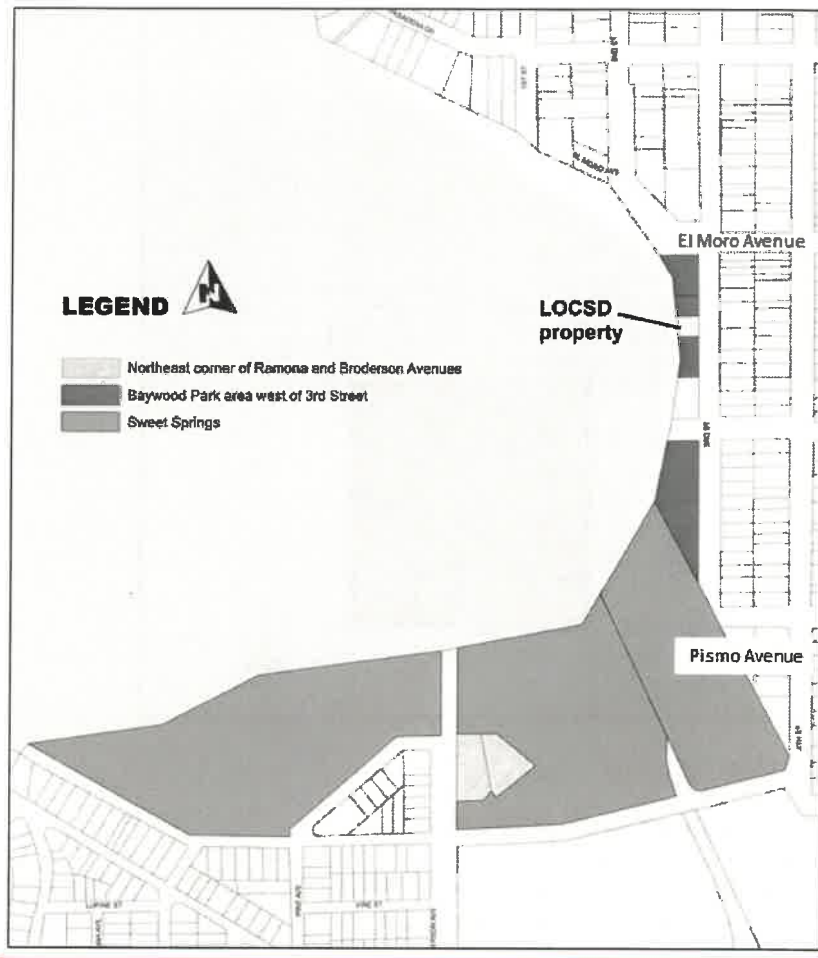


Figure 7-53: Sweet Springs Area and Baywood Park Area West of 3rd Street

E. Public Facilities (PF)

The following standards apply only to lands within the Public Facilities land use category in the specified areas.

1. **Broderick Site, Limitation on Use.** Allowable uses shall be limited to passive recreation and public utility facilities on the approximately 40-acre area south of Highland Drive and west of an extension of Broderick Avenue, as shown in Figure 7-54.



Figure 7-54: Broderson Site

2. Limitation on Site Disturbance, LOCSD Property.

- a. New development on the Los Osos Community Services District property in the Baywood Park Area West of 3rd Street, as shown in Figure 7-53, shall be limited to the area of disturbance of the existing well site.
- b. Development Limitations. Development shall follow appropriate setback and building standards to avoid future coastal hazards for the life of the proposed development without the use of shoreline protective devices.

F. Recreation, Public Facilities (REC, PF)

The following standards apply only to lands within the Public Facilities and Recreation land use categories in the specified area. The following standards apply to the County-owned Midtown site, as shown in Figure 7-55.

1. Limitation on Use. Allowable uses shall be limited to passive recreation, pipelines and transmission lines, and pump or lift stations consistent with the approved communitywide sewer project. The following additional uses shall be allowed only in the event that the CDP for the communitywide sewer (CDP A-3-SLO-09-055/069) is amended to replace sensitive habitat offsite and allow additional uses: outdoor sports and recreation, public assembly and entertainment, temporary events, water wells and impoundments, outdoor retail sales, offices.

2. Lighting and Nighttime Use. Future park and community facilities at this location must include appropriately scaled lighting that does not adversely affect nearby residents. The site shall be primarily for daytime use.

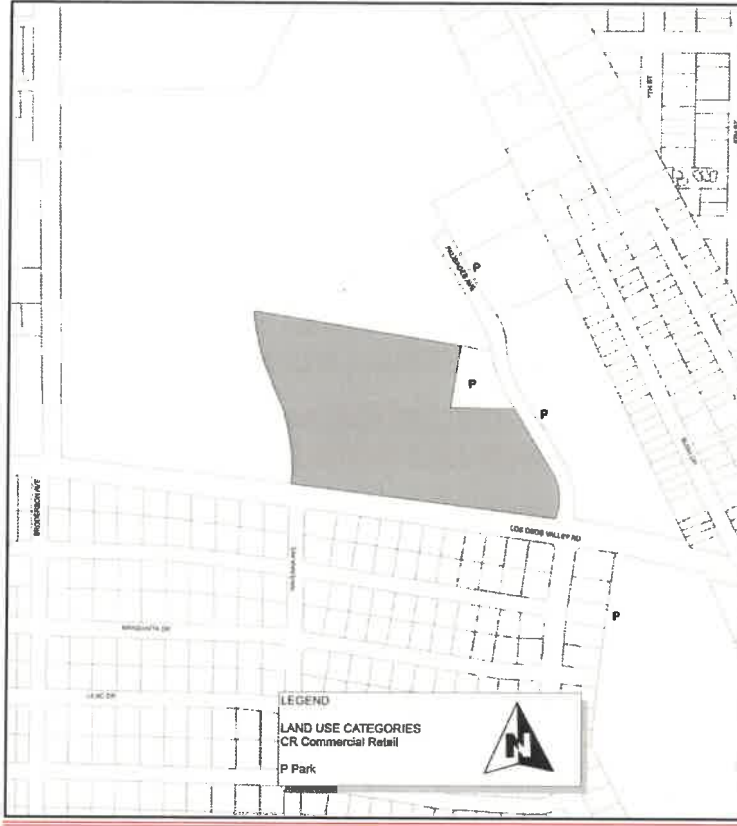


Figure 7-55: Midtown Site (Los Osos Valley Road at Palisades Avenue)

G. Recreation (REC)

The following standards apply only to lands within the Recreation land use category in the specified areas.

Designation of properties in the Recreation land use category does not in and of itself convey or imply any right of public use, access, trespass or violation of privacy. The same is true when the LUE/LCP identifies a need for open space preservation through easement, contract or other instrument.

1. Cuesta Inlet. The following standard applies within the Cuesta Inlet area (visitor-serving priority area) as shown in Figure 7-41.
 - a. Limitation on Use. Allowable uses shall be limited to passive recreation (including a boat launching ramp and parking areas), one single-family dwelling or one mobilehome.
 - b. Density. The maximum development potential shall be one dwelling unit. Development shall be concentrated or clustered in accordance with the communitywide standards of the Los Osos Community Plan.

- c. **Public Access.** Maximum public access shall be provided to the shoreline in this visitor-serving priority area, consistent with the intent of the Los Osos Community Plan Circulation Element maps (see Chapter 5) and protection of sensitive habitat.
 - d. **Application Content.** All applications for development shall document the location of state tidelands in relation to this site and resolve any questions about ownership of this property.
2. **Baywood Park Area West of 3rd Street.** The following standards apply to the bayfront area between Pismo and El Moro Avenues (see Figure 7-53).
- a. **Limitation on of Use - West of 3rd Street.** For the bayfront area between Pismo and El Morro Avenues, allowable uses are limited to one single family dwelling per legal parcel, residential accessory structures, home occupations, animal raising and keeping, coastal accessways, and passive recreation (hiking and nature trails and nature study).
 - b. **Land Divisions Prohibited.** No further land divisions are allowed due to environmentally sensitive habitats and lack of appropriate building sites on these bayfront properties.
 - c. **Development Limitations.** Development shall follow appropriate setback and building standards to avoid future coastal hazards for the life of the proposed development without the use of shoreline protective devices.
3. **Golf Course North of Howard Avenue, Limitation on Use.** Allowable uses on the existing golf course north of Howard Avenue in the northern portion of the West of Pecho area, as shown in Figure 7-56, shall be limited to coastal accessways, water wells and impoundments, and the existing uses on the site: golf course with eating and drinking places (restaurant), hotels, motels, wireless telecommunications facility, and resort type uses.

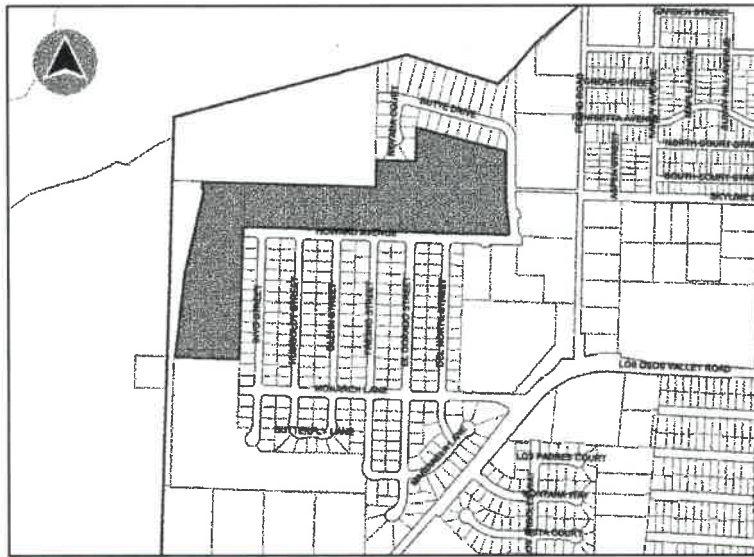


Figure 7-56: Golf Course North of Howard Avenue

4. Santa Ysabel Avenue Coastal Access, Limitation on Use. Allowable uses on the County-managed coastal access at the westerly terminus of Santa Ysabel Avenue, west of Pasadena Drive, as shown in Figure 7-22, are limited to coastal accessways and passive recreation.

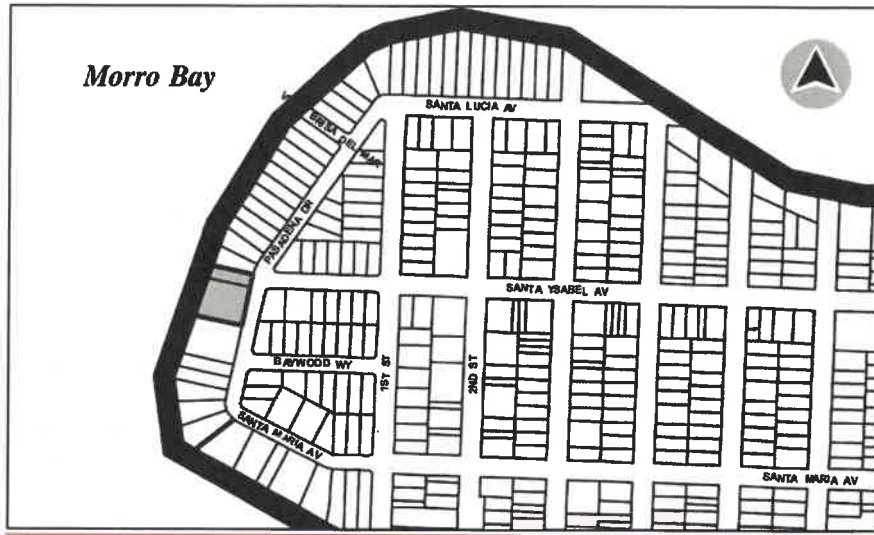


Figure 7-57: Santa Ysabel Avenue Coastal Access

H. Residential Rural (RR) – Creekside Area.

The following standards apply only to lands within the Residential Rural land use category in the Creekside Area as shown in Figure 7-58.

1. **Clustered Development.** Minimize site disturbance and concentrate or cluster development in accordance with the communitywide standards of the Los Osos Community Plan, so long as it is otherwise LCP-consistent. This is intended to protect riparian and wetland habitat; rare, endangered or threatened species--such as the Morro Bay Kangaroo Rat and the Morro Shoulderband snail--and their habitat; the Morro Bay estuary; and other sensitive features described in the Los Osos Community Plan.
2. **Setbacks.** New development shall be set back at least 100 feet from the following sensitive features: wetland vegetation, the upland extent of riparian vegetation, and areas of habitat that support rare, endangered, or threatened species.



Figure 7-58: RR – Creekside Area

I. Residential Multi-Family (RMF)

The following standards apply only to lands within the Residential Multi-Family land use category.

1. Residential Density--New Projects

- a. Maximum Density. Except for senior citizen housing (see Subsection I.3.) maximum density shall be 15 dwelling units per acre on properties less than one acre and 26 dwelling units per acre on properties of one acre or more.
- b. Minimum Density. In all Residential Multi-Family categories, except in the Morro Shores Mixed Use Area as shown in Figure 7-61 if physically feasible and if environmental impacts can be mitigated, the *minimum* overall density on parcels of 10,000 square feet and larger shall be 10 dwelling units per acre. Refer to the standards for the Morro Shores Mixed Use Area (Section J) for minimum densities in that area.
2. Height Limitation. Maximum height shall be 28 feet, except for bayfront areas (see Figures 7-41).
3. Senior Citizen Housing. Senior citizen housing defined: a project that consists of either a) residential development that is specifically designed to meet the physical and social needs of persons aged 62 and over, or b) residential development consisting of at least 35 dwellings specifically designed to meet the physical and social needs of persons aged 55 and over.

Senior citizen housing may include accommodations for independent living and/or assisted living. Senior citizen developments are subject to the following:

- a. **Residential Density.** Within a ½ mile distance of the Central Business District, as shown in Figure 7-59, the maximum residential density shall be 38 dwelling units per acre.

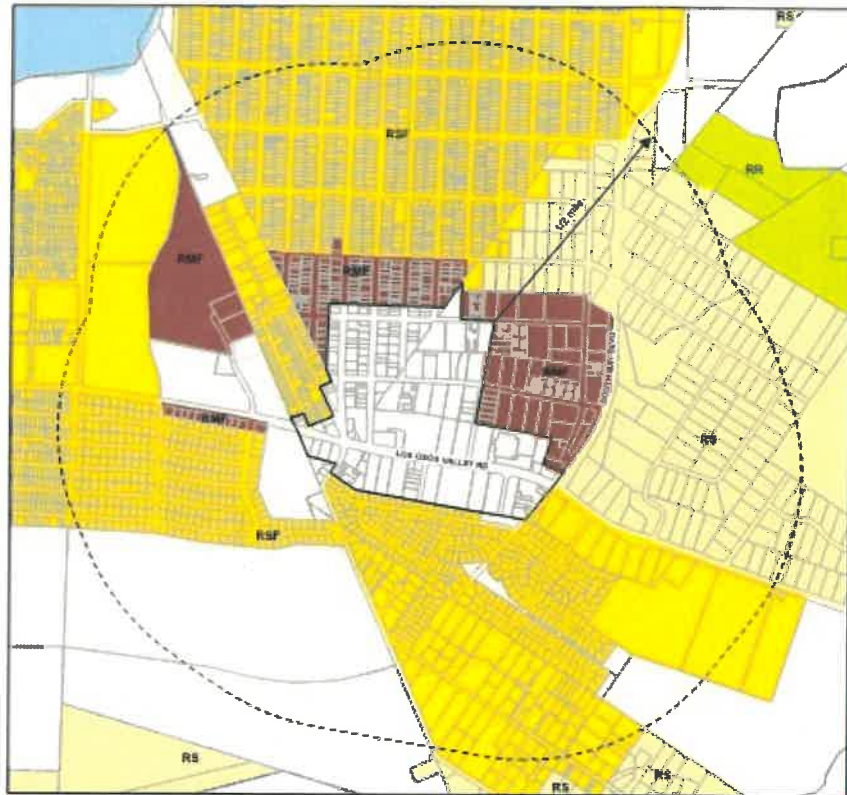


Figure 7-59: RMF within ½ Mile from CBD

- b. **Floor and Open Area.** The land use permit shall require an amount of private open space and common area for privacy, recreation, light, and air that is appropriate for the nature of the project. There is no maximum floor area limitation; however, in no case shall the minimum open area fall below 40 percent of the site area, as defined in Chapter 23.04 of the Coastal Zone Land Use Ordinance.
- c. **Parking, Design.** Parking and design shall comply with the standards for senior citizen housing listed in the Commercial Retail land use category for the central business district.

J. Morro Shores Mixed Use Area RMF, RSF, CS.

The following standards apply to the Morro Shores Mixed-Use Area in the RMF, RSF, CS categories (see Figure 7-60).



Figure 7-60 Morro Shores Mixed Use

1. **Height.** The maximum building height for residential and accessory uses shall be 28 feet.
2. **Habitat Corridor.** Development shall provide a permanently protected habitat corridor that extends from the southern part of the site to Ramona Ave. This corridor shall be designed so that future circulation connections can be made to Los Osos Valley Road and through Area 1 (see Figure 7-60) to Broderson Ave.
3. **Circulation Connections.** Development shall provide public vehicular, bicycle, pedestrian, and equestrian links to adjacent neighborhoods, commercial areas, schools, parks, the bay, and the community center.

4. **Medium to High Density Residential.**

- a. **Development Potential.** A maximum of 200 (250 with a senior citizen housing bonus) dwelling unit are allowable within Area 2 (see Figure 7-60) if physically feasible and if environmental impacts can be mitigated.
- b. **Housing Types.** A variety of housing types are encouraged: single family, multi-family, attached, detached, or zero lot-line units. Creative lot designs are also encouraged, such as "Z" lots, courtyard lots, and others.
- c. **Densities.** If physically feasible and if environmental impacts can be mitigated, the *minimum* density shall be 10 dwelling units per acre within the development area. The maximum density within the development area shall be 26 dwelling units per acre.
- d. **Senior Citizen Housing.**
 - (1) **Incentive.** Senior citizen housing as defined Subsection H is encouraged, but not required. If at least 100 senior housing units are provided, a bonus of 50 additional residential units with a density of at least 10 dwelling units per acre (up to a maximum total of 250 units) shall be granted if physically feasible and if environmental impacts can be mitigated.
 - (2) **Density.** The maximum density of senior citizen housing shall be 38 dwelling units per acre within the development area.
 - (3) **Other Development Standards.** Development shall comply with the floor and open area, parking, and design standards for senior citizen housing in the Residential Multi-Family land use category listed in Subsection I.

5. **Neighborhood Commercial.** Up to 3.5 acres are allowable for commercial uses intended to serve the surrounding neighborhood and employees of the adjacent business park.

6. **Future Community Services Center.** Up to 3.5 acres may be planned for a future community services center that could include a community hall, a substantially expanded library, a sheriff's substation, and medical and social services.

7. **Low Density Residential.**

a. **Area 1: 30.5-Acres in the western portion of the site (see Figure 7-60).**

- (1) **A maximum of 95 low density residential parcels are allowable in area 1.**

b. **Area 3: 2.5-Acre Property East of Palisades Avenue (see Figure 7-60).**

- (1) **Limitation on Use.** Allowable uses shall be limited to all uses allowable in the Residential Multi-Family category per Coastal Table O, Part I of the Land Use Element.
- (2) **Residential Development Potential.** A maximum of 25 dwelling units are allowable in Area 3. A variety of housing types are encouraged: single family, multi-family, attached, detached, or zero lot-line units. Creative lot designs are also encouraged, such as "Z" lots, courtyard lots, and others.

K. Residential Single Family (RSF)

The following standards apply only to lands within the Residential Single Family land use category in the specified areas.

1. Height Limitations. Maximum height shall be 28 feet except where other applicable planning area standards establish other specific height limits (see Figures 7-40).
2. Bayview Heights Area, New Land Divisions. The following standards apply only to the Bayview Heights area (see Figure 7-61).
 - a. Parcel Size: Minimum parcel size for new land divisions shall be one acre.
 - b. Access - New Land Divisions. New land divisions south of Bayview Heights Drive are to be designed to provide through-street access between Bayview Heights Drive and Calle Cordoniz Road.

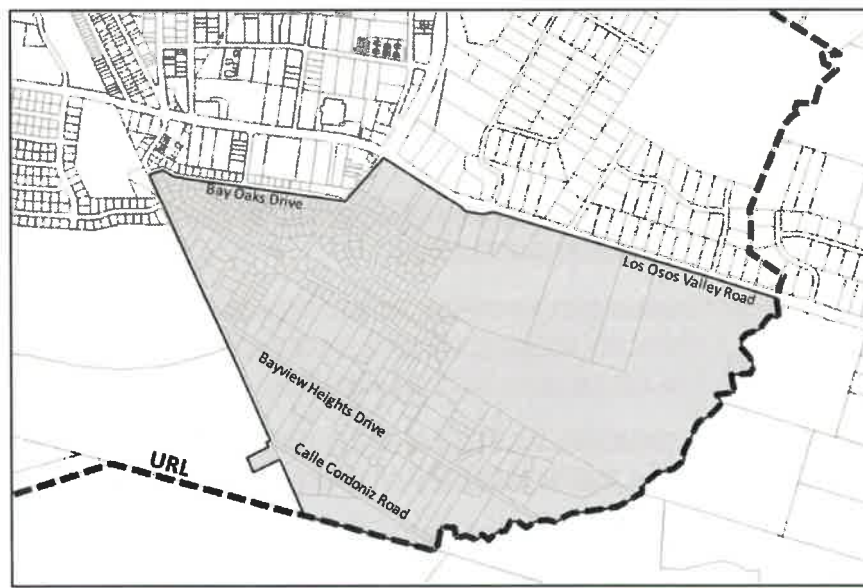


Figure 7-61: Bayview Heights

3. Martin Tract. The following standards apply only to the Martin Tract as shown in Figure 7-62.
 - a. Land Divisions. The minimum parcel size for new land divisions is one acre, except that the number of parcels for new land divisions on the parcels connected to the Los Osos Recycling Facility shall be one per 6,000 square feet (gross site area).
 - b. Access - Los Osos Valley Road. Where alternative access is available, lots fronting on Los Osos Valley Road shall not use Los Osos Valley Road for access.
 - c. Access - New Lots Adjacent to Rosina Drive. Proposed land divisions south of Rosina Drive are to be designed to have cul-de-sac access from Rosina Drive.
4. Cuesta-by-the-Sea. The following standards apply only to Cuesta-by-the-Sea as shown in Figure 7-62.

- a. **Setbacks.** Minimum setbacks for new construction are as follows, except that new construction proposed on bayfront properties is to be set back from the Morro Bay wetlands according to wetland setback requirements in Communitywide Standards. Front: 15 feet, Side: 3 feet, Corner side: 10 feet, Rear: 10 feet.

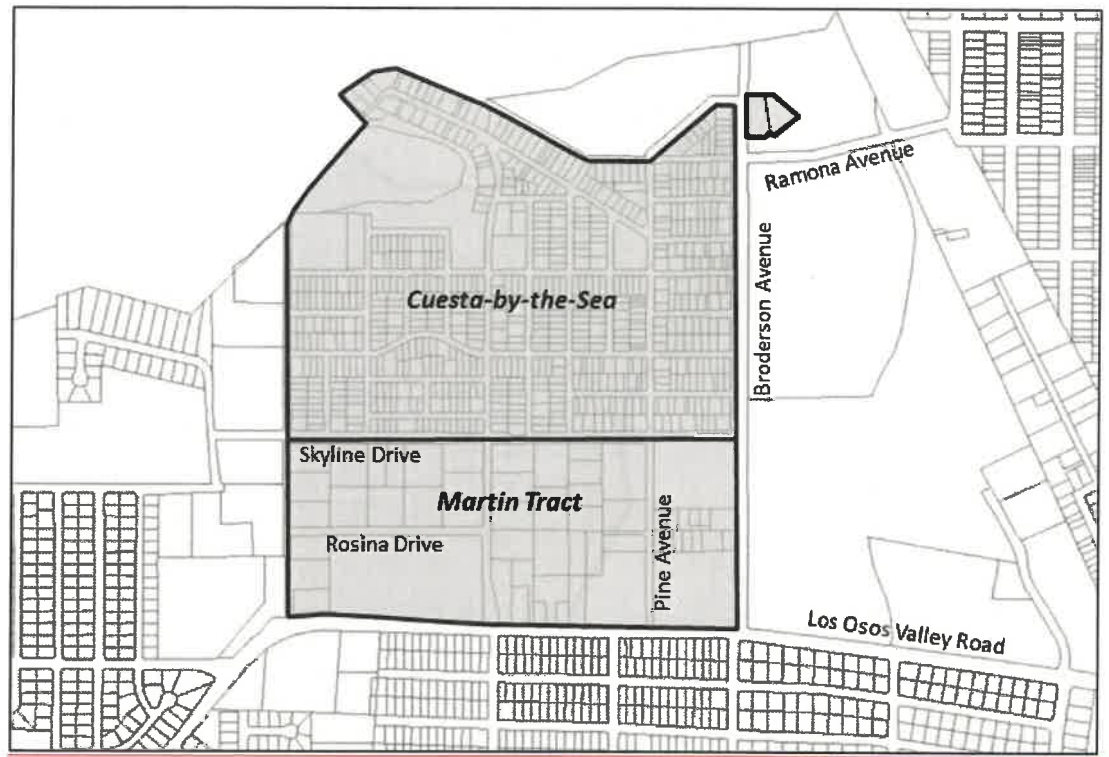


Figure 7-62: Cuesta-by-the-Sea, Martin Tract, Ramona/Broderson Avenue

5. **Sweet Springs Area Northeast Corner of Ramona and Broderson Avenues.** The following standards apply to the two residential parcels near the northeast corner of Ramona and Broderson Avenues in the Sweet Springs Area (see Figure 7-62).
- a. **Minimum Site Area.** The minimum site area is 20,000 square feet. The existing parcels shall not be further subdivided.
 - b. **Density.** Each parcel may be developed with a maximum of one dwelling unit).
 - c. **Tree Protection.** Retain trees to the maximum extent feasible.
 - d. **Storm Water.** Surface water/storm drainage shall be maintained on-site or directed in such a manner to protect the marsh and wetlands habitat.
 - e. **Development Limitations.** Development shall follow appropriate setback and building standards to avoid coastal hazards for the life of the proposed development without the use of shoreline protective devices.

6. **Baywood Park Area.** The following standards apply to the Baywood Park area (see Figure 7-63).
- Lot Coverage.** Maximum lot coverage on a single 25-foot lot shall be 60 percent. On lots of 6,000 square feet or more, maximum lot coverage shall be 40 percent, excluding patios, driveway, walks, etc.
 - Tract 40 (Small-Scale Neighborhood).** In Tract 40, as shown in Figure 7-63, streetlights shall not be installed and shall not be required with new development.



Figure 7-63: Baywood Park Area

7. **Southwestern Hillside - Cabrillo Estates.** The following standards apply only to Cabrillo Estates (see Figure 7-64).
- Land Divisions.** The minimum parcel size for new land divisions shall be 20,000 square feet, unless a larger parcel size is otherwise required by Section 23.04.028 of the Coastal Zone Land Use Ordinance.
 - Architectural Control Committee.** Prior to issuance of building permits the applicant shall provide the Department of Planning and Building certification that the Architectural Control Committee (ACC) for Cabrillo Estates has reviewed pertinent plans. The ACC shall have thirty (30) days to make a recommendation. The review authority is not bound by any decision of the committee and may grant permits and approvals under these provisions.

- c. Limitation on Use. Uses shall be limited to: single family dwellings, mobilehomes, residential accessory uses, temporary dwellings, home occupations, schools-preschool to secondary (limited to day care centers), and water wells and impoundments.
- d. Setbacks. Minimum setbacks are as shown in Table 7-2.

Table 7-2, Minimum Setbacks – Cabrillo Estates

<u>Setback Location</u>	<u>Setbacks for Dwellings</u>	<u>Setbacks for Detached Accessory Structures</u>
<u>Front</u>	<u>25 feet</u>	<u>25 feet</u>
<u>Rear</u>	<u>20 feet</u>	<u>8 feet</u>
<u>Side</u>	<u>5 feet</u>	<u>3 feet</u>
<u>Corner Side</u>	<u>10 feet</u>	<u>10 feet</u>

- e. Height Limitation. The maximum height of all structures shall be 15 feet above the highest point of the lot as measured from the highest point of the roof, not to exceed 28 feet at all points as measured continuously through the building footprint from existing grade (prior to the proposed development) to the highest point of the roof.

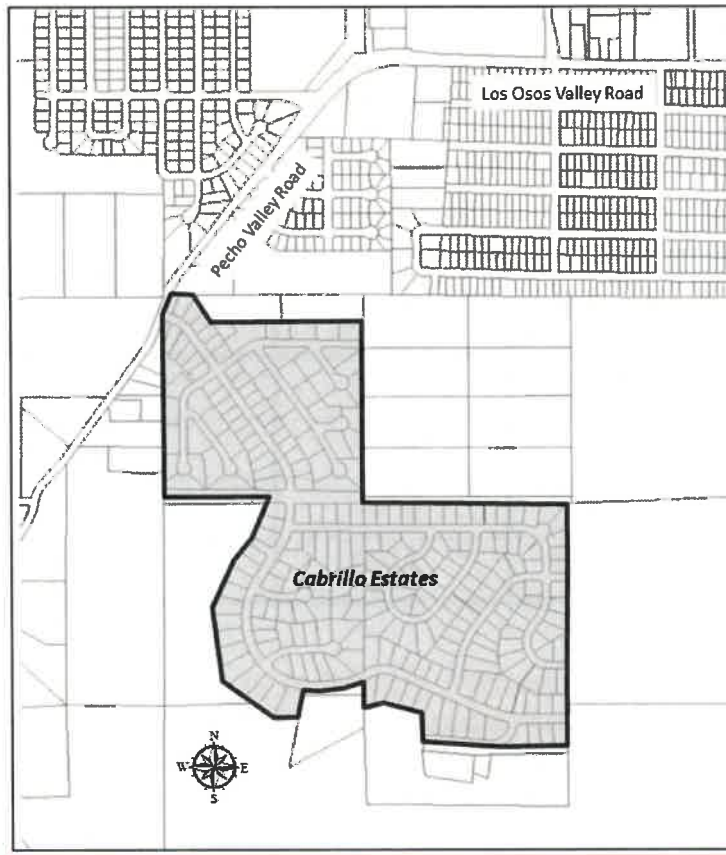


Figure 7-64: Cabrillo Estates

8. Morro Shores (see Figure 7-65), Expansion of Mobilehome Park. Expansion of existing mobilehome park development shall incorporate conditions so that roofing materials (non-glare) reduce visibility from upland areas and landscaping screens structures.

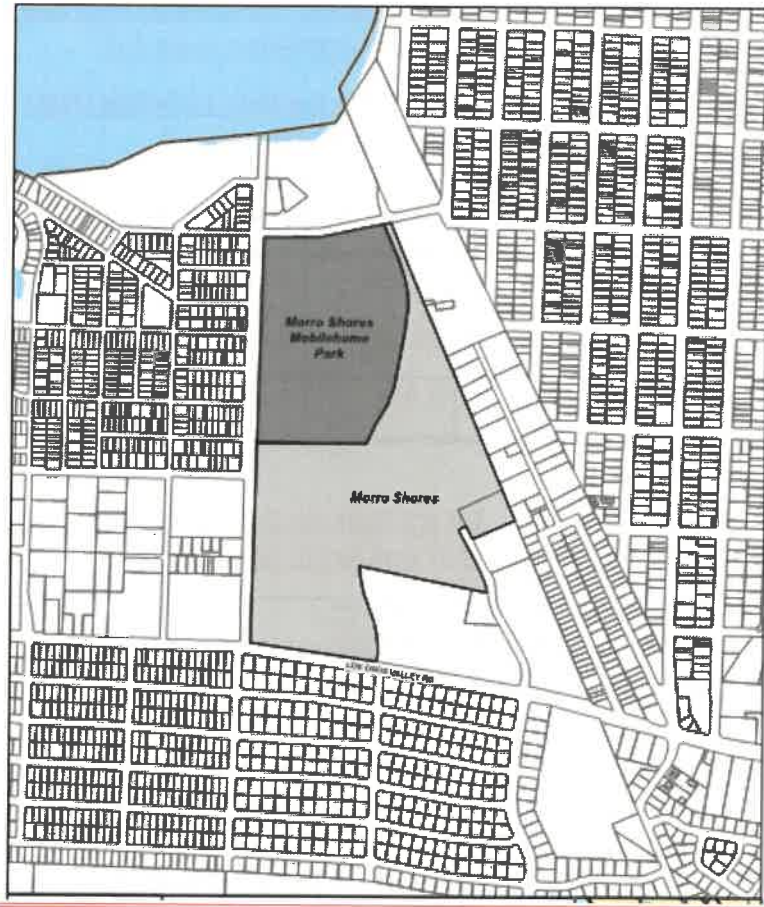


Figure 7-65: Morro Shores Area

9. Morro Shores Mixed-Use Area (RMF, RSF, CS) (see Figure 7-65). The standards for this area are listed in Subsection J.

10. Redfield Woods, Los Osos Highlands (Tract 84) and Morro Palisades (Tract 122) Areas (Figure 7-66). Minimum setbacks for new structures are as shown in Table 7- 3.

Table 7-3, Minimum Setbacks – Redwood Fields, Los Osos Highlands (Tract 84), Morro Palisades (Tract 122)

	<u>Front</u>	<u>Rear</u>	<u>Side</u>	<u>Corner Side</u>
<u>Tract No. 84</u>	<u>20 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>15 feet</u>
<u>Tract No. 122</u>	<u>20 feet</u>	<u>10 feet</u>	<u>5 feet</u>	<u>15 feet</u>
<u>Redfield Woods</u>	<u>20 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>

11. Land Divisions, Vista de Oro Area. For the Vista de Oro area shown in Figure 7-66, the minimum parcel size for new land divisions shall be one acre.

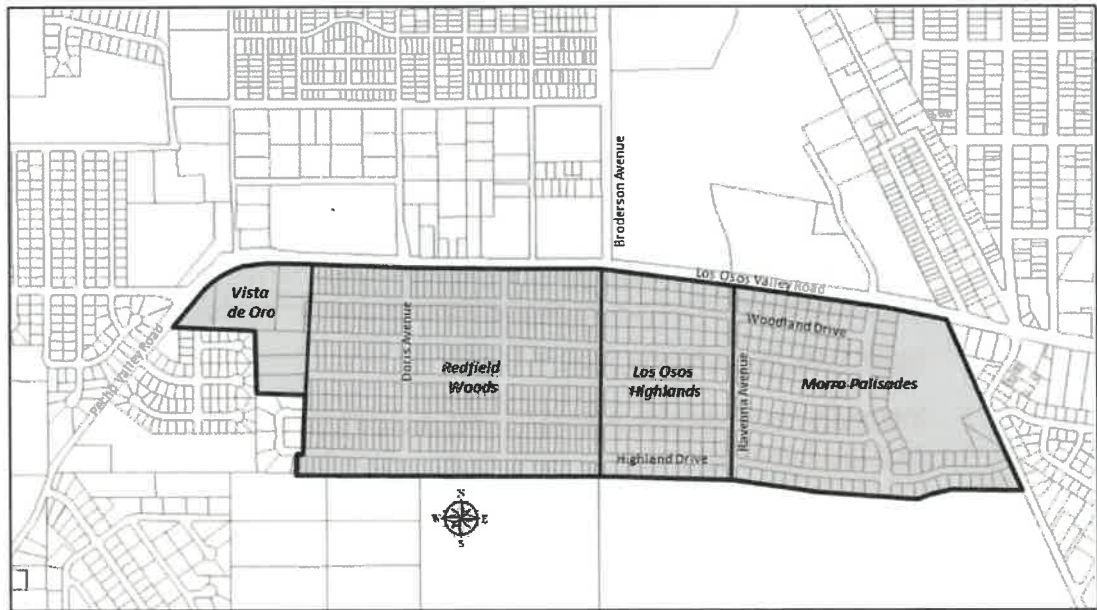


Figure 7-66: Highlands Neighborhoods

L. Residential Suburban (RS)

The following standards apply only to lands within the Residential Suburban land use category in the specified areas.

1. Land Divisions. The maximum number of parcels shall be one per five acres of gross site area.
2. Los Osos Creek/Eto Lake Corridor. The following standards apply to all parcels adjacent to Eto Lake and Los Osos Creek and its riparian vegetation, as shown in Figure 7-67.

- a. Clustered Development. Minimize site disturbance and concentrate or cluster development in accordance with the Communitywide Standards of the Los Osos Community Plan.
- b. Setbacks.
 - (i) All Areas Except Existing Parcels Adjacent to Palomino Drive. New development shall be set back at least 100 feet from the following sensitive features: wetland vegetation, the upland extent of riparian vegetation, and significant areas of habitat that support rare, endangered or threatened species as defined in the Resource Protection standards in the Communitywide Standards of the Los Osos Community Plan.
 - (ii) Existing Parcels Adjacent to Palomino Drive. New development shall be set back at least 50 feet from the sensitive features described above in Subsection b (i).
 - (iii) Adjustments. The preceding setbacks may be adjusted as follows:
 - (a) Riparian and Wetland Setbacks. As provided in Chapter 23.07 of the Coastal Zone Land Use Ordinance.
 - (b) Setback from Habitat that Supports Rare, Endangered or Threatened Species. As provided in Chapter 23.05 of the Coastal Zone Land Use Ordinance in the standards for grading adjacent to Environmentally Sensitive Habitats.

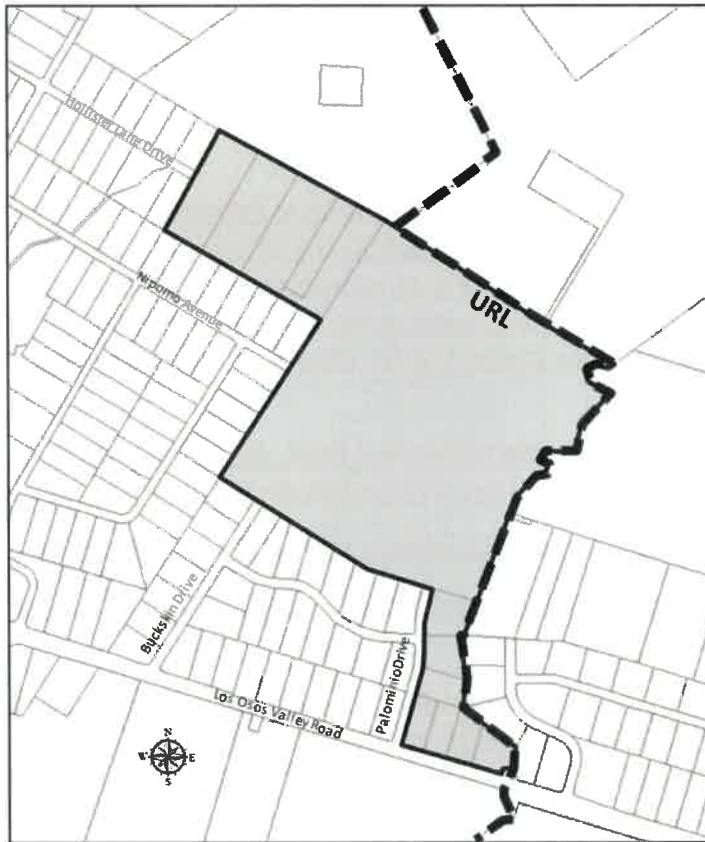


Figure 7-67: RS – Los Osos Creek/Eto Lake Corridor

3. West of Pecho Area. The following standards apply to the areas shown in Figure 7-68 that are in the Residential Suburban land use category.
 - a. Access – Pecho Valley Road. Where alternative access is available, lots fronting on Pecho Valley Road shall not use Pecho Valley Road for access.
 - b. West of Pecho Valley Road, South of Monarch Grove.
 - (i) Building Height. Maximum building height shall be 22 feet.
 - (ii) Limitation on Use. This standard applies only to the area west of Pecho Valley Road and south of Monarch Grove (Tract 1589), not including the 17-acre property north of Seascape Place (see subsequent standards for that area). All special uses (identified as "S" uses in Coastal Table O, Part I of the Land Use Element) are prohibited except for: animal raising and keeping, home occupations, mobilehomes, residential accessory uses, accessory dwelling units, temporary dwellings, pipelines and transmission lines, coastal accessways, water wells and impoundments, and public utility facilities.
 - c. 17-acre Property North of Seascape Place.

- (i) **Limitation on Use.** This standard applies to the 17-acre property fronting on Pecho Valley Road as shown in Figure 7-68. Allowable uses are limited to single family dwellings, coastal accessways, residential accessory uses, home occupations, mobilehome, and water wells and impoundments.

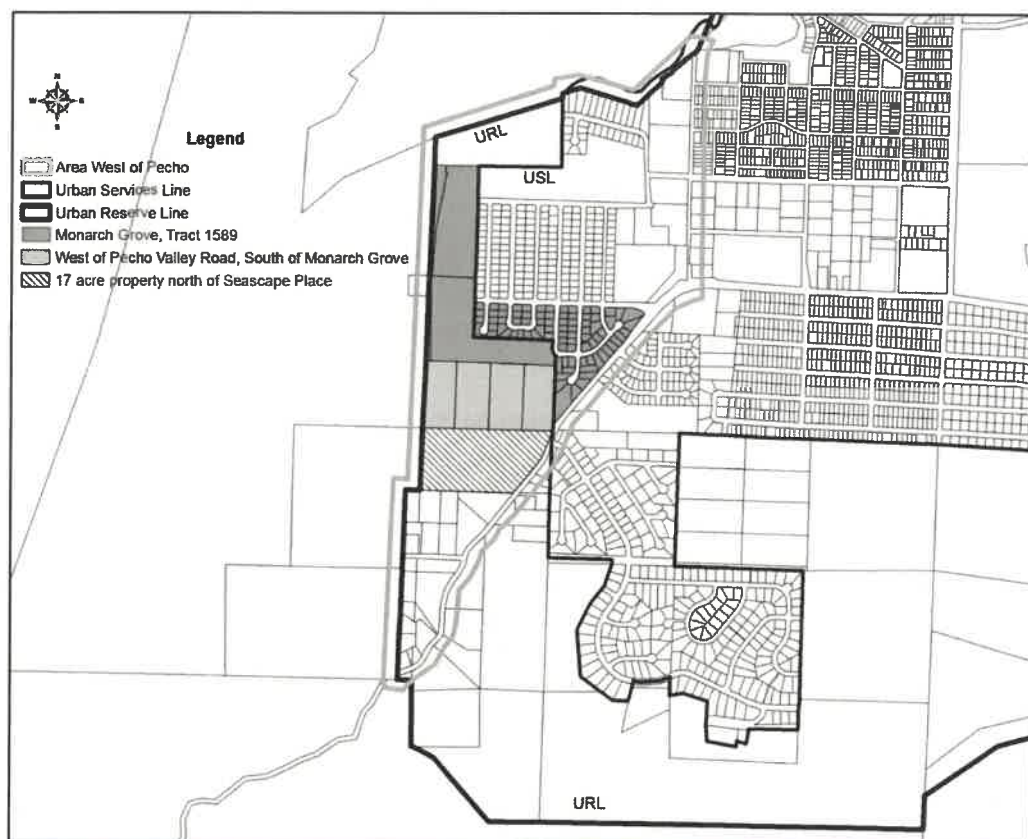


Figure 7-68: West of Pecho Area

4. **Southwestern Hillside.** The following standards apply to the Southwestern Hillside as shown in Figure 7-69 in the subareas specified.
- a. **Building Design, All Areas.** In the entire Southwestern Hillside as shown in Figure 7-69, all buildings shall have 1) low profiles that architecturally follow and adapt to the natural slope and 2) subdued colors that blend with the natural environment.
 - b. **Access, East of Pecho Valley Road.** This standard applies only to parcels that front on the east side of Pecho Valley Road within Subarea C, as shown in Figure 7-69. Where alternative access is available, lots fronting on Pecho Valley Road shall not use Pecho Valley Road for access.
 - (i) **Land Divisions, Cabrillo Estates (Subarea A).** New land divisions shall require a road to be offered for dedication and improved to the western property line to enable access to the adjacent property to the west in Subarea B, as shown in Figure 7-69.
 - (ii) **Clustered Development Subarea B.** At least 60 percent of the site shall be permanently protected as open space for habitat.



Figure 7-69: Southwestern Hillside: Subareas

~~VI. LOS OSOS URBAN AREA STANDARDS~~

~~The following standards apply within the Los Osos Urban Reserve Line to the land use categories or specific areas listed.~~

~~COMMUNITYWIDE:~~

~~The following standards apply to all land uses within the Los Osos Urban Reserve Line.~~

~~A. On-Site Wastewater Disposal.~~

~~New development using on-site wastewater disposal systems shall protect coastal water quality and meet the requirements of the Regional Water Quality Control Board.~~

~~B. Interim Service Capacity Allocation.~~

~~Prior to completion of a Resource Capacity Study, the following priorities for water use shall be established, which shall be implemented through the review and approval of subdivision and development plan proposals.~~

- ~~1. Reservation of 800 acre-feet per year (consumptive use) for agricultural use to protect existing and projected agricultural water needs in accordance with the Brown and Caldwell study (1974).~~
- ~~2. Projected infill of residential, commercial, and visitor serving uses on existing subdivided lots.~~
- ~~3. Extend services to areas where services will correct existing or potential problems (e.g., areas with high nitrate readings) where individual wells are now in use.~~
- ~~4. Additional land division will be permitted within substantially subdivided areas in accordance with lot sizes permitted in the Land Use Element and Coastal Zone Land Use Ordinance. Findings must be made that resources are adequate to serve the previously identified higher priorities uses in addition to proposed lots.~~

~~5. Additional divisions would be permitted within the urban service line boundary only where adequate additional capacity is identified and it can be demonstrated that the proposed development would not jeopardize the availability of resources available to higher priority proposed uses.~~

~~6. Land divisions in the areas outside the urban services line and not specifically covered elsewhere in the South Bay standards, shall not be less than two and one-half acres.~~

~~C. Drainage~~

~~1. Los Osos Lowland Areas—Drainage Plan Requirement. In areas designated in Figure 7-40, all land use permit applications for new structures or additions to the ground floor of existing structures shall require drainage plan approval pursuant to Coastal Zone Land Use Ordinance Sections 23.05.040 et seq. unless the County Engineer determines that the individual project site is not subject to or will not create drainage problems.~~

~~D. Bayfront Development~~

~~1. Height. Proposed structures are limited to the maximum heights shown on Figures 7-41 and 7-42.~~

~~2. Fences. Fences shall not be constructed that would restrict public views of the bay from public roads or preclude lateral public access.~~

~~3. Vegetation Protection. On-site vegetation shall be preserved whenever possible. Grading shall be minimized and limited to the building pad and driveway, road and other required improvements.~~

~~E. Morro Palisades~~

~~Standard 1 applies only to the Morro Palisades area (see Figure 7-39).~~

~~1. Planned Development. The portion of the property north of Los Osos Valley Road shall be developed as a planned development to allow for a variety of housing types and densities, commercial, public facilities, office and professional uses to be located in the least sensitive portions of the site and the most sensitive portions retained as open space/recreation use as determined by the planned development review. The adopted Development Plan shall be revised to incorporate the provisions of the LUE.~~

COMBINING DESIGNATIONS:

~~The following standards apply to lands in the Local Coastal Program (LCP), Sensitive Resource Area (SRA), and Transfer of Development Receiving Sites (TDCR) combining designations, as listed below.~~

~~A. Local Coastal Program (LCP)~~

~~Cuesta Inlet. Standards 1 and 2 apply only to the Cuesta Inlet area (Blocks 4, 5, 13, 14, 34 and 35 of Cuesta by the Sea Tract and APN #74-08-011).~~

~~1. Prescriptive Rights. New development shall be required to provide public access consistent with existing prescriptive rights.~~

~~2. Shoreline Access Improvements. New development shall be required to provide the following improvements:~~

~~a. Three pedestrian trails; one each in the vicinity of Mitchell Drive, Doris Avenue and Nancy Avenue.~~

~~b. A small parking area at both Doris and Nancy Avenues access points.~~

~~c. A boat launching area near Doris and Nancy Avenues.~~

~~3. Tract 40, Public Access—Setback. New bayfront development in Tract 40 shall be required to record a minimum 30-foot lateral easement extending from the inland extent of wetland vegetation, primarily for habitat protection and secondarily for public access.~~

~~NOTE: THE SWEET SPRINGS AREA HAS BEEN "WHITEHOLED" BY ACTION OF THE COASTAL COMMISSION AND THE COUNTY. THIS MEANS THAT THE DEVELOPMENT STANDARDS HAVE BEEN HELD IN ABEYANCE UNTIL THE COUNTY SUBMITS REVISIONS TO THE LOCAL COASTAL PLAN. THE STANDARDS IN EFFECT FOR THIS AREA ARE CONTAINED IN THE LAND USE ELEMENT OF THE COUNTY GENERAL PLAN (SEE APPENDIX A FOLLOWING THIS PLAN).~~

~~4. Public Access—Sweet Springs. At the time of development north of Ramona Avenue, provision of public access consistent with protection of existing prescriptive rights is required, including the following improvements. (Whitehole)~~

~~a. Offer to dedicate appropriate public access trails. (Whitehole)~~

~~b. Trails designed to preclude access within identified wetland areas. (Whitehole)~~

~~5. Pecho Road: New development between Pecho Road and Butte Drive shall provide an offer to dedicate a lateral easement. An improved lateral pedestrian trail and signs are to be provided at a level consistent with protection of the wetland habitat and existing prescriptive rights.~~

~~B. Sensitive Resource Area (SRA)~~

~~1. Site Planning—Development Plan Projects. Projects requiring Development Plan approval are to concentrate proposed uses in the buildable least sensitive portions of properties. Native vegetation is to be retained as much as possible.~~

~~NOTE: THE SWEET SPRINGS AREA HAS BEEN "WHITEHOLED" BY ACTION OF THE COASTAL COMMISSION AND THE COUNTY. THIS MEANS THAT THE DEVELOPMENT STANDARDS HAVE BEEN HELD IN ABEYANCE UNTIL THE COUNTY SUBMITS REVISIONS TO THE LOCAL COASTAL PLAN. THE STANDARDS IN EFFECT FOR THIS AREA ARE CONTAINED IN THE LAND USE ELEMENT OF THE COUNTY GENERAL PLAN (SEE APPENDIX A FOLLOWING THIS PLAN).~~

~~Sweet Springs and Cuesta by the Sea Marsh (SRA)~~

~~2. Wetland Setback. If acquisition is not completed, a buffer area to be determined by the detail survey of the property by a qualified biologist will be required to be retained in a natural condition. This should be dedicated to the appropriate public agency or secured through open space easements. Development shall be clustered to minimize impacts on the surrounding wetland. (Whitehole)~~

~~3. Runoff. Upland Development will be required to provide measures to handle runoff on-site.~~

Morro Bay (SRA)

~~4. Permit Requirement. Where government acquisition of privately owned parcels within or adjacent to the bay is not feasible, development proposals for unsubdivided areas are to cluster uses in the least sensitive portions of properties and preserve the remainder for open space. Site design shall include a survey of the property by a qualified biologist to determine the extent of the wetland and other habitat values of the site. Mitigation measures to include setbacks, shall be incorporated in site design. Density shall be computed on the gross site area excluding the portion that is identified as wetland. The cluster division or planned development process should be used to allow an adequate buffer for the habitat and to incorporate public access requirements. Native vegetation is to be retained as much as possible.~~

~~5. Wetland Setbacks. The following setbacks shall be required to provide appropriate separation between development and the wetland vegetation and habitat. Setbacks established here supersede the 100 foot setback requirement by the Coastal Zone Land Use Ordinance. However, in no case shall a setback be adjusted pursuant to Section 23.07.172 of the CZLUO to less than the following standards. Setbacks are measured between the upland extent of~~

~~the wetland vegetation and development. The minimum setbacks are as~~

~~follows:~~

~~a. For the area west of Tract 316 (APN 74-022-03): To be determined by the Coastal Zone Land Use Ordinance;~~

~~b. For Tract 316 (Butte Drive Neighborhood): 50 feet;~~

~~c. For the area between Butte Drive and Pecho Road: On the lots located between Butte Drive and Pecho Road all structures shall be located a minimum of 100 feet from the wetland and its riparian area.~~

~~d. For the area between Pecho Road and Doris Avenue which is the south half of Cuesta Inlet (Blocks 4 and 5 Cuesta-by-the-Sea Tracts): 75 feet;~~

~~e. For the area comprising the north half of Cuesta Inlet (Blocks 13, 14, and 35 of Cuesta-by-the-Sea Tract): 50 feet;~~

~~f. For the area between Doris Avenue northeast to Tract 40 near First Street: 75 feet;~~

~~g. For lots within Tract 40: 75 feet except where adjusted down to no closer than 50 feet from the wetland pursuant to Section 23.07.112d(2) of the CZLUO~~

~~h. For the area east and northeast of Tract 40: 50 feet except where adjusted pursuant to Section 23.07.172d(2) of the CZLUO. In no case shall development occur closer than 25 feet from the mean high tide line.~~

~~6. Shoreline Access. Public access shall be monitored or controlled in those cases where degradation of habitat resources occurs.~~

~~Morro Bay Kangaroo Rat Habitat (SRA)~~

~~7. Site Selection and Clustering. Wherever new development should be clustered and located as far away from the identified habitat area as feasible.~~

~~8. Vegetation Preservation. Significant vegetation that is a habitat erosion retardant or adds to the visual integrity of the areas shall be protected. This vegetation includes but is not limited to pygmy oak, scrub oak, Morro Bay manzanita, Bishop pine, large areas of sage brush, and large stands of introduced trees such as eucalyptus and cypress. Removal of hazardous trees will be permitted in accordance with the Land Use Ordinance.~~

~~9. Setbacks. New subdivisions adjacent to public holdings on the western fringe are to provide a 25-foot building setback to buffer the sensitive resource and habitat areas.~~

~~COMMERCIAL RETAIL:~~

~~The following standards apply only to lands within the Commercial Retail land use category.~~

~~A. Baywood Park Commercial Area~~

~~1. Limitation on Use – Baywood Park. All allowable uses are permitted in the Baywood Park commercial area in accordance with Coastal Table O, Part I of the Land Use Element, except multi-family and single family dwellings; auto, mobilehome and vehicle dealers and suppliers; food and kindred products.~~

~~2. Baywood Village. New commercial development shall meet the following standards:~~

~~a. Height shall be limited to 25 feet.~~

~~b. Low monument signs (maximum 8 feet in height not to exceed 20 square feet) shall be used.~~

~~c. All utility lines shall be undergrounded from property lines to the commercial structure.~~

~~B. North Side of Los Osos Valley Road between South Bay Blvd. and Fairchild Way.~~

~~The following standards apply only to the area 8.4 acres located on the north side of Los Osos Valley Road between South Bay Boulevard and Fairchild Way, corresponding to 1995 Assessor Parcel Numbers 74-302-16, 17, 19, 20, 21, 22, and 23. (see Figure 7-43).~~

~~1. Permit Requirement. Development Plan approval is required for construction of new buildings and associated site improvements.~~

~~2. Mixed Uses. A mixture of commercial and residential uses is encouraged.~~

~~3. Site Design. New development shall facilitate pedestrian movement and activities through design of buildings, parking areas, landscaping, and streetscapes. Design measures shall include the following and are conceptually illustrated in Figure 7-44:~~

~~a. Locate the building entry facades of buildings primarily adjacent to the sidewalk along Los Osos Valley Road or to interior pedestrian spaces with access to Los Osos Valley Road.~~

~~b. Landscape all pedestrian spaces. Provide public gathering spaces with benches on the site. Provide conveniently located bicycle racks throughout the site.~~

~~c. Encourage shared parking among businesses.~~

~~d. Locate landscaped parking areas to the rear or side of commercial buildings, and design the parking areas to be integral with (not dominating) the buildings.~~

~~e. Provide convenient connections between parking areas, businesses and adjoining properties through pedestrian-oriented and scaled spaces.~~

~~f. The number, location and design of driveways shall function in accordance with the planned center median on Los Osos Valley Road as recommended in the approved South Bay Circulation Study.~~

~~g. No building service facades shall face Los Osos Valley Road.~~

~~4. Building Design Guidelines. The design of new construction shall be pedestrian-oriented and have a human scale that is compatible with the scale of existing development in the central business district. Preferred design measures include the following:~~

~~a. Provide articulation of building facades to create relief and visual interest by using architectural elements such as awnings and projections, trellises, detailed parapets, and arcades.~~

~~b. Locate building entries within recessed entry bays to create transitional spaces between the street and buildings.~~

~~c. Use of overhangs and awnings. Use balconies over transitional spaces.~~

~~d. Use of transparent glass windows or doors that together comprise more than 50 percent of the entry facade at ground level in order to allow pedestrians to see inside.~~



Figure 7-43: Commercial Retail Category on North side of Los Osos Valley Road between South Bay Blvd. and Fairchild Way

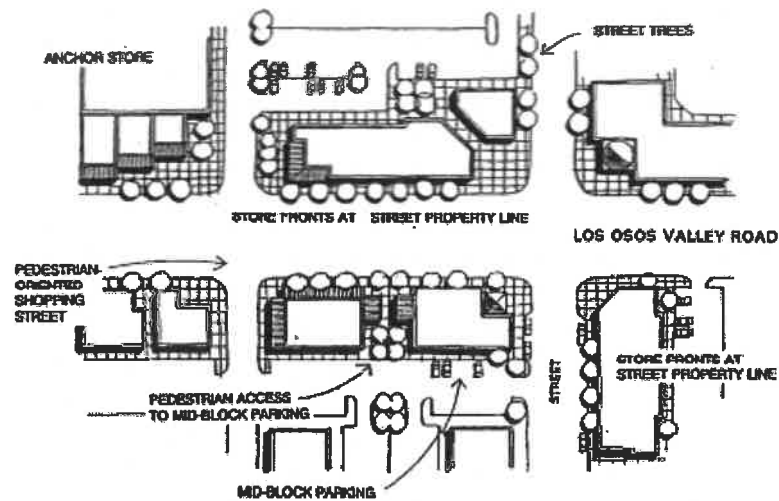


Figure 7-44: Pedestrian-Oriented Design Concept

~~5. Limitation on Use. In order to reduce air quality impacts, all allowable uses are permitted in accordance with Coastal Table O of the Land Use Element and Local Coastal Plan, except for eating and drinking places with drive-through service.~~

~~6. Environmental Review. Development shall provide for mitigation of potential impacts involving traffic, air quality, archaeological resources, and noise levels/compatibility adjacent to residential land use categories.~~

COMMERCIAL RETAIL PUBLIC FACILITIES:

~~The following standards apply only to lands within the Commercial Retail, Public Facilities land use categories. (Figure 7-45).~~

A. Limitation on Use.

~~1. The following uses shall be allowed only in the event that the site is acquired by a public agency or special district and committed to public wastewater treatment facility uses: outdoor sports and recreation; passive recreation; public assembly and entertainment; temporary events; water wells and impoundments; outdoor retail sales; offices; pipelines and transmission lines; and public utility facilities.~~

~~2. If the site is not acquired by a public agency or special district and committed to public facility uses, uses shall be limited to nursery specialties; broadcasting studios; transmission and receiving facilities; amusement and recreational services (such as reducing salons, health spas, hot tubs and other indoor sports); libraries and museums; membership organizations; public assembly and entertainment; schools; business and vocational; social service organizations; temporary events; collection stations; coastal accessways; eating and drinking places (not including drive-in restaurants, fast food and refreshment stands); food and beverage retail sales; general merchandise stores; temporary or seasonal retail sales; financial services; offices; offices temporary; personal services; public safety facilities; public utility facilities; hotels and motels; water wells and impoundments; caretaker's residence; and those cultural, education, and recreation uses normally allowed in the Commercial Retail category (See Coastal Table O, Part I of the Land Use Element).~~

B. Public Utility Facility Standards.

~~Public Utility Facilities uses shall be subject to the special use standards for those uses in Chapter 23.08 of the Coastal Zone Land Use Ordinance as if they were shown as "S 13" uses in Table O, Framework for Planning, Coastal Zone.~~

~~C. Environmental Mitigation.~~

~~The land use/coastal development permit for development of a wastewater treatment plant and related facilities shall require implementation of the following mitigation measures as described on the listed pages in the Final Environmental Impact Report for the Los Osos Community Services District Wastewater Facilities Project (FEIR), SCH# 9911103, certified on March 1, 2001. Some of the following mitigation measures apply to other components of a proposed wastewater facilities project, as the entire project is expected to be processed under a single land use/coastal development permit.~~

~~1. Geology. Mitigation measures GEO-1 through GEO-9 on pages 112-113, Part II.~~

~~2. Hydrogeology. Mitigation measures H-1 through H-3 on page 114, Part II.~~

~~3. Drainage. Mitigation measures WR-1 through WR-3 on page 115, Part II.~~

~~4. Cultural Resources. Mitigation measures C-1 and C-2 on page 116, Part II.~~

~~5. Traffic. Mitigation measures TR-1 and TR-2 on page 117, Part II.~~

~~6. Air Quality. Mitigation measures AQ-1 through AQ-4 on pages 118-119, Part II.~~

~~7. Noise. Mitigation measures N-1, N-2, N-4, and N-5 on page 120, Part II.~~

~~8. Public Health, Safety and Services. Mitigation measures P-1 through PS-5 on pages 120-121, Part II.~~

~~9. Visual Resources. Mitigation measures AES-1 through AES-5 on page 121, Part II.~~

~~10. Biological Resources. Mitigation measures BIO-1 through BIO-16 on pages 121-128, Part II.~~

~~COMMERCIAL SERVICE:~~

~~The following standards apply only to land within the Commercial Service land use category.~~

~~A. Limitation on Use.~~

~~All allowable uses are permitted in accordance with Coastal Table O, Part I of the Land Use Element except hotels and motels.~~

~~OFFICE AND PROFESSIONAL:~~

~~The following standards apply only to lands within the Office and Professional land use category.~~

~~A. Permit Requirement.~~

~~Development Plan approval is required for proposed uses on the south side of Los Osos Valley Road to protect the oak trees.~~

~~B. Former Baywood Women's Club.~~

~~The following standards apply only to the former Baywood Park Womens' Club site, shown in Figure 7-46. (1992 Assessor's Parcel Number 38-202-47).~~

~~1. Limitation on Use. Uses identified in Coastal Table O, Part I of the Land Use Element/Local Coastal Plan as "A", "S" or "P" uses are limited to: churches, schools, pre to secondary, caretaker residence, residential care, membership organization facilities, and residential accessory uses.~~

~~2. Site Design Criteria. All new development shall resemble the size, character and scale of the surrounding residences, and shall provide landscaping between the new development and the frontage of the nearest public road. Pedestrian sidewalk(s) shall be provided between new development and the~~

nearest public road. All outdoor lighting, play areas, and new parking spaces shall be located away from the adjacent residential

OFFICE AND PROFESSIONAL, PUBLIC FACILITIES:

The following standards apply only to lands within the Office and Professional, Public Facilities land use categories. (Figure 7-45).

A. Limitation on Use.

The following uses shall be allowed only in the event that the site is acquired by a public agency or special district and committed to public wastewater treatment facility uses: outdoor sports and recreation; passive recreation; public assembly and entertainment; temporary events; water wells and impoundments; outdoor retail sales; offices; pipelines and transmission lines; and public utility facilities. Otherwise, allowable uses shall be limited to all uses allowable in the Office and Professional land use category per Table O, Framework for Planning, Coastal Zone.

B. Public Utility Facility Standards.

Public Utility Facilities uses shall be subject to the special use standards for those uses in Chapter 23.08 of the Coastal Zone Land Use Ordinance as if they were shown as "S-13" uses in Table O, Framework for Planning, Coastal Zone.

C. Environmental Mitigation.

The land use/coastal development permit for development of a wastewater treatment plant and related facilities shall require implementation of the mitigation measures as described in preceding standard No. C, Environmental Mitigation, for the Commercial Retail, Public Facilities land use category.

OPEN SPACE:

The following standards apply only to lands within the Open Space land use category.

A. Los Osos Oaks Preserves

~~2. State Park Improvements. The State shall provide safer parking opportunities along Los Osos Valley Road. The widening of Los Osos Valley Road will require identification of new parking areas. Other improvements to this area should be limited to day-use provisions.~~

RECREATION:

~~The following standards apply only to lands within the recreation land use category.~~

~~A. Limitation on Use—Cuesta by the Sea.~~

~~Uses shall be limited to passive recreation (including boat launching and parking areas); single family dwellings or mobilehomes (limited to a single family residence sited consistent with resource protection and public access requirements) (This is a visitor—serving priority area).~~

~~NOTE: THE SWEET SPRINGS AREA HAS BEEN "WHITEHOLED" BY ACTION OF THE COASTAL COMMISSION AND THE COUNTY. THIS MEANS THAT THE DEVELOPMENT STANDARDS ARE HELD IN ABEYANCE UNTIL THE COUNTY SUBMITS REVISIONS TO THE LOCAL COASTAL PLAN. THE STANDARDS IN EFFECT FOR THIS AREA ARE CONTAINED IN THE LAND USE ELEMENT OF THE COUNTY GENERAL PLAN (SEE APPENDIX A FOLLOWING THIS PLAN).~~

~~B. Limitation of Use—Sweet Springs.~~

~~The following are allowable uses: natural history museums, hotels/motels, residential single family, residential multiple family, caretaker's residence. (Whitehole)~~

~~C. Height Limitation—Sweet Springs.~~

~~Heights shall not exceed 24 feet above average finished grade (Whitehole)~~

~~D. Site Selection—North of Ramona Ave.~~

~~Detailed site selection shall include the following: (Whitehole).~~

~~1. Dedication of Wetland—Sweet Springs. The wetland portion of the site as determined by the detailed biological review of the site, shall be offered for dedication to the State Department of Fish and Game as a condition of development of the portion of the property north of Ramona Avenue.~~

~~{Whitehole}~~

~~2. Limitation of Use—Corr Scenic Easement Area. Allowable uses following removal of the easement shall be limited to caretaker's residence; coastal accessways; single family dwellings; multi-family dwellings; residential accessory structures; and passive recreation (hiking trails and nature study).~~

~~E. Limitation of Use—Golf Course.~~

~~The recreation designation of the golf course at Butte Drive and Howard Avenue shall be limited to coastal accessways; water wells and impoundments; and the present uses on the site with eating and drinking places (restaurant) or hotel and motels (lodging facilities).~~

~~F. Limitation of Use—West of Third Street.~~

~~For the bayfront area between Pismo and El Morro Avenues, allowable uses are limited to one single family dwelling or mobilehome; residential accessory structures; and passive recreation (hiking and nature trails and nature study).~~

~~G. Morro Bay & Land Co.~~

~~The following standards apply to Morro Bay & Land Co. (APN 74-022-61)~~

~~1. Limitation of Use. Allowable uses are limited to single family dwellings and hotel/motel (lodge).~~

~~2. Development Requirements. All uses shall require Development Plan review and shall meet the following requirements. Uses shall be clustered on or adjoining the 17-acre contiguous ownership, with 60% of the holding retained in open space. Residential density may be transferred to the adjoining 17-acre property (APN 74-024-11). Site selection shall be based upon a biological evaluation of the sites and determination of the need for preservation of areas of greatest sensitivity.~~

~~3. Density. Residential density shall not exceed one dwelling unit per acre, with the ultimate density to be determined when the biological studies have been completed. This density shall be computed on the basis of the portion of the site proposed for non-visitor serving use. Density of the lodge shall not exceed 12 units per acre of the portion determined appropriate for lodge development. This area for visitor serving development shall not exceed 8 acres.~~

RESIDENTIAL RURAL:

~~The following standards apply only to lands within the Residential Rural land use category.~~

~~NOTE: THE OTTO PROPERTY HAS BEEN "WHITEHOLED" BY ACTION OF THE COASTAL COMMISSION AND THE COUNTY. THIS MEANS THAT THE DEVELOPMENT STANDARDS FOR THIS AREA HAVE BEEN HELD IN ABEYANCE UNTIL THE COUNTY SUBMITS REVISIONS TO THE LOCAL COASTAL PLAN. THE STANDARDS IN EFFECT FOR THIS AREA ARE CONTAINED IN THE LAND USE ELEMENT OF THE COUNTY GENERAL PLAN (SEE APPENDIX A FOLLOWING THIS PLAN).~~

~~A. Resubdivision Required—Otto Property.~~

~~Development of the area of existing subdivided lots included within the Residential Rural land use category is to occur only after resubdivision and clustering of the development adjacent to existing residential development, with the remainder of the site retained in its natural state. (Whitehole)~~

~~B. Powell Property—Specific Plan Requirements.~~

~~The Powell property (located between the Junior High School to the west and Los Osos Creek to the east) shall be developed in accordance with a specific plan which meets the following requirements:~~

~~1. A habitat study and species analysis (e.g., the Morro Bay Kangaroo Rat) of the site shall be performed by a qualified biologist. The biologist shall be jointly selected by the property owner, the county, and the Department of Fish and Game. The study shall determine the biological sensitivity of the site focusing on the Morro Bay Kangaroo Rat; the extent of the environmentally sensitive habitat area and its relative importance to other sensitive habitat areas adjacent to and nearby the property (e.g., the Morro Bay estuary, Los Osos Creek and other areas where the Morro Bay Kangaroo Rat is known to or possibly could exist). The study shall make recommendations necessary to protect the environmentally~~

~~sensitive habitat area from the effects of the potential development. Such recommendation shall include the following:~~

~~a. identification of all sensitive habitat areas but focusing on the Morro Bay Kangaroo Rat that shall not be disturbed by development;~~

~~b. buffer zones of at least 100 feet to protect sensitive areas from the uses allowed on the site;~~

~~c. determination of appropriate times of year for construction in order to minimize disturbance to the Morro Bay Kangaroo Rat and its habitat area;~~

~~d. if consistent with the recommendations and evaluation of the biological study, the residential development shall be clustered at the southern portion of the property, with access provided from Sage Avenue.~~

~~2. The maximum amount of development (intensity, type and location) allowed for the site shall be dependent upon the findings of the biological study conducted on the site, but shall not exceed the maximum density allowed under the land use designation.~~

~~3. Prior to the approval of the Specific Plan and based upon competent technical analysis, it shall be found that any on-site engineered waste disposal system including systems for the purpose of accommodating water generated from impervious surfaces, (roofs, roads, or driveways, etc.), will not significantly disturb habitat areas or groundwater resources. Additionally, as a condition of approval of the Specific Plan, the dedication of an open space conservation easement over the identified Morro Bay Kangaroo Rat habitat area shall be required to provide protection for these areas.~~

RESIDENTIAL MULTI-FAMILY:

~~The following standards apply only to lands within the Residential Multi-Family land use category.~~

A. Density

~~Maximum residential density for new projects is: 15 dwelling units per acre on properties less than one acre; and 26 units per acre on properties of one acre or more.~~

~~B. Height Limitation.~~

~~Maximum height shall be 28 feet except for bayfront areas (see Figures 7-41 and 7-42).~~

~~1. Residential Development Potential. A maximum of one dwelling unit is allowable on this parcel in accordance with a deed restriction that so limits the amount of residential development.~~

~~C. Morro Palisades.~~

~~The following standards apply only to the Morro Palisades Area (see Figure 7-39).~~

~~1. Density. Maximum residential density for new projects northwest of South Bay Community Park is 26 units per acre and for the area north of the proposed extension of Palisades Avenue the maximum density shall be 10 units per acre.~~

~~2. Attached Units. Up to 6 dwelling units per building are permitted to be clustered around an open court arrangement.~~

~~3. Site Coverage. Maximum site coverage is to be 65%.~~

~~RESIDENTIAL SINGLE FAMILY:~~

~~The following standards apply only to lands within the Residential Single Family land use category.~~

~~A. Height Limitations.~~

~~Maximum height shall be 28 feet except where other applicable planning area standards establish other specific height limits (see Figures 7-41 and 7-42).~~

~~B. Bayview Heights Area.~~

~~Standards 1 through 3 apply only to the Bayview Heights area (see Figure 7-39), in addition to Standard A above.~~

~~1. Parcel Size. New single family residential lots are to be a minimum of one acre.~~

~~2. Access—New Land Divisions. New lot divisions south of Bayview Heights Drive are to be designed to provide through street access between Bayview Heights Drive and Calle Cordoniz Road.~~

~~3. Site Planning Criteria. Uses are to be sited for maximum protection of native oaks along Los Osos Valley Road.~~

~~C. Cuesta Area.~~

~~Standards 1 through 4 apply only to the Cuesta area (see Figure 7-39), in addition to Standard A above.~~

~~1. Parcel Size. The minimum parcel size for new land divisions in the Martin Tract is to be 10,000 square feet, and residences are to be sited to minimize removal of trees.~~

~~2. Access—Los Osos Valley Road. Lots fronting on Los Osos Valley Road which have alternate access roads available are not to use Los Osos Valley Road for access.~~

~~3. Access—New Lots Adjacent to Rosina Drive. Proposed lot divisions south of Rosina Drive are to be designed to have cul-de-sac access from Rosina Drive.~~

~~4. Setbacks—Cuesta by the Sea. New construction is to be provided setbacks as follows (New construction proposed on bayfront properties is to be set back from the Morro Bay Wetlands according to wetland setback requirements in the LUE):~~

~~Front: 15 feet~~

~~Side: 3 feet~~

~~Corner side: 10 feet~~

~~Rear: 10 feet.~~

~~D. El Moro Area.~~

~~Standards 1 and 2 apply only to the El Moro area (see Figure 7-39), in addition to standard A above.~~

~~1. Lot Coverage. Maximum lot coverage permitted on a single 25 foot lot is 60%; lots of 6,000 square feet or more are permitted 40% coverage, excluding patios, driveway, walks, etc.~~

~~2. Tract 40 – Bayfront. Front setback adjustment to a maximum of 15 feet (10 feet from the front property line) may be permitted where it can be demonstrated that it would minimize site alteration and minimize coverage of the site beyond the bluff face.~~

~~E. Highland Area.~~

~~Standards 1 and 2 apply only to the Highland area (see Figure 7-39), in addition to Standard A above.~~

~~1. Parcel Size. The minimum allowable parcel size for new land divisions is 20,000 square feet, unless a larger size is otherwise required by Section 23.04.028 of the Coastal Zone Land Use Ordinance.~~

~~2. Density. A maximum density of two dwelling units per gross acre is permitted between Highland Avenue and the boundary of the Residential Suburban category to the south. The allowed number of units at this density shall be clustered.~~

~~F. Highland Area – Cabrillo Estates~~

~~Standards 1 through 6 apply only to Cabrillo Estates (Tracts 306, 307 and 310 – see Figure 7-39).~~

~~1. Architectural Control Committee. No grading or building permit is to be issued until the applicant has filed with the Planning Department certification that the Architectural Control Committee for Cabrillo Estates, as it then exists and functions: 1) has reviewed pertinent plans and specifications and any applicable land use permit and 2) recommends approval or disapproval of such plans and specifications. If the Architectural Control Committee recommends disapproval of the plans and specifications, the certification is to set forth the reasons for such disapproval. The county approval body (as determined by Sections 23.02.030 through 23.02.034 of the Coastal Zone Land Use Ordinance) is to review the reasons for disapproval of the plans and specifications by the committee. In the event the committee fails to make its recommendation within thirty (30) days after the plans and specifications have been submitted to it, no recommendations will be required and the proposed plans and specifications shall be deemed to be favorably recommended. The approval body is not bound by any decision of the committee, and may grant permits and approvals under these provisions.~~

~~2. Limitation on Use. Uses shall be limited to: single family dwellings; mobilehomes; residential accessory uses; temporary dwellings; home occupations; schools preschool to secondary (limited to day care centers), and water wells and impoundments.~~

~~3. Minimum Floor Area. The minimum floor area for a single family dwelling or mobilehome, excluding garages, carports, porches, patios and basements, is 1200 square feet.~~

~~4. Driveway Construction. Each lot or parcel shall be equipped with a concrete driveway measuring at least 9 feet in width and at least 3 1/2 inches thick extending from a concrete approach apron, built in accordance with county Standard Improvement Specifications and Drawings, to the garage door. The driveway is to be in place prior to issuance of an occupancy permit for the residence.~~

~~5. Setbacks. Required setbacks are as follows:~~

~~6. Height Limitation. The maximum height of all buildings and structures shall be 15 feet above the highest point of the lot when measured from the highest point of the roof.~~

~~G. Morro Palisades.~~

~~Standards 1 through 3 apply only to the Morro Palisades area (see Figure 7-39).~~

~~1. Expansion of Mobilehome Park Use. Expansion of existing mobilehome park development shall incorporate conditions on roofing materials (non-glare) to reduce visibility from upland areas, and landscaping to screen structures and uniform patterns.~~

~~2. Retention of Monterey Pines. Retain Monterey pines in all areas where feasible, except the road right-of-way for Ravenna Avenue. This shall include a tree planting program to replace trees that are diseased or old.~~

~~3. Hillside Area. This area shall be developed as a planned development as follows:~~

~~a. For the Morro Palisades area south of Highland Drive and north of the South Bay Boulevard extension, densities shall be 3-5 dwelling units/acre as permitted in the adopted Development Plan.~~

~~b. Site selection shall be such as to preserve significant areas of ecological importance. The upper portion of the viewshed in permanent open space or scenic preserve easements shall be established as appropriate to accomplish this preservation. No development shall extend further into the viewshed than the existing subdivided areas to the west and east.~~

~~c. Development of the property will be permitted only where adequate additional service capacities are established and it can be demonstrated that development of the property will not jeopardize resource availability to higher priority proposals.~~

~~d. No development shall be permitted on slopes exceeding 30%.~~

~~e. The stand of Bishop pines located south of the proposed extension of South Bay Boulevard shall be preserved and the small area of Indian Knob yerba santa shall also be maintained as part of the open space.~~

~~H. Sunset Area~~

~~Standards 1 through 4 apply only to APN No. 74-022-13.~~

~~1. Planned Development. The property shall be developed as a Planned Development integrating the residential use with the golf course facility. The density shall not exceed two units per acre.~~

~~2. Water Resources. Evidence is to be presented to the county that development at this density will not result in a significantly greater net water usage than present use of water for the golf course facility.~~

~~3. Development Plan Review. A Development Plan is required to be processed concurrently with subdivision approval and must address the following concerns:~~

~~a. Best means of clustering development to preserve the eucalyptus trees and minimize impacts on the adjacent Morro Bay kangaroo rat habitat.~~

~~b. Effects of the projects on schools, fire, and other services.~~

~~c. Traffic impacts and vehicular circulation within the project including traffic to the golf course facility.~~

~~d. Drainage impacts to the waters of Morro Bay.~~

~~e. Provision of sewer treatment facilities which are adequate to allow dual use of the present water resources used at the golf course.~~

~~4. Open Space Easement. An open space dedication for the area not proposed for development is to be offered prior to issuance of permits or subdivision approval.~~

~~I. Upland Area.~~

~~The following standard applies only to the Upland area (see Figure 7-39).~~

~~1. Setbacks. Setbacks for new structures in the Upland area are to be as follows:~~

~~J. Martin Tract.~~

~~The following standard applies only to the Martin Tract area (see Figure 7-39).~~

~~1. Parcel Size. The minimum parcel size for new land divisions in the Martin Tract is to be 10,000 square feet, unless a larger parcel size is otherwise required by Coastal Zone Land Use Ordinance Sections 23.04.020, et seq., and the residences are to be sited to minimize the removal of trees.~~

RESIDENTIAL SUBURBAN:

~~The following standards apply only to lands within the Residential Suburban land use category.~~

A. Limitation on Use:

~~All special uses (identified as "S" uses in Coastal Table O, Part I of the Land Use Element) are prohibited adjacent to Los Osos Creek except for: Agriculture accessory structures; animal raising and keeping; home occupations; residential accessory uses; temporary dwellings; accessory storage; participant sports and active recreation; coastal accessways; water wells and impoundments; pipelines and power transmission; and public utility centers.~~

B. Setbacks:

~~Maintain a minimum building setback of 50 feet for development on lots adjacent to riparian areas along Los Osos Creek and Eto Lake.~~

C. Setbacks – Sunset Area:

~~New land divisions adjacent to public holdings in the Sunset area are to be designed to provide a minimum 50 foot building setback to buffer the sensitive resource and habitat areas.~~

D. Access – Pecho Valley Road:

~~Lots fronting on Pecho Valley Road that have alternate access roads available are not to use Pecho Valley Road for access.~~

~~E. Land Division Design.~~

~~For the Residential Suburban area southeast of Pecho Valley Road, new land divisions are to incorporate design provisions to minimize site disturbance; such provisions may include concentrating proposed development on the most level portions of sites.~~

~~F. Limitation on Use West of Pecho Valley Road.~~

~~All special uses (identified as "S" uses in Coastal Table O, Part I of the Land Use Element) are prohibited except for: animal raising and keeping; home occupations; mobilehomes; residential accessory uses; temporary dwellings; pipelines and power transmission lines; coastal accessways; water wells and impoundments; and public utility facilities (This does not include the Morro Montana Co. property as discussed below.)~~

~~G. Heights—West of Pecho Valley Road.~~

~~Maximum height shall be 22 feet.~~

~~H. Morro Montana Co. Property~~

~~Standards 1, 2 and 3 apply to the 17-acre property fronting on Pecho Valley Road (APN 74-024-11).~~

~~1. Limitation on of Use. Allowable uses are limited to single family dwellings; mobilehomes.~~

~~2. Development Requirement. All uses shall require Development Plan review and shall meet the following requirements: Uses shall be clustered with 60% of the holding retained in open space. Residential density may be transferred to the site from adjacent Morro Bay and Land Co. property (APN 74-022-61). Site selection shall be based upon a biological evaluation of the site and determination of the need for preservation of areas of greatest sensitivity.~~

~~3. Density. Residential density shall not exceed one dwelling unit per acre, with the ultimate density to be determined when the biological studies have been completed.~~

~~I. Parcel Size.~~

Parcel sizes shall be as follows:

- ~~1. Lots on Bayview Heights Drive outside the USL shall be a minimum of 5 acres.~~
- ~~2. Lots on the south side of Bayview Heights Drive to Calle Cordoniz Road inside the USL shall be a minimum of 2-1/2 acres.~~
- ~~3. Lots on the north side of Bayview Heights Drive inside the USL shall be a minimum of 1 acre.~~

~~J. Highland Area—Density.~~

~~Maximum density shall be one dwelling unit per three acres (excluding the Morro Palisades property).~~

~~K. Highland Area—Design.~~

~~The following shall apply to development within this area: (This does not include the Morro Palisades property.)~~

- ~~1. Site selection shall be such as to preserve significant areas of ecological or public visual importance. All development shall be clustered to preserve a maximum of 60 percent of each parcel in undeveloped open space.~~
- ~~2. No development shall be permitted on slopes exceeding 20%.~~
- ~~3. Building exteriors shall be principally composed of native materials and textures (such as wood siding and shingles). Extensions, including roofs, shall be of subdued natural hues and tones harmonizing with the colors of the natural environment.~~

~~L. Morro Palisades.~~

~~Standard 1 applies only to the Morro Palisades Hillside area (see Figure 7-39).~~

~~1. Hillside Area. This area shall be developed as a planned development as follows:~~

~~f. For the Morro Palisades properties south of the extension of South Bay Boulevard, the densities shall be 0-2 units/acre reflecting the densities as approved in the Morro Palisades Development Plan.~~

~~g. Site selection shall be such as to preserve significant areas of ecological importance. The upper portion of the viewshed in permanent open space or scenic preserve easements shall be established as appropriate to accomplish this preservation. No development shall extend further into the viewshed than the existing subdivided areas to the west and east.~~

~~h. Development of the property will be permitted only where adequate additional service capacities are established and it can be demonstrated that development of the property will not jeopardize resource availability to higher priority proposals.~~

~~i. No development shall be permitted on slopes exceeding 30%.~~

~~j. The stand of Bishop Pines located south of the proposed extension of South Bay Boulevard shall be preserved and the small area of Indian Knob Yerba Santa shall also be maintained as part of the open space.~~

~~M. El Moro Ave. East of South Bay Blvd.~~

~~The following standards apply to 1995 Assessor Parcel Numbers 038-721-005 and 014 located on El Moro Ave., east of South Bay Blvd., as shown in Figure 7-47.~~

~~1. Parcel Size. The minimum parcel size for new land divisions is five acres, unless a larger minimum parcel size is otherwise required by Coastal Zone Land Use Ordinance Section 23.04.027, et. seq.~~

~~2. Permit Requirements. Minor Use Permit approval is required for all uses.~~

3. Development Standards. The following standards apply to all properties shown on Figure 7-47. Land use permit applications shall include:

k. Biological Resources. At the time of land use permit application, the applicant shall provide a biological survey performed by a qualified wildlife biologist which addresses the potential for occurrence of any special status animal species, including the Morro Bay kangaroo rat, on the project site. The applicant shall implement the recommendations of the wildlife biologist as determined appropriate by the Environmental Coordinator. In addition, the property is required to comply with all provisions of the Federal and State Endangered Species Acts.

l. Botanical Resources. At the time of land use permit application, the applicant shall provide a botanical survey performed by a qualified botanist which addresses the potential for occurrence of any special status plant species, including the Indian Knob mountain balm and the Morro Bay manzanita, on the project site. The applicant shall implement the recommendations of the botanist as determined appropriate by the Environmental Coordinator.

m. Archaeological Resources. At the time of land use permit application, the applicant shall provide sub-surface testing conducted by a qualified archaeologist in order to determine the significance and possible mitigation measures for the resources on the project site. The applicant shall implement the recommendations of the archaeologist as determined appropriate by the Environmental Coordinator.

CHAPTER 8: COASTAL ACCESS

I. PURPOSE AND ORGANIZATION

No changes to this section

II. COASTAL ACT POLICIES

No changes to this section

III. FRAMEWORK FOR PLANNING GOAL, COASTAL PLAN

No changes to this section

IV. COASTAL ZONE LAND USE ORDINANCE

No changes to this section

V. OVERVIEW OF EXISTING AND POTENTIAL COASTAL ACCESS

C. ~~Los Osos~~

~~Los Osos offers a variety of opportunities for coastal access, and several improved facilities exist, including an overlook and trails along the bay. Most accessways are lateral ones that have been offered for dedication. There are also potential vertical accessways, vista points and major lateral trails along the shoreline. Currently, the primary use of the shoreline is by local residents, as residential neighborhoods border the shoreline.~~

~~One notable area for coastal access is the Sweet Springs marsh, a nature preserve open to the public. It includes a nature trail adjacent to the bay and wetlands that offers beautiful views of the estuary, the sandspit, Morro Rock, and the surrounding bayfront.~~

~~Following are opportunities for future public access and habitat conservation:~~

~~Cuesta by the Sea: Back Bay: acquire and develop a boat launch ramp.~~

VI. ESTERO AREA PLAN GOALS; POLICIES AND STANDARDS

Los Osos

~~1. — Fences. Fences shall not be constructed that would restrict public views of the bay from public roads or preclude lateral public access. (Chapter 7: VI., Los Osos Urban Area Standards, Communitywide, Bayfront Development)~~

~~2. — Tract 40, Public Access — Setbacks. New bayfront development in Tract 40 shall be required to provide a minimum 30-foot wide lateral easement extending from the inland extent of wetland vegetation, primarily for habitat protection and secondarily for public access.~~

~~3. — Pecho Road. New development between Pecho Road and Butte Drive shall provide an offer to dedicate a lateral easement. An improved lateral pedestrian trail and signs are to be provided at a level consistent with protection of the wetland habitat and existing prescriptive rights. (Chapter 7: VI., Los Osos Urban Area Standards, Combining Designations, A., LCP)~~

VII. MANAGEMENT OBJECTIVES, ESTERO AREA PLAN PROGRAMS

Los Osos

~~1. — Street End Improvements — El Morro. The county should accept the implied offers to dedicate on 3rd — 10th streets between Santa Ysabel and the bayfront. These street ends should be improved as cul-de-sacs for vista points.~~

~~2. — Boat Launching ramp. The county should work with the community toward acquisition and development of a site for a boat launching ramp at Cuesta by the Sea. (Chapter 4: VI, Programs, F., County Parks, Los Osos and Vicinity)~~

Update Table 8-1 deleting Los Osos

APPENDIX A

Delete all of Appendix A

CHAPTER 1: INTRODUCTION

~~NOTE: This document does not apply to the coastal zone portion of the planning area except that text and map designations shall remain for the Sweetsprings and Otto property (uncertified) areas until such time as they are certified into the LCP by the California Coastal Commission. Otherwise, this document shall not be used for information, analysis or any decision regarding any aspect of the coastal zone. [Amended 1988, Ord. 2344]~~

~~This report describes county land use policies for the Estero Planning Area, including regulations that are also adopted as part of the Land Use Ordinance. This area plan allocates land use throughout the planning area by land use categories. The land use categories determine the varieties of land use that may be established on a parcel of land, as well as defining their allowable density and intensity. A list of allowable uses is in Chapter 7 (Table O of Framework for Planning.~~

~~Specific development "standards" are included in this report to address special problems and conditions in individual communities. Standards for public services, circulation, and land use are found in Chapter 6 (Planning Area Standards) and provide criteria for detailed evaluation of development projects. The text of this report, other than Chapter 6, is for general planning guidance only and is not to be used as a basis for approval or disapproval of development or land division proposals. Careful reading of the planning area standards will assist creating projects that are consistent with adopted policies and regulations.~~

~~Proposed "programs" are also noted at the end of the chapters on Circulation (Chapter 2), and combining designations (Chapter 7). Programs are non-mandatory actions recommended to be initiated by the communities through the county or other specified public agency, to work toward correcting local problems or conditions. They are also intended to support community objectives in implementing the general plan. Because many recommended programs involve public expenditures, their initiation will be dependent upon the availability of funding.~~

~~In addition to the land use categories, programs and standards, one or more combining designations have been applied to specific areas. Combining designations identify potential natural hazards and locations of notable resources. The designations are shown on the maps following Chapter 6.~~

This report also initiates the Resource Management System in this planning area. Three estimated population thresholds are provided for the levels of severity for the resources of water supply, sewage disposal, schools and roads.

The Estero Planning Area encompasses the central coastal area of San Luis Obispo County from Point Estero on the north to Point Buchon on the south, and from the coast inland to Los Padres National Forest. Three identified urban areas include the city of Morro Bay and the unincorporated communities of Cayucos and South Bay. These urban areas are discussed in greater detail as urban area plans.

The planning area (including the city of Morro Bay) occupies 73,181 acres or 114 square miles. The majority of the area outside of the urban communities is rolling countryside largely devoted to grazing, while the level valley areas of Los Osos, Morro and Chorro Creeks are devoted to more intensive agricultural uses.

CHAPTER 2: CIRCULATION

The area circulation system is planned to accommodate anticipated traffic primarily through improvement of existing routes. A few new routes are proposed in urban areas to improve local circulation patterns as well as to serve proposed expansion areas. Other important transportation elements are: (1) an inter-community bus system serving Morro Bay, South Bay, and San Luis Obispo; (2) a network of bikeways to interconnect communities and recreation areas throughout the scenic planning area; and (3) harbor facilities in Morro Bay and Estero Bay.

PLANNING AREA CIRCULATION PROGRAMS

"Programs" are non-mandatory actions or policies recommended by the Land Use Element to achieve community or areawide objectives identified in this area plan. The implementation of each LUE program is the responsibility of the community, through the county or other public agency identified in the program itself. Because programs (some of which include special studies) are recommended actions rather than mandatory requirements, implementation of any program should be based on consideration of community needs and substantial community support for the program and its related cost.

The following circulation programs for the Estero Planning Area are grouped under headings indicating the location in the planning area where they each apply.

South Bay

1. ~~Beach Access.~~ The county should retain all present public street accesses to the bayfront.

CHAPTER 3 RESOURCE MANAGEMENT

~~The primary purpose of the resource management system is to provide an alert process for a timely identification of potential resource deficiencies so that sufficient lead time is allowed for correcting or avoiding a problem. This chapter initiates the resource management system by summarizing assessments of the major resources of water supply, sewage disposal, schools, and road capacity. In conjunction with those assessments, population thresholds have been estimated for three levels of severity for each resource. Since population thresholds are estimates however, changes in the population growth, resource consumption or other factors may change estimated thresholds. Data developed for this report will be reviewed and updated annually as part of the general plan review process.~~

~~Resource capacity information is included in this area plan to support ongoing county review of needs for capital programs and provide information to the public on the status of county resources. This information is not to be used for reviewing individual development proposals or their consistency with the general plan. The use of resource capacity information by the county to evaluate individual development proposals can only occur through separate hearings and enactment of ordinances outside of the general plan. (An explanation of this procedure is in Framework For Planning, Chapter 4.)~~

~~The resources that appear to be experiencing deficiencies are summarized in Table C. Verification of the level of severity will occur after public hearings and Board of Supervisors action to certify the documentation on which these assessments are based.~~

TABLE A: RESOURCE SEVERITY LEVELS & POPULATION THRESHOLDS ESTERO PLANNING AREA			
South Bay Urban Area			
Resources	Levels of Severity		
	I	II	III
Water Resources	6,100	8,500	12,600
Water System	N/A	N/A	N/A
Sewage Treatment Plant ¹	N/A	N/A	N/A
Schools			
Elementary	5,800	8,100	11,200
Secondary ²	15,100	17,000	22,000
Roads/Circulation ³	9,200	10,000	18,500
Morro Bay Urban Area			
Resources	Levels of Severity		
	I	II	III
Water Resources	N/A	N/A	N/A
Water System	N/A	N/A	N/A
Sewage Treatment Plant ⁴	13,100	13,600	15,500
Schools			
Elementary	--	--	--

A. WATER SUPPLY

Assuring adequate future water supplies is one of the most critical resource management needs in the Estero Planning Area. South Bay and Morro Bay are presently dependent solely on local groundwater resources. Cayucos, however, is better off with an assured allocation from Whale Rock Reservoir, which will meet its needs for some years.

The following table (Table B) is an inventory of existing local water sources, major uses, and safe yields. Safe yield amounts are derived from the county Master Water and Sewerage Plan except for the update for the Los Osos basin derived from the Brown and Caldwell Report of 1974.

Water usage in South Bay and Morro Bay must also consider impacts on rural and agricultural users drawing water from the same groundwater basins. Another major concern, particularly in South Bay, is protection of water quality from the combined gradual degradation impacts of excessive withdrawals approaching or slightly exceeding safe yields, seawater intrusion in wells too close to Morro Bay or the ocean, septic tank wastewater recharge from extensive residential development, and leaching of agricultural chemicals.

All three urban areas are relatively close and could mutually benefit by pooling efforts to obtain imported water supplies necessary for continued growth while stabilizing groundwater supplies needed for irrigated agriculture and rural uses. One problem is that citizens are divided in opinion on how much their communities should grow. Importing water and developing or expanding community sewer systems would assure steady growth, while depending on existing resources would curtail development.

The objective of this section, however, is to indicate the population levels at which an imported water supply system needs to be planned and constructed. Since each community is supplied by different groundwater basins, each is discussed separately.

South Bay

South Bay presently depends on water from the Los Osos groundwater basin underlying the ancient sand dune area of the community and Los Osos Valley. The most recent estimate of safe yield of this basin, provided in the Brown and Caldwell Report of 1974, ranges from 1,300 to 1,800 acre feet per year. The high figure is based on optimum location of wells and balanced pumping.

Net urban demand added to net agricultural demand has already exceeded the lower safe yield limit of 1,300 acre feet per year cited in the Brown and Caldwell study. The maximum safe yield limit of 1,800 acre feet per year will be attained when the population reaches 12,600, assuming only modest increases in irrigated agricultural uses. Continued irrigation is realistic since Coastal Act policies require protection of agricultural uses.

A Level II severity for water supply may exist in South Bay. The lead time necessary to plan and construct an imported water supply system from Nacimiento Lake, the most likely source, is estimated to be seven years. Hence, if safe yield estimates are correct, growth of South Bay will be limited until alternative water supplies are made available. Water sources needed to serve total build-out would include importation from either Nacimiento Lake or the State Water Project. The County Service Area No. 9 Advisory Group has submitted requests for state or Nacimiento Lake water totaling 2,000 acre-feet per year. This amount should offset the potential water deficit that would result from build-out of the community.

Table B – Water Resources-Estero Planning Area		
Water Resources	Principal Uses	Safe Yield (AF/Yr.)
Los Osos Groundwater	South Bay Domestic Use, Los Osos Valley Ag. Use	1,300 – 1,800 ¹
Chorro Creek Groundwater Basin	City of Morro Bay Domestic Use, Morro Bay Golf Course and Chorro Valley Ag. Uses	1,500
Morro Creek Groundwater Basin	City of Morro Bay Domestic Use, Morro/Little Morro Valleys Ag. Use	1,700
Torro Creek Groundwater Basin	Agriculture Use	530
Old Creek Groundwater Basin	Cayucos Domestic Use	330
Whale Rock Reservoir	3,740 a.f.y. exported, mostly to SLO; 660 a.f.y. maximum entitlement for Cayucos by recharge of Old Creek Basin	---
Cayucos Creek Groundwater Basin	Agriculture Use	6300
Villa Creek Groundwater Basin	Agriculture Use	1,030

Notes:

¹ Estimated by the State Department of Water Resources. Safe yield of the Los Osos basin was updated by Brown and Caldwell, consultants, 1974.

B. SEWAGE DISPOSAL

Currently used methods of sewage disposal in the Estero Planning Area include septic tanks in South Bay and rural areas, and community sewage systems with treatment facilities serving Cayucos and Morro Bay.

South Bay

Existing wastewater disposal in South Bay is by means of on-site septic tanks with leach lines. Highly permeable soils, high groundwater tables, and extensive community development have posed water quality concerns, prompting a study of the feasibility of sewerage the community. South Bay's potential problem with water supply is so closely interrelated with sewage disposal that the latter may also be determined to be at Level II severity. One of the problems with sewerage is that exportation of wastewater may lead to lowering of the safe yield of the Los Osos groundwater basin and increase the risk of seawater intrusion. Wastewater from a community sewer system, however, might be sufficiently treated and returned to the groundwater basin by irrigation in the nearby Los Osos Valley. If supplemental water is imported to the community, wastewater disposal with an ocean outfall line may be the best alternative to protect groundwater quality over the long run. A Clean Water Grant to study the alternatives and possible implications of sewerage may be completed soon.

C. SCHOOLS

~~The Estero Planning Area is served by several school districts. San Luis Coastal Unified School District includes two elementary schools and a junior high school in South Bay and two elementary schools and a high school located in Morro Bay. Cayucos is served by Cayucos Elementary School District consisting of a single elementary school in Cayucos and the Coast Joint Union High School District with the high school located in Cambria.~~

~~Growth in South Bay is pushing enrollments of all schools within the local elementary and high school districts to Severity Levels II and III.~~

~~Schools in the city of Morro Bay are of two-fold significance in that future residential development of the fringe area on the east side of the city will require an additional local elementary school and projected enrollments in the junior high school and high school must consider population growth in both incorporated and unincorporated areas served.~~

~~No levels of severity are indicated for the Cayucos Elementary School District. The school has enough capacity to accommodate growth during the 20 year span of this plan.~~

~~Alternatives to overcrowding classrooms include short term adjustments to balance the number of students where two or more elementary schools serve one community, building additional classrooms on existing school sites, or building new schools. In the levels of severity, it is estimated that a five year lead time is needed to plan, acquire sites, and build new schools.~~

D. ROADS/CIRCULATION

~~State Highways 1 and 41, Los Osos Valley Road, and South Bay Boulevard are the major corridors in the Estero Planning Area. The most critical problem with this existing system is the rush hour commuter traffic congestion on two-lane Los Osos Valley Road. Hazards are compounded by the mixture of high speed drivers, slower pleasure drivers, and bicyclists using the road and drivers ingressing or egressing from abutting properties. Some commuters between South Bay and San Luis Obispo have chosen to take the longer route via South Bay Boulevard and Highway 1 to avoid the congestion and hazards.~~

~~A Level II resource capacity problem may exist on Los Osos Valley Road, even though the county recently completed improvements on the road.~~

Other major roads within the Estero Planning Area do not appear to be subject to any immediate problems. Morro Bay and Cayucos are growing at more modest rates and the population make-up does not contribute severely to peak traffic flows. Tourist traffic also tends to be fairly well distributed during the day except for somewhat higher volumes in the early morning or late afternoon. The new bus system serving South Bay, Morro Bay, Cayucos, and San Luis Obispo should help to alleviate traffic congestion and accidents.

CHAPTER 4: LAND USE

This chapter addresses land use issues affecting the Estero Planning Area. The chapter is divided into four sections: the rural area outside urban reserve lines and the urban areas of South Bay, Morro Bay, and Cayucos.

The LUE official maps separate the planning area into land use categories, which define regulations for land uses, density and intensity of use. Land use "programs" at the end of this chapter recommend actions by the county or other public agencies. Chapter 8 contains development standards related to the land use categories to assist in guiding planning area development. Standards define actions required for new development to achieve consistency with the general plan.

Table E summarizes the acreage for each land use category in the planning area. Land use within the city of Morro Bay is not included in the totals.

A. SOUTH BAY URBAN AREA LAND USE

The South Bay urban area is at the westerly end of Los Osos Valley and is bounded by Los Osos Creek on the east, Morro Bay and its tidelands on the north, Irish Hills on the south, and Montana de Oro and Morro Bay State Parks on the west. Although generally referred to as South Bay, the area consists of several loose-knit neighborhoods, including Baywood Park, Los Osos, and Cuesta by the Sea.

The urban reserve line encompasses approximately 2,590 acres (four square miles) and allows for future growth through in-filling of existing developed areas and expansion onto adjacent vacant lands.

The South Bay area is divided into neighborhoods to show local facilities needs such as schools, parks, and convenience shopping. These neighborhood units are named simply to provide a convenient aid to location in the text discussion of land uses.

Residential Rural

A small area has been designated Residential Rural in the northern portion of South Bay. This area is covered with a dense stand of pygmy oaks sloping toward the bay and the marshlands. This area is being considered for acquisition by the State Department of Parks and Recreation and would be redesignated Open Space if acquired. If acquisition does not occur, any development proposed should be through resubdivision of the area and clustering of the units in the least sensitive portion of the site.

Residential Single Family

Single family residential uses occupy more land than any other land use in South Bay and include a wide variety of residential neighborhoods ranging from the older tract areas developed in the late 1800's with undersized 25 foot wide lots, to hillside homes with lots ranging from 10,000 square feet to one acre. Each presents a unique neighborhood feeling that blends to form the community character of South Bay. Significant environmental resources are found throughout the community and serve as a scenic backdrop surrounding the periphery.

Growth is occurring through both in-filling of existing tracts on a lot-by-lot basis and lot divisions and larger subdivisions. The timing and ultimate size of the community's growth must be directly related to available water resources and other urban services. The following is a discussion of specific neighborhoods shown in Figure A 4 1. (Rev. 2 11 81)

El Moro

El Moro neighborhood is the largest in terms of both land area and population. Its 704 acres are bordered on the north by Morro Bay and on the south by the village area. Most of the area was subdivided in the late 1800's into lots of slightly more than 3,000 square feet with 80 foot street rights-of-way laid out in a grid pattern. Development has occurred sporadically, primarily in single family uses, and most building has occurred on multiple lots. A mixture of housing styles and sizes gives the present character to the community. Small, older homes, many of which were initially built for second homes or retirement, are scattered throughout the area. Future growth will involve in-filling of vacant lots, so the present mixture of housing types will continue; however, larger homes are being built on these small lots, often resulting in a cramped, overcrowded feeling. Of particular concern in some of this area is the lack of street trees or other features that tie the neighborhoods together. A street treatment program to break the grid pattern would improve neighborhood appearance and character.

CHAPTER 5: COMBINING DESIGNATIONS

A. COMBINING DESIGNATIONS

Combining designations are special overlay categories applied in areas of the county with hazardous conditions or special resources, where more detailed project review is needed to avoid adverse environmental impacts or effects of hazardous conditions on proposed projects. The following areas are subject to special combining designations. In some cases, specific standards have been adopted for an area where a combining designation is applied. These standards are found in Chapter VII, (Planning Area Standards) and are applicable to development proposals in addition to the standards of Chapter 22.07 of the Land Use Ordinance.

~~Morro Bay (SRA) Morro Bay is one of the few intact natural estuaries on the Pacific Coast. The future of Morro Bay as a coastal estuary system has been the subject of local, state and federal concerns for at least ten years. Geologically unique, the bay is essentially a lagoon, with rare ecological processes found only at two other locations on the entire California coast. Its coastal location dictates a crucial interaction with the land surrounding it. A wide variety of life forms survive in the coastal bay and watershed due to the confluence of salt and fresh water and upland and coastal life support system. The bay itself is divided between public ownership in the northern sections and private tidelands in the southern portions of the bay.~~

~~Morro Bay Shoreline (SRA) The Morro Bay tidelands and adjoining shoreline areas are important areas for preserving the complex ecology of the bay as well as unique scenic amenities. Marshlands are particularly important as a source of food and refuge for marine life and also provide feeding and nesting areas for a variety of waterfowl and shorebirds. Proposed acquisition by Morro Bay State Park would include much of these tideland areas. Much of the shoreline is in private ownership, with developed urban areas bordering the estuary in Morro Bay and South Bay. Critical areas include the following:~~

~~a. Sweet Springs Marsh This is an unusual (though man-made) combination of saltwater marsh, freshwater spring, cypress and eucalyptus grove.~~

B. COMBINING DESIGNATION PROGRAMS

~~"Programs" are non-mandatory actions or policies recommended by the Land Use Element to achieve community or areawide objectives identified in this area plan. The implementation of each LUE program is the responsibility of the community, through the county or other public agency identified in the program itself. Because programs (some of which include special studies) are recommended actions rather than mandatory requirements, implementation of any programs should be based on consideration of community needs and substantial community support for the program and its related cost.~~

~~Combining designation programs for the Estero Planning Area are grouped under names of communities or rural areas, and then under combining designations or other location headings to identify specific areas where they each apply.~~

~~Sensitive Resource Areas~~

~~1. Sensitive Resource Preservation. The county should encourage the use of open space agreements or other appropriate instruments to protect portions of properties with sensitive resources such as native oak groves.~~

CHAPTER 6: PLANNING AREA STANDARDS

~~This chapter contains special "standards" for the Estero Planning Area. Standards are mandatory requirements for development, designed to handle identified problems in a particular rural area, or to respond to concerns in an individual community. Planning area standards can range from special setbacks in one neighborhood, to limits on the kinds of land use normally allowed by the LUE (Table O, Part I) because of certain community conditions.~~

~~These standards apply to the planning and development of new land uses, and must be satisfied for a new land use permit to be approved, and for a newly constructed project to be used. All standards listed in this area plan may not affect the entire planning area. Most apply to specific communities or rural locations.~~

~~Estero area standards are organized under several headings describing locations in the planning area where they apply. Standards are grouped first by community, then by land use category, and finally under headings naming a specific area where the standard must be satisfied.~~

~~These requirements apply to proposed projects in addition to provisions of the Land Use Ordinance. Where these standards conflict with the LUO, these standards control. In any case where this area plan designates a property in the Open Space or Recreation land use categories, in the Sensitive Resource or Historic Area combining designations, or where the LUE identifies a need for open space preservation through easement, contract or other instrument, such designation does not in and of itself convey or imply any right of public use, access, trespass or violation of privacy.~~

~~A. SOUTH BAY URBAN AREA STANDARDS~~

~~The following standards apply within the South Bay Urban Reserve Line to the land use categories or specific areas listed.~~

~~Sensitive Resource Area (SRA)~~

~~1. Site Planning—Development Plan Projects. Projects requiring Development Plan approval are to concentrate proposed uses in the least sensitive portions of properties. Native vegetation is to be retained as much as possible.~~

~~COMBINING DESIGNATIONS:~~

~~The following standards apply to all lands in the Sensitive Resource Area (SRA) combining designation, as listed below.~~

~~COMMUNITYWIDE:~~

~~The following standards apply to all land uses categories within the South Bay urban area or specified portions thereof.~~

~~South Bay Lowland Areas. Standard 1 applies only to areas designated in Figure A-6-2. [Amended 1984, Ord. 2174]~~

~~1. Drainage Plan Requirement. All land use permit applications for new structures or additions to the ground floor of existing structures shall require drainage plan approval pursuant to Land Use Ordinance Sections 22.05.040 et seq. if the project is located within the area shown on Figure A-6-2, unless the County Engineer determines that the individual project site is not subject to or will not create drainage problems. [Amended 1984, Ord. 2174]~~

~~Bayfront Development. Standards 2 and 3 apply only to the area designated in Figure A-6-3. [Amended 1985, Ord. 2226]~~

2. ~~Height.~~ Proposed structures are limited to a maximum height of 14 to 22 feet in accordance with Figure A-6-3. ~~[Amended 1985, Ord. 2226; 1987, Ord. 2321]~~

3. ~~Fences.~~ Fences should not be constructed that would restrict public views of the bay from public roads or preclude lateral public access. ~~[Amended 1985, Ord. 2226]~~

RESIDENTIAL RURAL:

The following standards apply only to lands within the Residential Rural land use category.

1. ~~Resubdivision Required.~~ Development of the area of existing subdivided lots included within the Residential Rural land use category is to occur only after resubdivision and clustering of the development adjacent to existing residential development, with the remainder of the site retained in its natural state.

RESIDENTIAL SINGLE FAMILY:

The following standards apply only to lands within the Residential Single Family land use category.

1. ~~Height Limitations.~~ Maximum height shall be 28 feet, unless a more detailed standard is established in the standards that follow. ~~[Amended 1981, Ord. 2063; 1987, Ord. 2321] El More Area. Standards 9 and 10 apply only to the El More area (see Figure A-6-1).~~

2. ~~Lot Coverage.~~ Maximum lot coverage permitted on a single 25 foot lot is 60%; lots of 6,000 square feet or more are permitted 40% coverage, excluding patios, driveway, walks, etc.

3. ~~Setbacks.~~ The minimum setback for all structures on lots with bay frontage is 25 feet from mean high tide.

Delete 5 pages of figures

APPENDIX E: COASTAL ACCESS INVENTORY

I. INTRODUCTION

No changes to this section

II. OVERVIEW OF EXISTING AND POTENTIAL COASTAL ACCESS

~~C. Los Osos~~

~~Los Osos offers a variety of opportunities for coastal access, and several improved facilities exist. Most accessways are lateral access easements. There are also many vertical accessways, but only a few are developed. Many have trespass use; however, prescriptive rights may exist around much of the bayfront. There are also potential vista points and major lateral trails along the shoreline, but those may not be open or offered for dedication in their entirety. Currently, the primary use of the shoreline is by local residents, as residential neighborhoods border the shoreline. The following is an inventory and discussion of access in Los Osos by neighborhood:~~

~~Baywood Park~~

~~The Elfin Forest is discussed in Section A, Rural Area. Further west, there is an opportunity to develop the northern end of 7th Street for public access and an overlook that offers vast vistas of the Morro Bay estuary and the sandspit. The end of 4th Street is developed with an overlook. The other street ends between 5th and 9th Streets should be managed to protect, conserve and preserve habitat.~~

~~In the Baywood Commercial area, the southern end of 2nd Street is developed with a small pier with a seating area. In the vicinity are benches overlooking the bay and the tidal flats. As part of the approved Back Bay Inn development, lateral access along the bluff top is to be provided, together with protection and restoration of sensitive habitat. Opportunities for boat launching are to be limited due to sensitive habitat. However, at the southern end of 1st Street, there is an opportunity to develop a boat launch ramp and access to the bay.~~

~~In Tract 40 on the Baywood Peninsula at the end of Santa Ysabel Avenue, a small parking area and trail to the bay has been developed. To the north is Bay Street. It is an undeveloped offer of dedication, but has existing use. This area should be developed with a bay overlook. To the south, at the bend in Pasadena Drive south of Baywood Way, is a 10-foot wide easement to the edge of the bay located~~

~~between two residential lots. Due to narrow streets, lack of parking, and potential conflicts with adjacent homes, consideration should be given to either developing that easement for neighborhood-scale access or retaining the easement to protect and enhance habitat.~~

Sweet Springs

~~The Sweet Springs marsh is a nature preserve open to the public. It includes a nature trail adjacent to the bay and wetlands that offers beautiful views of the estuary, the sandspit, Morro Rock, and the surrounding bayfront. The marsh is managed by the Morro Coast Audubon Society, a private, non-profit conservation organization. Deed restrictions placed on the property by the State of California prohibit any additional improvements.~~

Cuesta-by-the-Sea

~~Coastal access in the Cuesta-by-the-Sea neighborhood is entirely informal. There are many offers to dedicate lateral access, and a few open, but undeveloped vertical accessways.~~

~~The Cuesta Inlet and vicinity offer substantial coastal access opportunities. In this area, Mitchell Drive parallels the shoreline, and has an unimproved stub out at each end. Both appear to be well used for vertical access to the shoreline and lateral access along the shoreline. Mitchell Drive provides access to the Cuesta Inlet, which is privately owned (except where State tidelands may extend), but heavily used by area residents for activities such walking, jogging and boat launching. Along Mitchell Drive, there is an opportunity to develop a walkway, bicycle racks, bollards, signs, a bay overlook, and landscaping. At the Cuesta Inlet or elsewhere in the "Back Bay," a site should be acquired and developed for a park and boat launch ramp, consistent with protection of sensitive habitat. Another major coastal access location in the Cuesta-by-the-Sea neighborhood is at the northern terminus of Pecho Road, adjacent to Binscarth Road. This street end is undeveloped, but well used for access to the shoreline. It should be developed with a bay overlook. On the adjacent parcel west of the street end, there has been intensive trespass use, and prescriptive rights may exist in this area.~~

West of Pecho Area

~~This area has little shoreline, but provides coastal access via mostly informal trailheads onto adjacent shoreline parcels. This area is also adjacent to Montaña de Oro State Park. Trailheads are located at the end of Butte Drive and Howard Street. Formal trail access into the State Park and to the coast has been provided at the southern end of Inyo Street in connection with the Monarch Grove subdivision.~~

~~Butte Drive is the main shoreline road in this area. A lateral shoreline accessway is located behind the residences on this street. There are a several lateral access easements, and eventual completion of the~~

~~accessway through acquisition/dedication should be considered. However, the design of any future formal trail along the shoreline at this location would need to protect sensitive habitat and recognize the danger of walking on a soft, marshy surface.~~

~~Delete references to Los Osos in the Coastal Access Inventory and maps 8, 8A, 8B, and 8C~~

EXHIBIT B

AMENDMENTS TO THE LOS OSOS COMMUNITY PLAN CONSISTENT WITH
CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO THE
ESTERO AREA PLAN

Los Osos Community Plan

**Board of Supervisors
Adopted Plan
December 15, 2020**



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Los Osos Community Plan

~~Board of Supervisors Approved Plan~~ ~~December 15, 2020~~Updated _____

Relationship to Other Planning Documents

- Included in the San Luis Obispo County General Plan, Land Use Element
- Not included in the County's Local Coastal Program (LCP)
- See the Estero Area Plan for LCP-related Los Osos Development Standards
- See Chapter 1, Section 1.6 of this Plan for more detail

~~Board of Supervisors approved for~~ ~~Submittal~~
to the California Coastal
Commission
on December 15, 2020

(Resolution No. 2020-242294) (Local Coastal Program Amendment # LCP-3-SLO-21-0028-1-Part G)

California Coastal Commission certified Estero Area Plan amendment with suggested modifications on June 13, 2024

Board of Supervisors acknowledged and accepted California Coastal Commission's suggested modifications on October 29, 2024 (Resolution No. _____)

California Coastal Commission final approval on _____

County of San Luis Obispo

Board of Supervisors

John Peschong, District 1

Bruce S. Gibson, District 2

Dawn Ortiz-Legg, District 3

~~Jimmy Paulding~~~~Lynn Compton~~, District 4

Debbie Arnold, District 5

Planning Commission

Jay Brown, District 1

Michael Multari, District 2

Dawn Ortiz-Legg, District 3

TBD, District 4

Don Campbell, District 5

Department of Planning and Building

Trevor Keith, Director

~~Mark LaRue, Deputy Director - Planning~~

~~Rob Fitzroy, Assistant Director~~

~~Cory Hanh~~~~Airlin Singewald~~, Division Manager

~~Brian Pedrotti, Supervising Planner~~

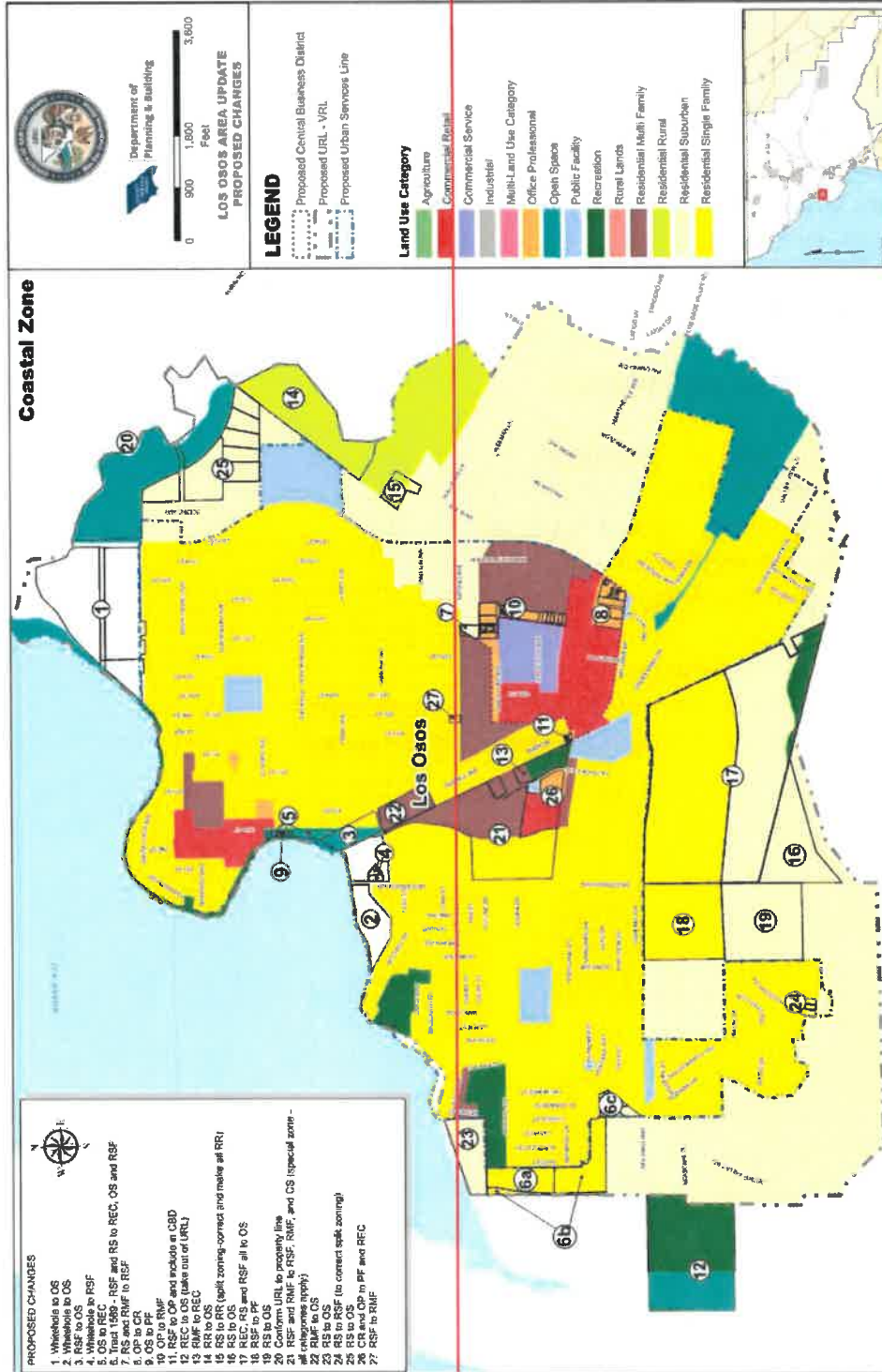
Kerry Brown, ~~Project Manager~~~~Supervising Planner~~

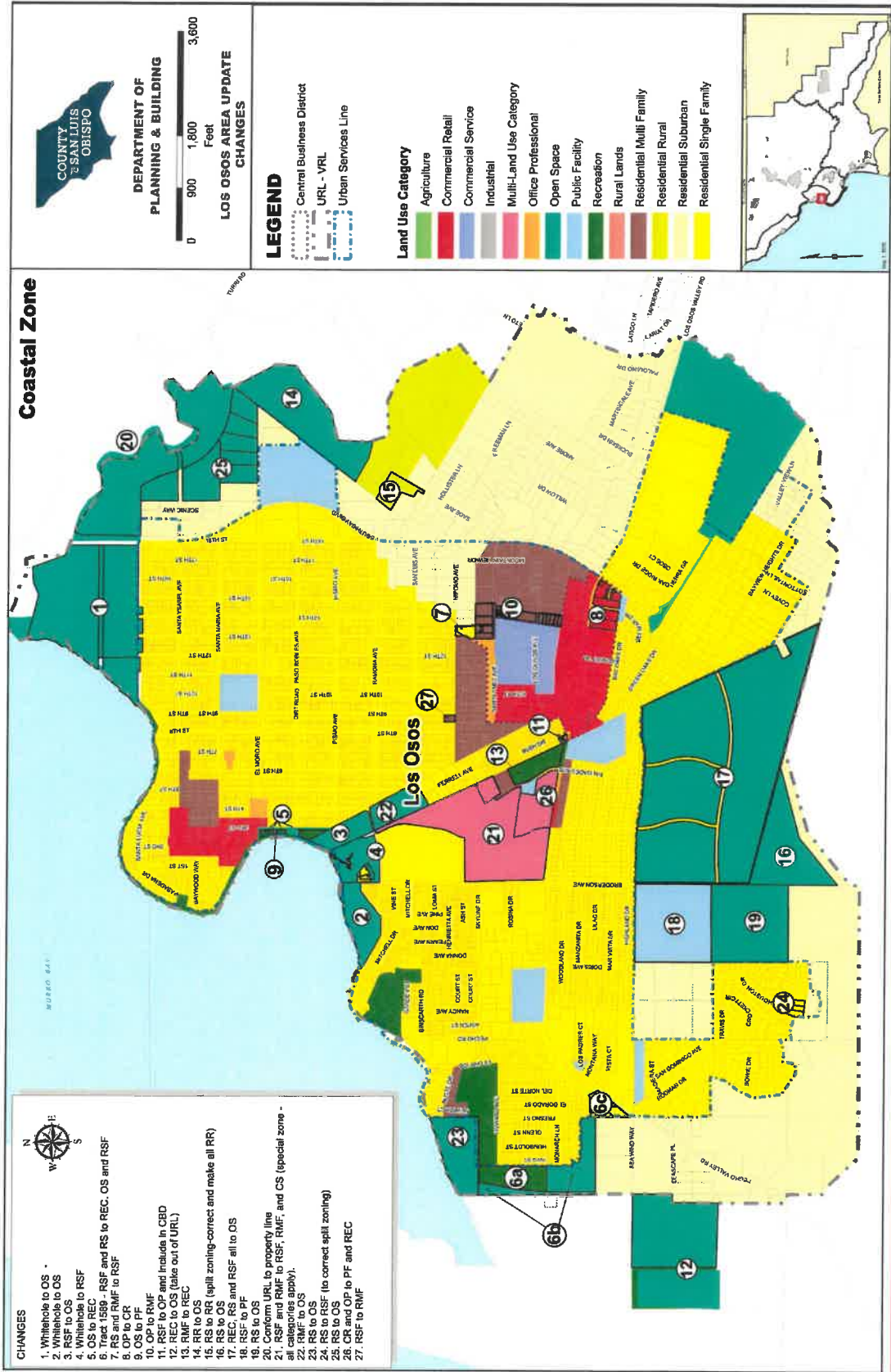
~~Cory Hahn, Planner~~

Kylie ~~Fonzi~~~~Hensley~~, ~~Senior~~ Planner

Jennifer Guetschow, ~~Senior Planner~~~~IT Training Coordinator~~

Rebecca Whiteside, ~~Mapping/Graphics Specialist~~~~GIS Analyst~~





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Chapter 1: Introduction



1.1 Purpose

The purpose of this Los Osos Community Plan is to establish a vision for the future of Los Osos that will guide growth and development over the next 20 years. The vision described in this plan reflects the desires of the community, and the plan contains the policies, programs and standards to help achieve that vision. This plan is intended to be the community's plan and was developed with substantial community participation. Continued community involvement is needed to achieve the vision.

Note: The Estero Area Plan contains standards that are within Coastal Act purview. See the Estero Area Plan, Chapter 7 Planning Area Standards, Section VI. Los Osos Urban Area Standards in addition to the standards in Chapter 7 of this Los Osos Community Plan.

1.2 Key Development Requirements

Figure 1-1 summarizes key requirements for new development in Los Osos that address issues concerning habitat, wastewater, and water supply that historically limited community development. Other site-specific requirements may apply.

Figure 1-1: Key Permitting Requirements for New Development in Los Osos

If a project would result in ...	... then this is required for permit application submittal:	Regulations
... new ground disturbance	Los Osos Habitat Conservation Plan Certificate of Inclusion Comply with applicable avoidance and minimization measures and pay mitigation fees	Los Osos Habitat Conservation Plan Community-wide Incidental Take Permit
and/or		
... a new structure or a new use that uses water	Retrofit-to-Build Certificate Verified plumbing fixture retrofits for existing development Verification of Water Supply Water will serve letter <u>or</u> on-site well has demonstrated adequate availability of potable water Verification of Wastewater Treatment Sewer will serve letter <u>or</u> on-site wastewater treatment system complies with all applicable regulations	Title 19 of the County Code (Buildings and Construction Ordinance) – Water conservation provisions Title 19 of the County Code (Buildings and Construction Ordinance) – Minimum water supply Local Agency Management Program Estero Area Plan – Los Osos Urban Area Standards
and/or		
... a new dwelling unit	Residential Growth Rate Allocation Available allocation assigned per the annual residential growth rate approved by the Board based on groundwater basin metrics, considering the Los Osos Waitlist to Build	Title 26 of the County Code (Growth Management Ordinance)

This figure only focuses on water, wastewater, and habitat considerations. Contact the Department of Planning and Building about site-specific requirements per the Estero Area Plan, Los Osos Community Plan, County Code, Local Coastal Policies, and California Environmental Quality Act.

1.2.3 Organization of the Plan

This plan is part of the County's ~~Local Coastal Plan and~~ General Plan but is not part of the Local Coastal Program; the Community Plan provides a greater level of specificity for the community of Los Osos. The Community Plan identifies planning issues specific to the community, describes land use and transportation within the plan area (see Figure 1-21), establishes policy direction to address planning issues, and sets specific actions and standards to implement policy direction.

Figure 1-21: Los Osos Community Plan Area



The organization of the plan is as follows:

Chapter 1	Introduction. This chapter discusses the setting of the community of Los Osos. It also describes the relationship between the Los Osos Community Plan and the General Plan and Local Coastal Program.
Chapter 2	Community Plan Policies. This chapter contains the community's vision and goals for the future of Los Osos and an analysis of issues to be addressed in the community plan. The chapter concludes with policies and programs.
Chapter 3	Land Use. This chapter discusses land use patterns, with a focus on residential neighborhoods, retail commercial areas, and critical sites for future development.
Chapter 4	Environmental Resources. This chapter discusses important environmental resources including biological resources, cultural resources, and water. This chapter also discusses habitat conservation and combining designations—special overlay categories applied in areas of the county with hazardous conditions or special resources.
Chapter 5	Circulation. This chapter focuses on transportation and circulation. Circulation needs are considered not only for automobiles, but also for pedestrians and bicyclists.
Chapter 6	Coastal Access. This chapter discusses preservation of existing coastal access points and development of new access points and related infrastructure.
Chapter 7	Planning Area Standards. This chapter contains <u>community-specific</u> standards that apply to new development projects in the community of Los Osos.
Chapter 8	Public Facility Financing Plan. This chapter identifies tentative costs and specifies financing strategies for major public facilities needed to support the community.

1-31.4 The Planning Process

Planning for the community of Los Osos started in the early 1990s as part of the update to the Estero Area Plan for the communities of Los Osos and Cayucos and outlying rural areas. Before a draft plan was prepared, several background reports and issues reports were prepared by staff and reviewed by the Los Osos Community Advisory Council (LOCAC). The reports included numerous responses to comments.

An integral part of the update process was involvement by LOCAC, the original purpose of which was to advise the County on preparation of the Los Osos portion of the area plan update. The importance of LOCAC's role in the update was underscored by the Board of Supervisors, who directed that staff achieve consensus with the advisory council on the update's recommendations before bringing the update to the Planning Commission for public hearings. There was extensive participation by LOCAC in the update process since the official start of the update, including review of several draft versions of the update, as well as review of many background reports and issues papers.

The Estero Area Plan was approved by the Board of Supervisors on November 2, 2004 for submittal to the California Coastal Commission. However, the County subsequently modified the submittal of the area plan update to the Coastal Commission by removing the Los Osos urban area from the update. This was due to lack of an approved communitywide Habitat Conservation Plan for Los Osos to deal with widespread environmentally sensitive habitat, uncertainty about whether the projected build-out would be in line with long-term groundwater supply, and at that time (mid 2000's), uncertainty about a communitywide sewer system.

Construction of the communitywide sewer project began in 2012 and was completed in 2016. Additionally, efforts toward a communitywide Habitat Conservation Plan and a Basin Plan for groundwater are well underway. The County re-started efforts to update the Los Osos Urban area of the Estero Area Plan, now known as the Los Osos Community Plan, in late 2012. The previous efforts to update the Estero Area Plan (Los Osos urban area) are the foundation of this update to the Community Plan.

Community meetings were held from June 2013 through January 2015 to solicit input from the community and determine if the past efforts still reflect the community's desires. In addition, a community survey was released in February 2014 to gain more insight into the community's needs. Understandably, the community is still mostly concerned about water and growth, given the current constraints on water resources.

1.41.5 Community Plan Area and Setting

The unincorporated community of Los Osos is home to about 13,944 residents (2010 U.S. Census). The natural setting of Los Osos is a place of unique beauty. The Los Osos urban area lies at the westerly end of the picturesque and agriculturally productive Los Osos Valley. Los Osos is bounded by the Los Osos Creek riparian corridor to the east and southeast, and the older coastal dunes to the north, south, and southwest. The Morro Bay estuary, one of the largest and most important wetland systems in the Central Coast, borders the community on the north, northwest, and west. The community contains a wealth of natural resources and environmental assets that define its character and contribute to its high quality of life; they are vital to the local economy.

In addition to the area's valuable natural resources, its human resources are essential to its future. The community of Los Osos is fortunate to have an active and effective community advisory committee, as well as many involved and talented people who care deeply about the future of their community.

Los Osos possesses scenic beauty, a mild coastal climate, and natural resources that contribute to a high quality of life. These assets also present opportunities to improve jobs and services for local residents and to improve recreation and tourist-oriented uses for both locals and visitors.

Notably, the shoreline access in the Baywood area is a unique coastal recreational amenity in the vicinity of Morro Bay and the Central Coast in general, offering calm water access free from hazards such as strong currents, motorboat traffic, and boat moorings.

Following are examples of some opportunities for the future:

- Focus on infill and mixed use development, while maintaining the greenbelt around the community to protect scenic qualities and environmentally sensitive habitat.
- Improve job opportunities for local residents by encouraging environmentally-friendly businesses.
- Improve the road system and promote alternative transportation such as walking and bicycling, especially in attractively redeveloped commercial areas.
- Develop a community that is more able to be sustained by the local environment, resources and economy.

- Improve recreation and tourist-oriented uses, considering the area's natural assets and existing tourist presence.

1-51.6 Relationship to Local Coastal Program and General Plan

The Los Osos Community Plan is a component of ~~both~~ the San Luis Obispo County General Plan ~~but is not included in and the County's~~ Local Coastal Program (LCP) ~~certified by the California Coastal Commission.~~ These relationships are illustrated in Figure 1-32 and Figure 1-43, respectively. ~~This plan is consistent with the intent and policies of the California Coastal Act and the San Luis Obispo County Local Coastal Program (LCP). All other County plans, policies and programs that involve Los Osos and are subject to the LCP are to be consistent with and implement this plan. In addition, w~~Where applicable, all public and private development in Los Osos is to be consistent with this plan. It should be recognized, however, that this plan is also subject to other authority, for example, federal and state statutes, case law, and regulations.

The following table (Table 1-1) summarizes the relationship of the Los Osos Community Plan to the San Luis Obispo County General Plan and Local Coastal Program.

Table 1-1: General Plan Components	
Document or Plan	Relationship to Los Osos Community Plan
San Luis Obispo County General Plan	The General Plan contains several parts known as "elements." The Los Osos Community Plan is a portion of the Land Use and Circulation Elements of the General Plan. Each element of the General Plan must be consistent with one another.
San Luis Obispo County Local Coastal Program	Within California's Coastal Zone, a jurisdiction may only issue Coastal Development Permits if it has prepared a Local Coastal Program for certification by the California Coastal Commission. A Local Coastal Program includes both a land use plan (e.g. the Land Use and Circulation Element) and an implementation plan (e.g. Planning Area Standards and the Coastal Zone Land Use Ordinance). The Los Osos Community Plan is <u>not</u> a component of the Local Coastal Program. <u>The Estero Area Plan is the component of the Local Coastal Program that contains Los Osos Planning Area Standards within Coastal Act purview.</u>
Coastal Zone Framework for Planning	The Coastal Zone Framework for Planning document is part of both the General Plan and Local Coastal Program. It contains general land use and circulation policies that are applicable throughout the County's Coastal Zone. The Los Osos Community Plan must be consistent with the Coastal Zone Framework.
Coastal Plan Policies	The Coastal Plan Policies document is part of both the General Plan and the Local Coastal Program. It contains policies to ensure that the County's Local Coastal Program will be consistent with the California Coastal Act. The Los Osos Community Plan must be consistent with the Coastal Plan Policies.

Table 1-1: General Plan Components	
Document or Plan	Relationship to Los Osos Community Plan
Estero Area Plan	The Coastal Zone portion of the County is broken down into four regional areas: South County, San Luis Bay, Estero, and North Coast. Each area has an Area Plan that addresses land use and circulation issues unique to that area. The community of Los Osos is part of the larger Estero Planning Area and its Estero Area Plan. The Area Plan deals with the communities of Los Osos and Cayucos and the rural areas outside of the Los Osos and Cayucos Urban Reserve Lines. <u>The Estero Area Plan is a component of the Local Coastal Program and is: While the Los Osos Community Plan is considered part of the Estero Area Plan, they are two separate documents from the Estero Area Los Osos Community Plan. Standards for all developments in Los Osos Planning Area Standards are contained in both the Estero Area Plan and the Los Osos Community Plan, with different focuses. Where a conflict exists between the standards in the Estero Area Plan and the Los Osos Community Plan, the Estero Area Plan shall prevail.</u>

Figure 1-32: Relationship of the Los Osos Community Plan to the General Plan

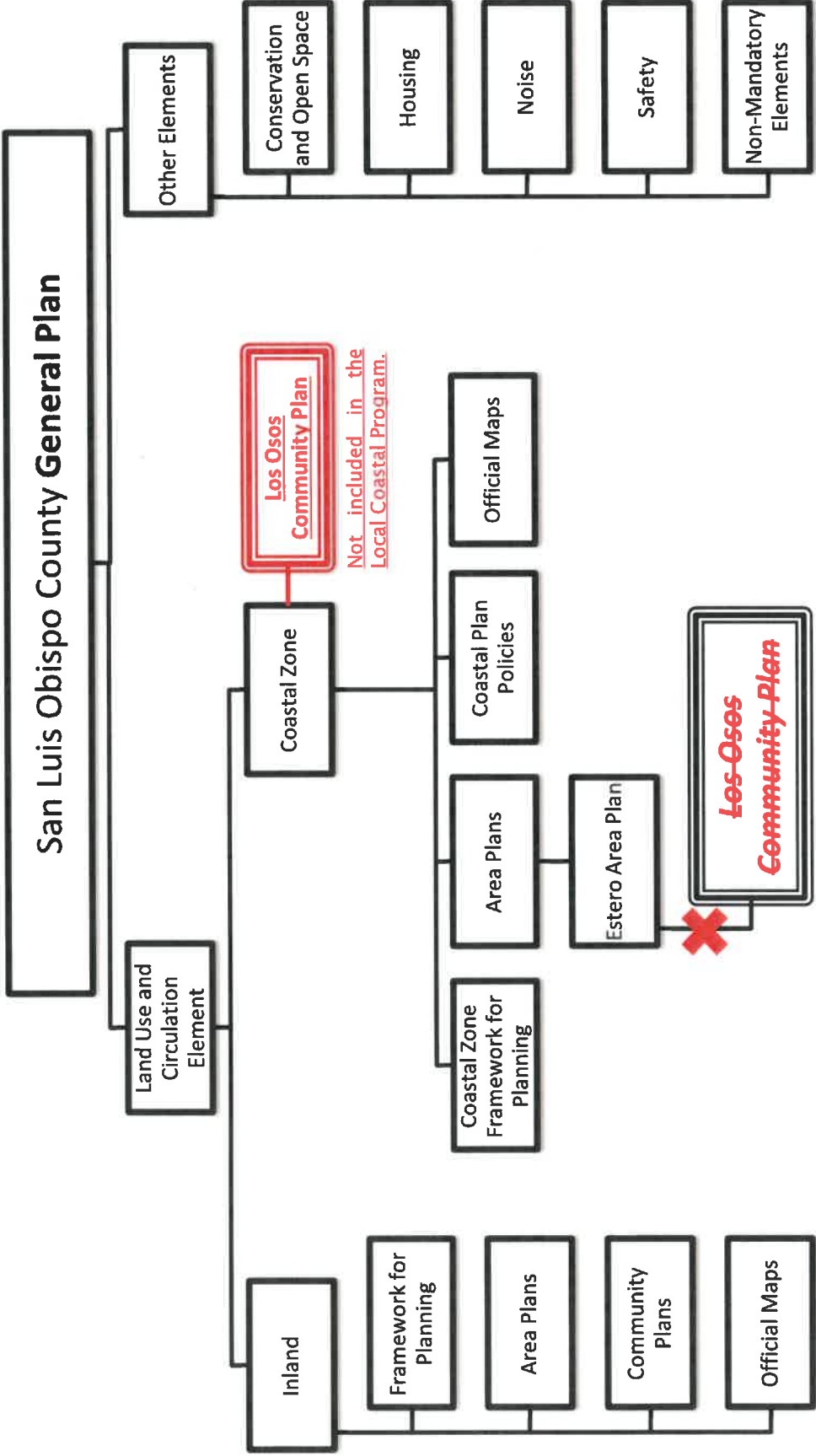
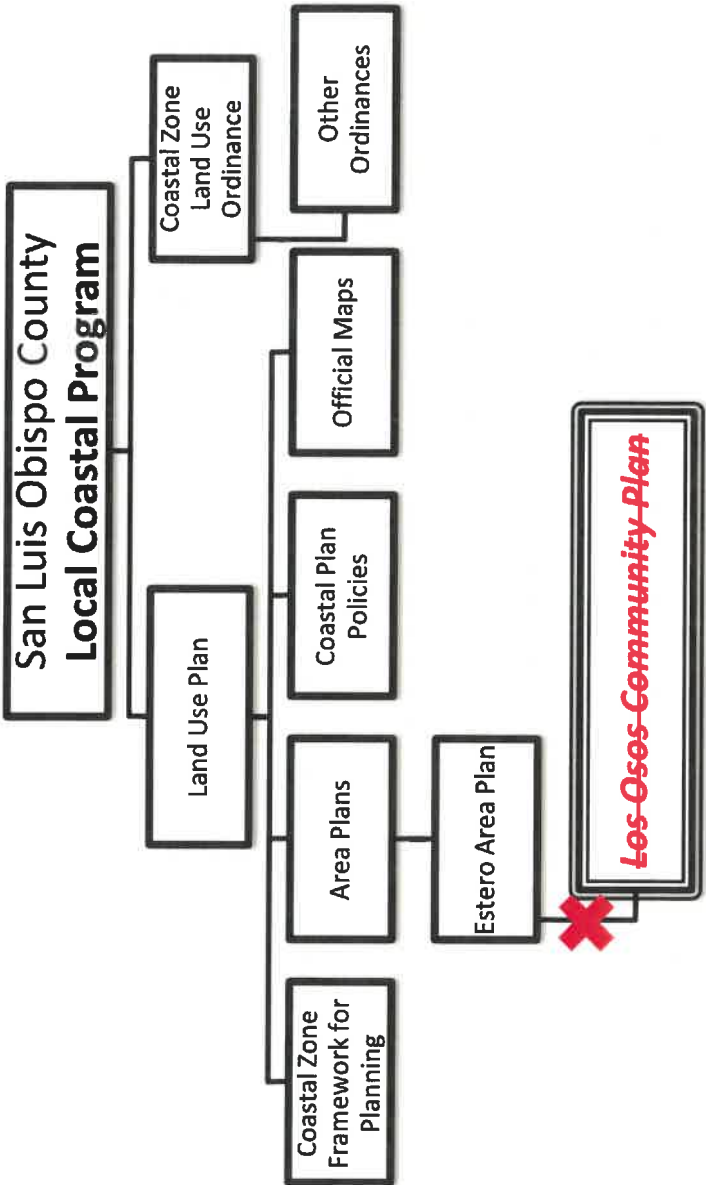


Figure 1-43: Relationship of the Los Osos Community Plan to the Local Coastal Program



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Chapter 2: Community Plan Policies

.....

2.6 Policy Implementation Summary

The following tables identify how the policies and programs in Section 2.5 will be implemented. Table 2-23 identifies each policy and links them with programs, standards, and other means of implementation. Table 2-34 identifies each program, the responsible party, funding source, and timing.

Table 2-2: Summary of Los Osos Community Plan Policies and their Implementation

#	Summarized Policy	Implementation
EC-1	Encourage economic development that will make Los Osos more economically self-sufficient.	Program EC-1.1: Identify target businesses. Program EC-1.2: Conduct targeted marketing. Program EC-1.3: Promote tourist-oriented development.
EC-2	Provide flexible zoning that enables businesses to expand and remain in the community.	Land use plan
EC-3	Improve commercial areas by making them more attractive and pedestrian-friendly.	Program EC-3.1: Business Improvement District.
PS-1	Monitor water demand through the Resource Management System to ensure that new development can be supported by available water supplies.	Program PS-1.1: Water-Allocations for new development. Estero Area Plan, Chapter 7, Standard III.f
PS-2	Implement the provisions of an adopted Basin Plan for the Los Osos Groundwater Basin.	Program PS-2.1: Water – Groundwater management.
PS-3	Prioritize programs in the Basin Management Plan that halts or, to the extent possible, reverse seawater intrusion into the Basin.	Program PS-2.1: Water – Groundwater management.
PS-4	Continue to work cooperatively with local government agencies to coordinate location of new facilities and shared use of existing facilities.	Implemented as a policy.
LU-1	Maintain a hard inland urban edge around Los Osos, surrounded by a well-managed greenbelt, and a soft bayside edge to protect future wetland and estuary function in light of sea level rise.	Land use plan Program LU-1.1 Los Osos Greenbelt Program LU-1.2 Morro Bay Estuary Protection
LU-2	Concentrate or cluster development to protect contiguous environmentally sensitive areas and the Morro Bay Estuary.	Estero Area Plan, Chapter 7, Standard III.A
LU-3	Maintain a small-town atmosphere, while increasing opportunities for business and employment.	Land use plan Planning Area Standards – <u>Communitywide Standards</u> : ■ <u>Los Osos Community Plan</u> Section 7.3 – Subsections <u>AB.2</u> , <u>BE</u> , <u>L.3</u> , <u>N</u> , and <u>P</u> . ■ <u>Estero Area Plan</u> , Chapter 7, Section VI, Subsections E and K.3.
LU-4	Promote pedestrian travel and activities so that commercial areas become pedestrian- rather than automobile-oriented.	Program LU-3.1: Gateways. Program LU-3.2: CBD design and enhancement. Land use plan Circulation plan Planning Area Standards – <u>Land Use Category Standards</u> : ■ <u>Estero Area Plan</u> , <u>Section VI Section 7.5</u> – Subsection A.3
LU-5	Plan for a flexible combination of residential, service, and office at the Morro Shores Mixed Use Area.	Planning Area Standards – <u>Land Use Category Standards</u> : ■ <u>Estero Area Plan</u> , <u>Section VI Section 7.5</u> – Subsection J

Community Plan Policies

LU-6	Maintain and enhance the unique character of the Baywood Commercial Area.	Program LU-6.1: Baywood Commercial Area design and enhancement. Planning Area Standards – Land Use Category Standards : ■ Estero Area Plan, Section VI Section 7.5 – Subsections A.4 and A.5 Planning Area Standards: ■ Los Osos Community Plan, Section 7.3 – Subsection F ■ Estero Area Plan, Section VI, Land Use Category Standards Section 7.5 – Subsections I.1.b and J.4.c Planning Area Standards – Land Use Category Standards : ■ Estero Area Plan, Section VI Section 7.5 – Subsections L.3 and L.11
LU-7	Provide opportunities for a variety of housing types that are affordable to people of different income levels.	Land use plan Program LU-9.1: New parks and recreation facilities. Program LU-9.2: Multiple use of drainage basins. Program LU-9.3: Joint use of school facilities. Program LU-9.4: Recreation program.
LU-8	Maintain a suburban character in Residential Single Family neighborhoods that are not be served by the wastewater project.	Circulation plan Program CIR-1.1: Accept and retain coastal access offers Program CIR-1.2: Abandonments and quiet title action. Program CIR-1.3: Protect existing access points. Program CIR-1.4: Develop access improvements. Program CIR-1.5: Sea Level Rise and Public Access
LU-9	Provide adequate parkland, open space, and recreation areas to accommodate Los Osos’ anticipated population in 2045.	Circulation plan Program CIR-2.1: Transit system. Program CIR-2.2: Transportation Demand Management. Implemented as a policy.
CIR-1	Maximize public access to and along the coast.	Circulation plan Program CIR-4.1: Narrow streets. Program CIR-4.2: Trees. Program CIR-4.3: Commercial streetscape. Program CIR-4.4: Traffic calming. Implemented as program.
CIR-2	Provide safe, convenient access to multiple transportation modes from shopping centers, schools, residential areas, and recreation facilities.	Program EN-1.1: Habitat Conservation Plan. Program EN-1.2: Recovery Plan. Program EN-1.3: Habitat monitoring. Program EN-1.4: Protection and management of sensitive habitats. Program EN-1.5: Support conservation organizations. Program EN-1.6: Morro Bay shoreline wetlands mapping.
CIR-3	Responsibly finance and administer the community circulation system.	
CIR-4	Design the circulation system to be compatible with the community’s character and responsive to local environmental needs.	
CIR-5	Assess the vulnerability of the Los Osos circulation system to sea level rise.	
EN-1	Effectively manage endangered and threatened biological resources in and around Los Osos.	

EN-2	Manage urban runoff to reduce discharge of pollutants into Morro Bay.	Program EN-2.1: Los Osos runoff control. Program EN-2.2: Los Osos urban watershed management. Program EN-2.3: Community Drainage Improvements Planning Area Standards – Combining Designation Standards: ■ Section 7.4 Subsection Cestero Area Plan, Section VI, Subsection B Planning Area Standards – Communitywide Standards: ■ Estero Area Plan, Chapter 7, Section VI, Subsection NSection 7.3 Subsection S
EN-3	Continue County engagement with Native American tribes.	Planning Area Standards – Communitywide Standards: ■ Los Osos Community Plan, Section 7.3 ■ Estero Area Plan, Section VI Program EN-5.1: Historic Resource Inventory Program EN-5.2: Protection and Management of Historical Resources Planning Area Standards – Communitywide Standards: ■ Section 7.3 Subsection VEstero Area Plan, Section VI, Subsection D
EN-4	Effectively manage significant archaeological and historical resources in and around the community of Los Osos.	Planning Area Standards – Communitywide Standards: ■ Section 7.3 Subsection VEstero Area Plan, Section VI, Subsection D
EN-5	Effectively manage significant historical building, structures, and districts in and around the community of Los Osos.	Planning Area Standards – Communitywide Standards: ■ Section 7.3 Subsection EK
EN-6	Pecho Valley Road from Rodman to the boundary of Montana de Oro State Park shall be designated as a Critical Viewshed.	
EN-7	South Bay Boulevard, and Los Osos Valley Road east of South Bay Boulevard, shall be designated as a Critical Viewshed	
EN-8	Special Status Species Habitat Preservation and Enhancement.	Planning Area Standards: ■ Section 7.3 Subsection EK Program EN-8.1 Los Osos Habitat Conservation Plan compliance
FIN-1	Identify and implement a range of funding sources and financing mechanisms to fund infrastructure and public facilities in an equitable manner	Program FIN-1.1: Pay as you go Program FIN-1.2: Debt financing Program FIN-1.3: Grants Program FIN-1.4: New Development Program FIN-1.5: Existing Deficiencies Program FIN-1.6: Benefit Assessment Program FIN-1.7: Development outside the plan area
FIN-2	Implementation of this Plan shall expand infrastructure improvements and services in a phased manner, consistent with the Community's priorities and such that adequate capacity is provided as development occurs.	Program FIN-2.1: Financial Feasibility Program FIN-2.2: Prioritization Program FIN-2.3: Phasing

FIN-3	Engage with other public and private stakeholders and coordinate with other regional and/or countywide public facilities planning efforts on an ongoing basis in the development of Financing Strategies and implementation measures.	Program FIN-3.1: Plan Consistency. Program FIN- 3.2 Periodic Updates Program FIN -3.3: Reimbursement Program FIN-3-4: Coordination with School District Program FIN-3.5 Community Facilities District (CFD). Program FIN-3.6: Public-Private Partnerships Program FIN-3.7: Business Improvement District. Program FIN-4-1 Ongoing Operation and Maintenance
FIN-4	Provide for Long-Term Operation, Maintenance and Replacement Costs.	
FIN-5	Consistent with the objectives of the County's Groundwater Sustainability Plan, ensure a safe and reliable potable water supply and delivery system sufficient to meet the current and future needs of the Community Plan area.	Program FIN-5.1: Coordination of Water Purveyors
FIN-6	Ensure adequate wastewater collection and treatment and the safe disposal of waste in a timely fashion to support the current and future needs of the Community Plan area.	Program FIN-6.1: Coordination with County Public Works
FIN-7	Collect and dispose of stormwater in a manner that minimizes inconvenience to the public, reduces burden on existing stormwater facilities, encourages groundwater recharge, minimizes potential water-related damage, and enhances the environment.	Program FIN-7.1: Community Facilities District (CFD)
FIN-8	Pursue financing in a timely manner from a variety of sources to maintain, enhance, and expand the roadway, sidewalk, bicycle, and transit networks to achieve and maintain a safe and efficient complete transportation network.	Program FIN-8.1: Coordination and Plan Consistency Program FIN-8.2: Updates to Road Improvement Fee
FIN-9	Pursue financing in a timely manner from a variety of sources to maintain, enhance, and expand the parks, trails, and coastal access opportunities to achieve and maintain the Community's inventory of open space.	Program FIN-9.1: Coordination and Plan Consistency Program FIN-9.2: Updates to Public Facilities Fee Program FIN-9.3: Grants.
FIN-10	Pursue financing in a timely manner from a variety of sources to facilitate the development of an expanded library to serve the Community.	Program FIN-10.1: Coordination and Plan Consistency Program FIN-10.2: Library Impact Fee Revenue Program FIN-10.3: Community Groups

Chapter 6: Coastal Access

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6.3 Implementation of Coastal Access Policies

State and local coastal access policies are primarily implemented through the development review process. Tools for implementation include the Coastal Zone Land Use Ordinance (CZLUO) and the Planning Area Standards in Chapter 7 of this plan and Chapter 7 of the Estero Area Plan. Coastal access programs are listed in Chapter 2 of this plan.

Section 23.04.420 of the CZLUO contains requirements for protection and provision of coastal access. It specifies the type of required access, procedures for acquisition, and the type and extent of required improvements.

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Chapter 7: Planning Area Standards

7.1 Introduction

Planning area standards implement the goals and policies of this plan ~~and the Local Coastal Program~~. These standards are mandatory requirements that apply to new land uses and proposed development. ~~The community-specific P~~planning area standards in this section apply in addition to the planning area standards in the Estero Area Plan, Chapter 7, Section IV, Los Osos Urban Area Standards, the policies and standards of the Local Coastal Program Policy Document, and the standards of the Coastal Zone Land Use Ordinance (CZLUO). Where a conflict exists between these standards and the CZLUO, the community-specific planning area standards of this document shall prevail. Where a conflict exists between these standards and the standards in the Estero Area Plan, the Estero Area Plan shall prevail.

In addition to standards, this chapter includes guidelines, which are shown in italics. Guidelines provide further direction on how to implement the goals and policies of this plan. Guidelines are advisory, but are to be used in evaluating projects such as land divisions, Minor Use Permits and Development Plans. A variety of approaches may satisfy the intent of the guidelines.

7.2 Chapter Organization

The planning area standards are organized as follows:

Section 7.3 Communitywide Standards. These are standards that apply throughout the Los Osos urban area (within the Urban Reserve Line).

See also the Estero Area Plan, Chapter 7, Section VI, Los Osos Urban Area Standards, Communitywide Standards.

Section 7.4 Combining Designation Standards. These are standards that apply to areas with a special combining designation, such as a Sensitive Resource Area (SRA).

See also the Estero Area Plan, Chapter 7, Section VI, Los Osos Urban Area Standards, Combining Designation Standards.

~~**Section 7.5 Land Use Category Standards.** These are standards that apply to specific land use categories (i.e. zoning) and specific areas or sites within those categories.~~

Standards (i.e. mandatory requirements) are written with standard text.

Guidelines (i.e. advisory guidance) are presented with italicized text.

See the Estero Area Plan Chapter 7, Section VI for Land Use Category Standards, which apply to specific land use categories (i.e. zoning) and specific areas of sites within those categories.

7.3 Communitywide Standards

The following standards apply throughout the Los Osos urban area in all land use categories.

Planning Area Standards

~~A. Advisory Council Referral. Applications for land divisions, general plan amendments, Minor Use Permits, and Development Plans shall be referred to the Los Osos Community Advisory Council or its successor for review and comment.~~

B.A. Resource Capacity and Service Availability.

1. **Verification of water and sewer service.** All applications for land divisions and new development shall be accompanied by a letter from the applicable water purveyor and provider of sewer service indicating their willingness and intent to provide service to the new development.
2. **Water and Wastewater Service Capacity, Land Divisions.** New land divisions, other than condominium conversions, shall not be approved unless the Review Authority makes the following findings:
 - a. The development can be accommodated by the sustainable yield of the Los Osos Groundwater Basin without causing seawater intrusion, as identified in the Basin Plan for the Los Osos Groundwater Basin and annual monitoring reports.
 - b. If within the sewer service area, the community sewer system is in operation and has sufficient capacity to serve the development.
 - c. If outside the sewer service area, the on-site wastewater disposal system has been designed to comply with all requirements of the Local Agency Management Program and the Regional Water Quality Control Board, including the Central Coast Basin Plan.

For the purposes of the above findings, the Review Authority shall consider not only the water and wastewater demands of the development being proposed, but also the water and wastewater demands from existing development and development of all vacant parcels within the Los Osos Urban Services Line.

~~C. Fire Safety Clearance. All applications for new development shall receive fire clearance from the applicable fire protection agency.~~

D. Los Osos Groundwater Basin:

- ~~1. Title 19 Water Offset Requirement. New development in Los Osos shall be subject to water demand offset requirements pursuant to Section 19.07.042 of the Building and Construction Ordinance (Title 19 of the County Code). These requirements shall remain in place for the community of Los Osos until the Board of Supervisor adopts a resolution certifying new development can be accommodated by the sustainable yield of the Los Osos Groundwater Basin without causing seawater intrusion, as identified in the Basin Plan for the Los Osos Groundwater Basin and annual monitoring reports.~~
- ~~2. Discretionary Land Use Permits. New development requiring discretionary land use permits shall not be approved unless the Review Authority finds the development can be accommodated by the sustainable yield of the Los Osos Groundwater Basin without causing seawater intrusion, as identified in the Basin Plan for the Los Osos Groundwater Basin and annual monitoring reports. The development may offset the associated net increase in water demand at a 1:1 ratio if the groundwater basin may~~

not accommodate increased groundwater extraction, unless a higher ratio is required by Title 19.

~~3.—Non-residential Development.—Development of non-residential land uses that use water from the Los Osos Groundwater Basin shall be prohibited until the Board of Supervisors adopts a resolution certifying successful completion and implementation of the following programs from the 2015 Updated Basin Plan for the Los Osos Groundwater Basin, as amended or adjusted through adaptive management described in annual monitoring reports:~~

- ~~a.—Program “M”—Groundwater Monitoring~~
- ~~b.—Program “E”—Urban Efficiency~~
- ~~c.—Program “U”—Urban Water Reinvestment~~
- ~~d.—Program “A”—Infrastructure Program A~~
- ~~e.—Program “C”—Infrastructure Program C~~
- ~~f.—Program “P”—Wellhead Protection~~

~~4.—Residential Development.—The Growth Management Ordinance, Title 26 of the County Code shall be amended to establish an annual growth rate for new residential units in the Los Osos Urban Area consistent with the available sustainable water supply. Residential units exempt from Title 26 are exempt from this standard (e.g., affordable housing, accessory dwelling units, conversion of existing commercial structures to residential use as allowed by Section 23.08.162(b) of the Coastal Land Use Ordinance):~~

- ~~a.—Best Available Data.—The annual growth rate shall be established based on the best available data at the time, including the most recent annual monitoring report prepared for the Los Osos Basin Management Committee:~~
- ~~b.—Annual Review.—The adopted annual growth rate shall be reviewed on an annual basis and updated as needed, as follows:~~
 - ~~i.—New Implemented Basin Plan Programs.—When additional Basin Plan programs are implemented, the annual growth rate shall be updated to reflect the estimated increase in sustainable basin yield:~~
 - ~~ii.—Basin Plan Effectiveness.—If the data from the annual monitoring reports prepared for the Los Osos Basin Management Committee indicate that completed Basin Plan programs have been less or more effective in reducing groundwater demand, increasing the perennial safe yield, or facilitating seawater retreat as predicted in the Basin Plan, then the development of new residential units shall be limited or increased accordingly. Modifications made to the Basin Plan programs through the Plan’s adaptive management provision shall also be considered:~~
 - ~~iii.—Non-Residential Usage Trends.—If the data from the Basin Plan annual monitoring reports, individual purveyors, or private wells, indicate a significant increase in water demand for non-residential uses (e.g., commercial, agricultural, public facilities) or for residential uses not subject to the growth limitation standards in Title 26 (e.g., affordable housing, accessory dwelling units) that the Basin Plan adaptive management is not mitigating, then the residential growth rate shall be decreased:~~

~~iv. **Basin Model Updates.** If updates are made to the basin model used by the Basin Management Committee, then the growth rate shall be updated to reflect the updated modeling data.~~

~~3. **Exemptions.** All development application received (pursuant to land use permits or entitlements) prior to the date of final Board action for this standard that complies with Title 19 retrofit requirements shall be exempt from the provisions of these standards in Subsections D.3 and 4.~~

E.B. Resource Protection – Concentration of Development Required.

1. **Applicability.** In the following locations or circumstances, development shall be clustered, concentrated or setback, as described in Subsection 2b, to protect identified sensitive features:

- a. Within a Sensitive Resource Area Combining Designation.
- b. Adjacent to wetland vegetation, riparian vegetation, coast live oak woodland, coastal sage scrub, maritime chaparral, or other significant stands of vegetation (whether or not identified as a Sensitive Resource Area Combining Designation).
- c. Cuesta Inlet (see [Estero Area Plan, Chapter 7, Section VI, Los Osos Land Use Category Standards, Subsection 7.5.G.1](#) and [Estero Area Plan Figure 7-414](#)).
- d. Residential Rural – Creekside Area (see [Estero Area Plan, Chapter 7, Section VI, Los Osos Land Use Category Standards, Subsection 7.5.H](#) and [Estero Area Plan Figure 7-5820](#)).
- e. Residential Suburban – Los Osos Creek/Eto Lake Corridor (see [Estero Area Plan, Chapter 7, Section VI, Los Osos Land Use Category Standards, Subsection 7.5.M.2](#) and [Estero Area Plan Figure 7-6732](#)).
- f. Within the Sea Level Rise and Inundation Zone (Figure 7-1)

2. Development Requirements.

- a. **Application Content.** In addition to the application requirements of the Coastal Zone Land Use Ordinance, [the Estero Area Plan](#), or other sections of this Chapter, the applicant shall submit an evaluation of projected sea level rise and impacts on a site for areas located within the Sea Level Rise and Inundation Zone FH overlay, based on the best available science, for the life of the project. In addition, when required by the Coastal Zone Land Use Ordinance or the Director of Planning and Building, the applicant shall submit a biological or other applicable report that addresses identified sensitive feature(s). The report shall be prepared by a qualified professional approved by the Environmental Coordinator. The report shall make recommendations regarding compliance with the following standards b through e, as applicable, in addition to any applicable requirements of the Coastal Zone Land Use Ordinance.
- b. **Location.** Development shall be located away from identified sensitive features on or adjacent to the site, and in areas most suitable for development.

Development on all proposed building sites shall result in no adverse impacts to environmentally and other sensitive areas, as verified by the required biological report.

- c. **Setbacks.** In order to comply with Subsection 5-b above, structures may need to be set back a distance greater than the applicable minimum setbacks required by the Coastal Zone Land Use Ordinance, the Estero Area Plan, or other sections of this Chapter. In addition, development should meet all required wetland vegetation setbacks, plus an additional distance to provide for inland migration of wetland resources based on a professional assessment of projected sea level rise, using the best available science.
- d. **Arrangement of Open Space.** Where feasible, open space areas or parcels shall consist of larger, contiguous areas rather than smaller, disconnected pockets of open space. Where feasible, in order to protect biological resources and wildlife migration corridors, open space areas or parcels shall connect to adjacent open spaces areas.
- e. **Requirements for Land Divisions or Discretionary Land Use Permits.** The following standards apply to land divisions or discretionary land use permits, in addition to Subsections a through d:
- f. **Extent and Intensity of Development.** If required by the Review Authority, the number of dwelling units, intensity of development and site coverage shall be reduced to protection of identified sensitive features on or adjacent to the site. Creation of new lots that would be undevelopable with applicable wetland setbacks, taking into account 100 years of projected sea level rise, are prohibited unless the purpose is to put them into open space.
- g. **Protection of Sensitive Features.** Identified sensitive features shall be protected through building controls, mitigation agreements, easements, participation in a transfer of development credits (TDC) program, or other means, consistent with applicable legal requirements to allow reasonable use of the site.
- h. **Visual Resources.** If applicable, building sites shall not be located on slopes or ridgetops so that structures are silhouetted against the sky as viewed from public roads, public beaches, the ocean, or the Morro Bay estuary.
- i. **Setbacks for Fire Safety.** Where setbacks are required by the fire protection agency for fuel-breaks and vegetation or fuel modification, they shall be located adjacent to development and be in addition to the required setbacks for protection of the identified sensitive features.
- j. **Required Finding.** The land division or discretionary land use permit shall not be approved unless the Review Authority first finds, in addition to other required findings, that development shall not significantly disrupt or cause significant adverse environmental impacts to the preceding sensitive features, and shall not diminish the long-term sustainability of the biological resources, including taking into account projected sea level rise and related wetland retreat for the life of the project.

~~F.—Consistency with Circulation Element. All proposed public and private development and circulation improvements shall be consistent with the Circulation Element, Chapter 5 of this plan—including recommended roadway, pedestrian, intersection, traffic calming,~~

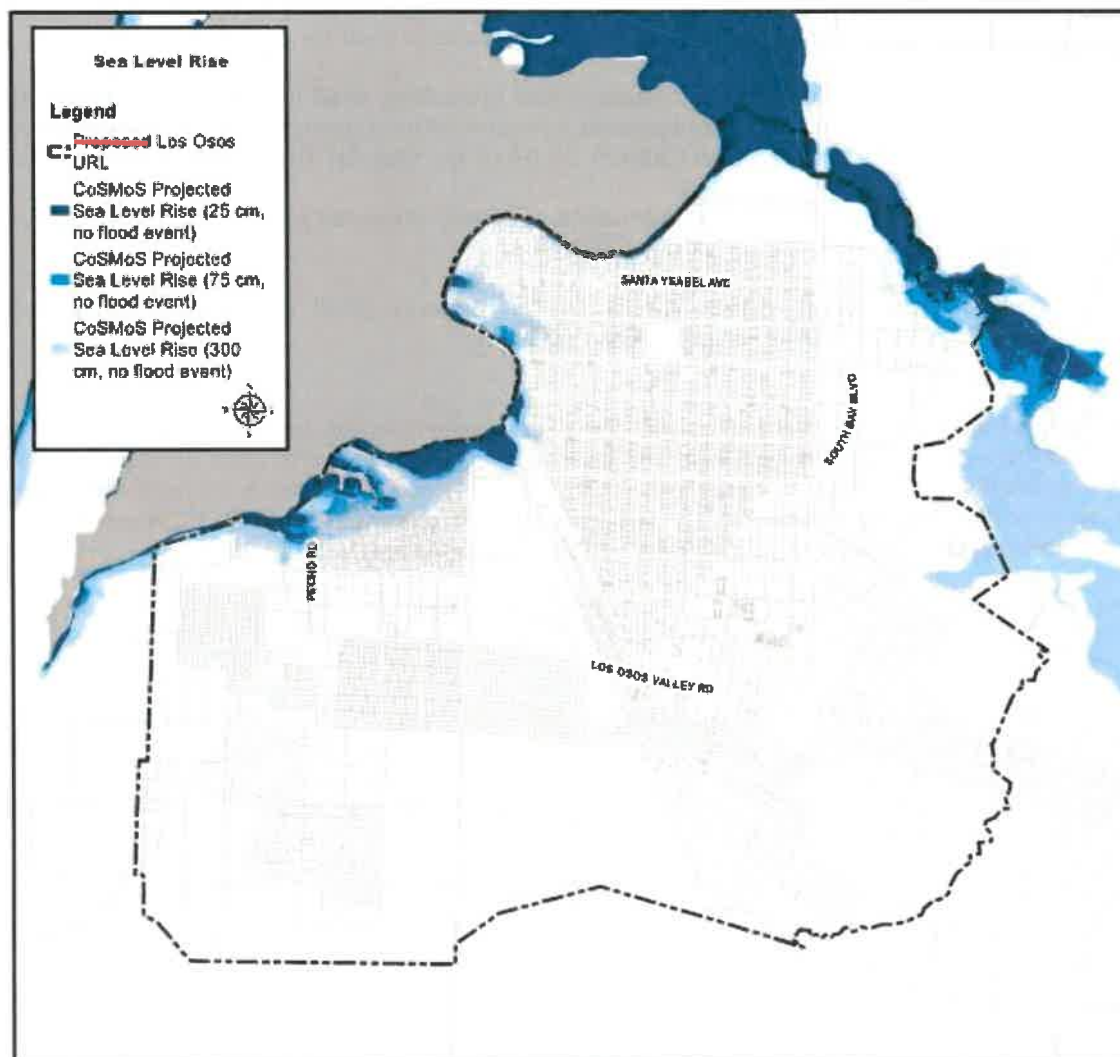
~~bikeway, and other improvements, and the circulation policies found in Chapter 2, Section 2.5.4 of this plan.~~

GC. Coastal Access and Recreation. Opportunities for public access to and along the coast shall be maximized as follows:

1. New development shall be required to provide public access and improvements to and along the coast and shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization.
2. Public access and improvements to and along the coast shall be consistent with the Circulation Element, Chapter 5 (and corresponding policies in Chapter 2) of this plan, and the coastal access policies in Chapter 2, Section 2.5.4 of this plan.
3. Public access shall be consistent with protection of sensitive habitat and agriculture.
4. Any existing free public access to recreational areas shall be maintained.
5. New publicly developed coastal access and recreation shall include requirements for resource monitoring and management, and provision of interpretive facilities at points of attraction, consistent with Chapter 23.04 of the Coastal Zone Land Use Ordinance.
6. The design, provision and maintenance of public accessways shall take into account projected sea level rise for at least 50 years.
7. Existing accessways vulnerable to coastal hazards shall be maintained through planned retreat or other appropriate measures.

~~**H. Light and Glare.** At the time of application for any land division, land use permit or coastal development permit, the applicant shall provide details on any proposed exterior lighting, if applicable. Except as necessary to support agricultural operations, all lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark-colored.~~

Figure 7-1: Sea Level Rise and Inundation Zone



1D. Shoreline Development. New development or expansion of existing uses proposed to be located on or adjacent to a shoreline, beach or coastal bluff are subject to the following standards:

1. Application Content. In addition to the application requirements of the Coastal Zone Land Use Ordinance and other Estero Urban Area Plan Standards, applications for new development or expansion of existing uses proposed to be located on or adjacent to a shoreline, beach or coastal bluff or in the Sea Level Rise Flooding and Inundation Zone FH as applicable, shall include the following:

- a. An analysis of beach erosion, wave run-up, inundation and flood hazards prepared by a licensed civil engineer with expertise in coastal engineering and a slope stability analysis, prepared by a licensed Certified Engineering Geologist and/or Geotechnical Engineer or Registered Civil Engineer with expertise in soils, in accordance with the procedures detailed by Appendix G of the Estero Area Plan. In addition, the report shall assess the impact of projected sea level rise on these hazards, for the life of the project, based on the best available science. The report shall include an alternatives analysis to avoid or minimize impacts to public access.
- b. On lots with a legally established shoreline protective device, the analysis shall describe the condition of the existing seawall; identify any impacts it may be having on public access and recreation, scenic views, sand supplies, and other coastal resources; and evaluate opportunities to modify or replace the existing armoring device in a manner that would eliminate or reduce these impacts. The analysis shall also evaluate whether the development, as proposed or modified, could be safely established on the property for a one-hundred-year period without a shoreline protective device, taking into account projected sea level rise.
- c. Measurements for the form, mass, scale, and roofing and yard features (such as fencing). To the maximum extent feasible, new development shall be compatible with the character of the surrounding neighborhood.
- d. Surveyed location of all property lines and the mean high tide line, and projected MHT based on projected sea level rise for the life of the project, by a licensed surveyor familiar with coastal processes and tidal boundaries along with written evidence of full consent of any underlying land owner, including, but not limited to the County, State Parks, and State Lands. If application materials indicate that development may impact or encroach on tidelands or public trust lands, the County shall consult with Coastal Commission staff regarding the potential need for a Coastal Development Permit from the Coastal Commission. Upon encroachment, developments shall be required to be removed from public tidelands unless otherwise allowed to remain by an amendment to the original coastal permit and authorization by the California State Lands Commission.
- e. A preliminary drainage, erosion, and sedimentation plan which demonstrates that no stockpiling of dirt or construction materials will occur on the beach; erosion, runoff, and sedimentation measures to be implemented at the end of each day's work; all construction debris will be removed from the beach daily and at the completion of development; and no machinery will be allowed in the intertidal zone. If there is no feasible way to keep machinery out of the intertidal zone, authorization from the Coastal Commission is required.

2. Bluff Setbacks. The bluff setback is to be determined by the engineering geology analysis required in Subsection CL.1.a. above and shall be adequate to withstand bluff

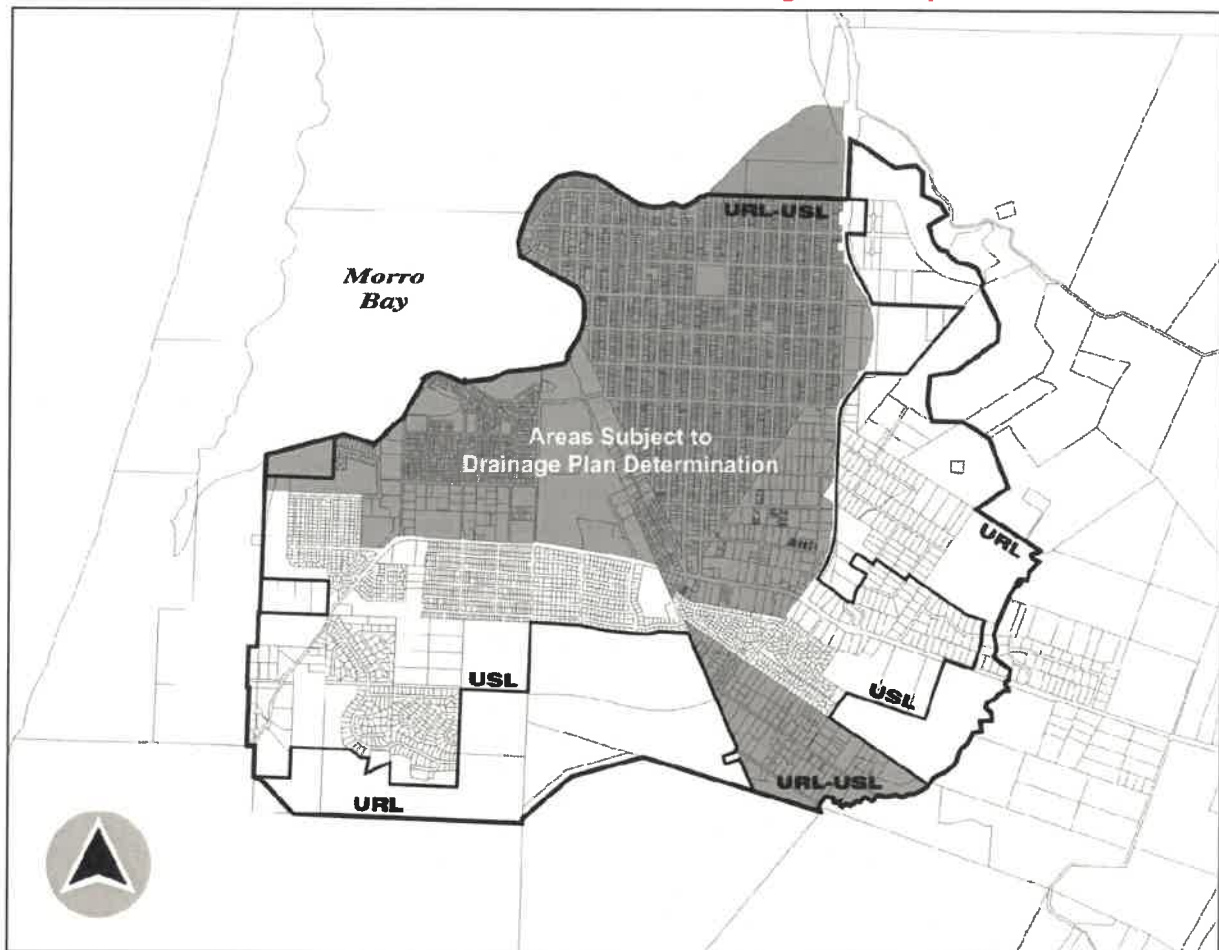
erosion and wave action for a period of 100 years, taking into account projected sea level rise. In no case shall bluff setbacks be less than 25 feet. Alteration or additions to existing development that is non-conforming with respect to wetland/bluff setbacks that equals or exceeds 50 percent of the size of the existing structure, on a cumulative basis beginning July 10, 2020, shall not be authorized unless the entire structure is brought into conformance with this setback requirement and all other policies and standards of the LCP. On parcels with legally established shoreline protective devices, the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design, condition, and routine repair and maintenance that maintain the seawall's approved design life. Expansion and/or other alteration to the seawall shall not be factored into setback calculations.

3. **Seawall Prohibition.** Shoreline and bluff protection structures shall not be permitted to protect new development. All permits for development on blufftop or shoreline lots that do not have a legally established shoreline protection structure shall be conditioned to require that prior to issuance of any grading or construction permits, the property owner record a deed restriction against the property that ensures that no shoreline protection structure shall be proposed or constructed to protect the development, and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235 and the San Luis Obispo County certified LCP. The restriction shall also provide for the removal of the development if it is deemed uninhabitable by a public official due to coastal hazards risks, or if the development is otherwise in imminent danger. These restrictions shall be specifically disclosed in all real estate transactions.
4. **Liability.** As a condition of approval of development on a beach or shoreline which is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a shoreline, beach, or bluff, taking into account projected sea level rise, the property owner shall be required to execute and record a deed restriction which acknowledges and assumes these risks and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.

j.—Drainage

- ~~1.—Los Osos Lowland Areas—Drainage Plan Requirement. In areas designated in Figure 7-2, all permit applications for grading, new structures or additions to the ground floor of existing structures shall require drainage plan approval pursuant to Chapter 5 of the Coastal Zone Land Use Ordinance. Development shall not cause adverse impacts to downstream properties, wetlands or the Morro Bay estuary from runoff, sedimentation, or pollution.~~

Figure 7-2: Los Osos Lowland Areas Drainage Plan Required



KE Habitat Conservation Plan and Biological Resources

These standards summarize the requirements of the LOHCP and ITP and existing Coastal policies. These standards are not part of the Local Coastal Program (LCP). To the extent that there is any conflict between these standards and the LCP, LOHCP, or ITP, the LCP, LOHCP, and ITP would supersede and control over development requirements.

1. **Habitat Conservation Plan (HCP).** All new development within the Los Osos Urban Reserve Line that results in site disturbance shall either 1) participate in the Los Osos Habitat Conservation Plan, or 2) otherwise comply with Federal Endangered Species Act and comply with all applicable Local Coastal Program standards for Environmentally Sensitive Habitats (See Figure 7-23).
2. **Special Status Species Habitat Preservation and Enhancement.** During the project permitting process, the County, including the entity overseeing LOHCP compliance, shall work with future applicants to encourage preservation or enhancement of habitat for special status species on parcels greater than 20,000 square feet that contain suitable habitat. This would be done in concert with LOHCP requirements to promote habitat preservation and enhancement efforts and regional habitat connectivity by

Planning Area Standards

ensuring that preserved or enhanced areas are connected to other preserved or enhanced areas and/or to other suitable habitat occurrences. Preservation of or enhancement of areas that are isolated should be discouraged unless they are determined to provide unique or unusually valuable habitat attributes. Isolated patches of native habitat on smaller lots less than 20,000 square feet are not expected to provide high quality habitat for special status CEQA species that is sustainable. Impacts to small patches of native habitat that could support low numbers of CEQA special status species such as CRPR plants or species of concern wildlife will be further mitigated through implementation of the LOHCP and payment of the mitigation fee. Habitat set aside outside urban areas will promote sustainable habitat for the range of special status species known to occur in the Plan area.

3. For all projects on undeveloped lots greater than 20,000 square feet in size that require issuance of a County land use development permit, project applicants shall retain a County-approved biologist to conduct a project-specific biological resources assessment (BRA) to document the existing biological resources within the project footprint on which development is proposed, as well as an appropriate buffer, to determine the potential impacts to those resources as part of the environmental review process. The BRA shall conform to the requirements presented in the County guidance document, Guidelines for Biological Resources Assessments - Guidelines for Biological Consultants.
4. If a BRA pursuant to Subsection ~~DK~~3 conducted on undeveloped lots greater than 20,000 square feet in size identifies potentially suitable habitat for any federal listed, state listed or California Rare Plant Rank 1B species plant species, focused floristic surveys that are seasonally timed to coincide with the blooming period of all species identified as potentially present in the project-specific BRA shall be conducted. Surveys shall follow current USFWS and CDFW protocols. If special status plants are identified on a site, the project shall be re-designed to avoid impacting these plant species, to the maximum extent feasible. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of proposed disturbance limits shall be protected such as having bright orange protective fencing installed at least 30 feet beyond their extent, or other appropriate distance as determined by a County-approved biologist, to protect them from direct and indirect impacts.
5. If special status plant species cannot be completely avoided, and will be impacted by development, all impacts shall be mitigated at the current County-required ratio for the species (number of acres of habitat/individuals restored to number of acres of habitat/individuals impacted). A habitat restoration plan (also referred to as a mitigation and monitoring plan) shall be prepared and submitted to the County, and to other state or federal agencies as appropriate. The restoration/mitigation plan shall include, at a minimum, the following components:
 - Description of the responsible party(-ies), project site and impact area (by habitat type);
 - Goal(s) of the mitigation or restoration project including the types and area of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved;
 - Description of the proposed mitigation/restoration site (e.g., location, size, ownership status, existing functions and values, etc.);
 - Implementation plan for the mitigation/restoration site including rationale for expected success, responsible parties, schedule, site preparation and planting plan;

- Maintenance activities during plan implementation and monitoring, including but not limited to weed abatement and adaptive management;
- Monitoring plan for the mitigation/restoration site including no less than quarterly monitoring visits for the first year, and preparation of annual monitoring reports;
- Success criteria based on goals and measurable objectives, target functions and values, target areas to be established, restored, enhanced, and/or preserved; and
- An adaptive management program and contingency measures to address shortcomings and the overall effort in meeting success criteria.

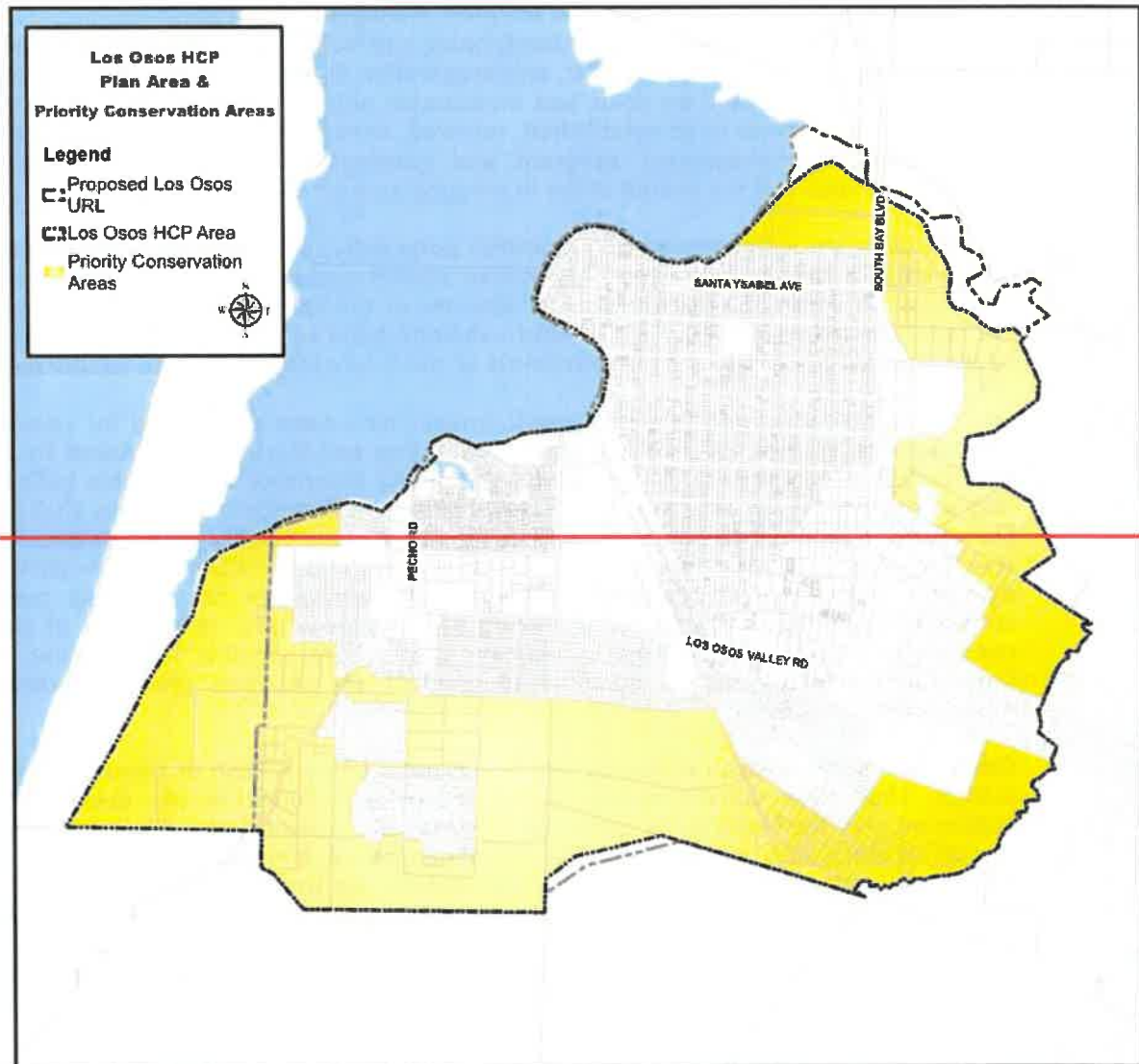
6. If a BRA pursuant to Subsection ~~D~~K3 identifies potentially suitable habitat for a special status wildlife species on a parcel larger than 20,000 square feet, appropriate levels of surveys to determine the presence or absence of the species shall be conducted. For federal listed species such as the Morro shoulderband snail, protocol level surveys or the appropriate compliance requirements of the future LOHCP shall be conducted.

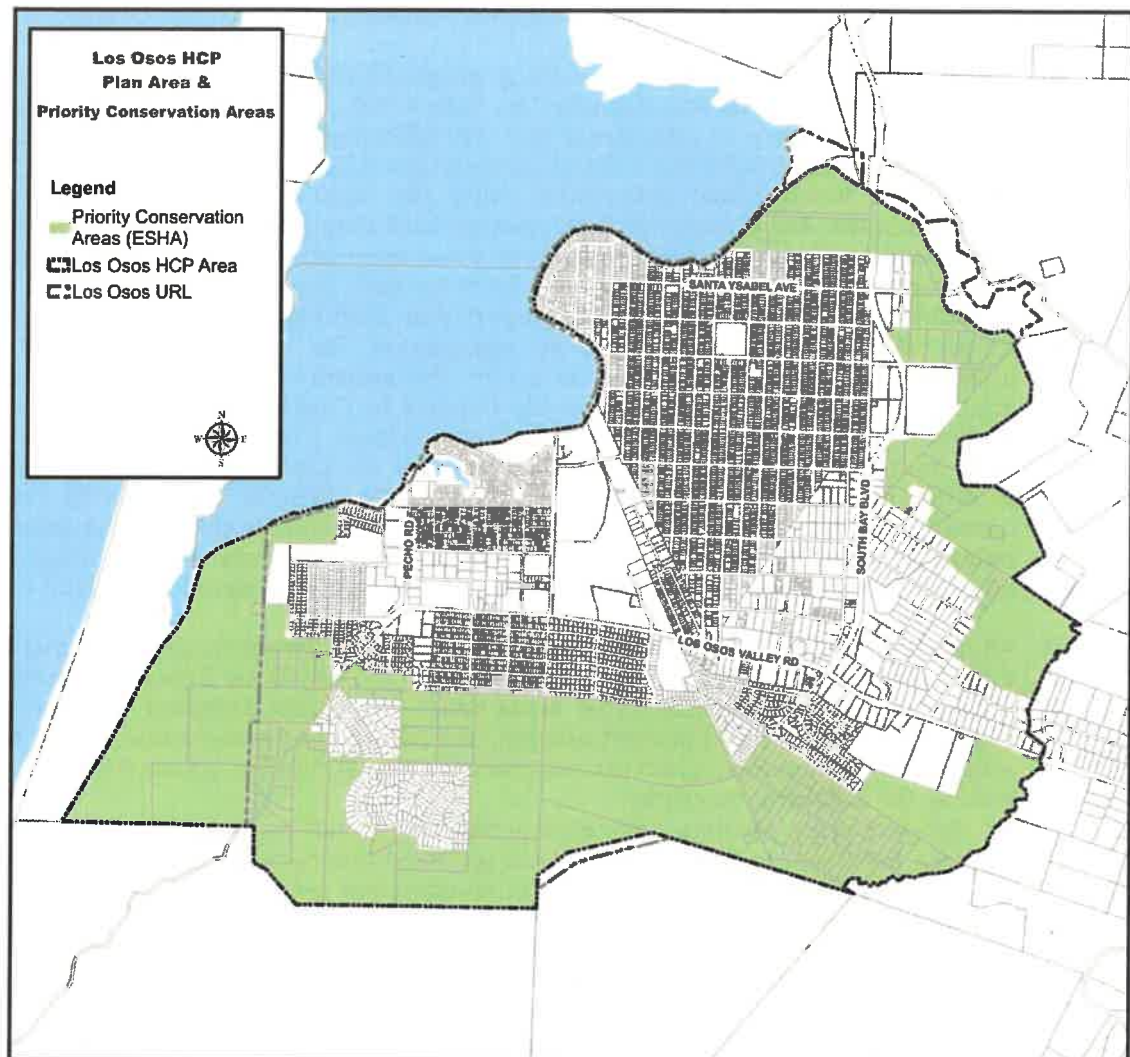
Specific habitat assessments and protocol surveys have been established for several special status species (i.e., California red-legged frog and Morro shoulderband snail) found within the Plan Area. If the results of the BRA determine that suitable habitat may be present for any such species, protocol habitat assessments or surveys shall be completed in accordance with applicable CDFW, USFWS, and County protocols prior to issuance of any construction permits. If consultation with the CDFW and/or USFWS determines that protocol habitat assessments or surveys are not required, such consultation shall be documented in writing by the agency prior to issuance of any construction permits. The project applicant shall be responsible for retaining a biological consultant that is qualified to conduct any required protocol habitat assessments or surveys

Other special status wildlife that are not listed under CESA or FESA or covered in the LOHCP, shall have current mitigation requirements included in the developer's statement. For the Monarch butterfly, for instance, and projects located in eucalyptus woodland (including tree removal), a County-approved biologist shall conduct a habitat assessment to determine if suitable habitat for this species is present. If suitable habitat is present, then the biologist shall conduct seasonally-timed surveys to determine if Monarch butterflies currently use the site for overwintering activities. If an overwintering site is located, the County shall work with the applicant to protect the site and provide a sufficient buffer to avoid impacts to the species

As part of a project's conditions of approval, the County-approved biologist shall conduct pre-construction clearance survey(s) of the site to avoid impacts to special status wildlife. The biologist shall be present during all initial ground disturbing and vegetation clearing activities. Ground disturbance shall be limited to the minimum necessary to complete the project, and the limits of disturbance shall be flagged for identification. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance. Once initial ground disturbing and vegetation clearing activities have been completed, the biologist shall conduct additional surveys as appropriate during project construction activities, based on species habits, weather conditions, and LOHCP or protocol survey requirements.

Figure 7-23: Los Osos Habitat Conservation Plan Area





7. For construction activities occurring during the nesting season (generally February 1 to September 15), where tree, grassland or shrub removal or disturbance would be considered, focused surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a County-approved biologist no more than 14 days prior to vegetation removal. Vegetation is defined as trees, shrubs, or grasslands. Dependent on the size of the parcel and proposed development footprint, the surveys shall include the entire disturbance footprint plus observation of any large trees within a 300-foot buffer around the lot with binoculars. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and up to 300 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A County-approved biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of

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the buffer. The results of the pre-construction survey shall be submitted to the County and construction shall not commence without authorization from the County.

8. If future development in the Plan Area is proposed within or adjacent to wetlands, marshes, drainages, riparian habitats, Los Osos Creek, unnamed tributary drainages, the Morro Bay estuary, or other areas that may fall under the jurisdiction of the Corps, CDFW, RWQCB, and California Coastal Commission, a County-approved biologist shall complete a jurisdictional delineation using the most current state and federal methodologies. The jurisdictional delineation shall determine the extent of wetlands or non-wetland waters subject to each of these agencies and shall be conducted in accordance with the requirements set forth by each agency. The result shall be a preliminary jurisdictional delineation report that shall be submitted to the County, Corps, RWQCB, CDFW, and CCC as appropriate, for review and approval. If jurisdictional areas are identified on a site, the project shall be designed to avoid impacting those areas. All unavoidable impacts to Corps jurisdictional waters and wetlands shall be mitigated at the ratio (area restored / created / enhanced to area lost), approved in the final Section 404 permit for the project. Additional mitigation at different ratios may be required to meet CDFW, RWQCB, or California Coastal Commission regulations. Mitigation shall occur on-site or as close to the impacted habitat as possible. A mitigation and monitoring plan consistent with current state and federal requirements shall be developed by a County-approved biologist.
9. All development in the Plan Area proposed within or adjacent to wetlands, marshes, drainages, riparian habitats, the Morro Bay estuary, Los Osos Creek and unnamed tributaries, or other jurisdictional areas must implement standard practices and measures to control and prevent erosion, sedimentation, or contamination of these areas. Best management practices shall follow current County requirements, and must include the following measures:
 - Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and construction areas outside of jurisdictional areas to the maximum extent feasible.
 - To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project.
 - Project activities within the jurisdictional areas should occur during the dry season (typically between June 1 and November 1) in any given year to the extent practicable, or as otherwise directed by the regulatory agencies.
 - During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.
 - All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.
 - Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas.
 - All refueling, maintenance, and staging of equipment and vehicles shall occur at least 50 feet from bodies of water where possible, and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Reduced distances shall be approved by the County. Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of

the importance of preventing spills and of the appropriate measures to take should an accidental spill occur.

10. Outdoor lighting installed as part of any project shall be designed to be minimally disruptive to wildlife. This may be accomplished through the use of hoods to direct light away from natural habitat areas within or adjacent to the Plan Area, using low intensity lighting and as few lights as possible to achieve the goals of a project.

~~L.—Tree Protection and Replacement~~

- ~~1.—Tree Protection. Development shall be designed to protect and maintain stands of native trees, or tree stands that provide valuable habitat or scenic value to the maximum extent feasible, while allowing reasonable use of the property.~~

~~Tree protection plans are required for any construction activity that occurs within twenty feet of the drip line of a native tree.~~

- ~~2.—Native Tree Retention and Replacement. Development shall: a) be designed to retain healthy Native trees where feasible, except where removal is appropriate for habitat restoration or enhancement or where removal cannot be avoided; b) provide for replacement of diseased or aging Native trees at a 2:1 ratio with Native tree species approved by the County that are drought tolerant, appropriate to the climate, resistant to disease, and compatible with the character of the area.~~

- ~~3.—Construction Practices. Construction practices to protect trees shall be implemented. These construction practices are to include a minimum:~~

~~a.—Protective Measures. Practices to protect trees shall include but not be limited to: installing orange construction fencing around protected areas shown on the site plan; protecting tree trunks and other vegetation from construction equipment by wood fencing or other barriers or wrapping with heavy materials; disposing of waste, paints, solvents, etc. off-site by approved environmental standards and best practices; and using and storing equipment carefully.~~

~~b.—Stockpiling of Materials. Materials, including debris and dirt, shall not be stockpiled within 15 feet of any tree, and shall be minimized under tree driplines. Stockpiled materials shall be removed frequently throughout construction. All stockpiled materials shall be removed before final inspection.~~

~~c.—Construction Practices. Excavation work shall be planned to avoid root systems of all on-site trees and trees on abutting properties. Any trenching for utilities that may occur within the dripline of trees on the project site shall be hand dug to avoid the root system of the tree.~~

~~M.—Streets and Circulation~~

- ~~1.—Curb, Gutter and Sidewalk Improvement Requirements. Requirements and exemptions for installation of curb, gutter, and sidewalk improvements are specified in Section 23.05.106 of the Coastal Zone Land Use Ordinance (Title 23). Alternative walkways are encouraged in place of standard concrete sidewalks and may be~~

~~approved by the Department of Public Works as an exception to the public improvement standards.~~

~~2.—South Bay Boulevard Extension. New development and land divisions shall preserve, and where needed, include offers to dedicate a right-of-way easement of the South Bay Boulevard extension (see the Circulation map) for habitat conservation and potential trail uses only.~~

~~3.—Trees. Planting of trees in the streetscape is required for all new land divisions and all construction of new dwellings and new non-residential development. Trees shall meet the following requirements; unless a streetscape tree master plan has been approved by the County, in which case the requirements of that plan take precedence (see Figure 7-4):~~

~~a.—Size: At least 15-gallon containers.~~

~~b.—Number: An average of one tree per 25 feet of frontage. If that number is not feasible due to the following location requirements, the number of trees shall be the maximum that is consistent with those requirements.~~

~~c.—Location: Outside of the street right-of-way and 10-15 feet behind the sidewalk or street (if no sidewalk); alternatively, within the street right-of-way where an encroachment permit has been issued and establishes perpetual maintenance responsibilities. Trees may be grouped rather than equally spaced. Trees shall be planted at least 10 feet from driveways; 10 feet from streetlights; 10 feet from fire hydrants; and in locations that maintain appropriate sight distances and that do not interfere with underground or overhead utilities.~~

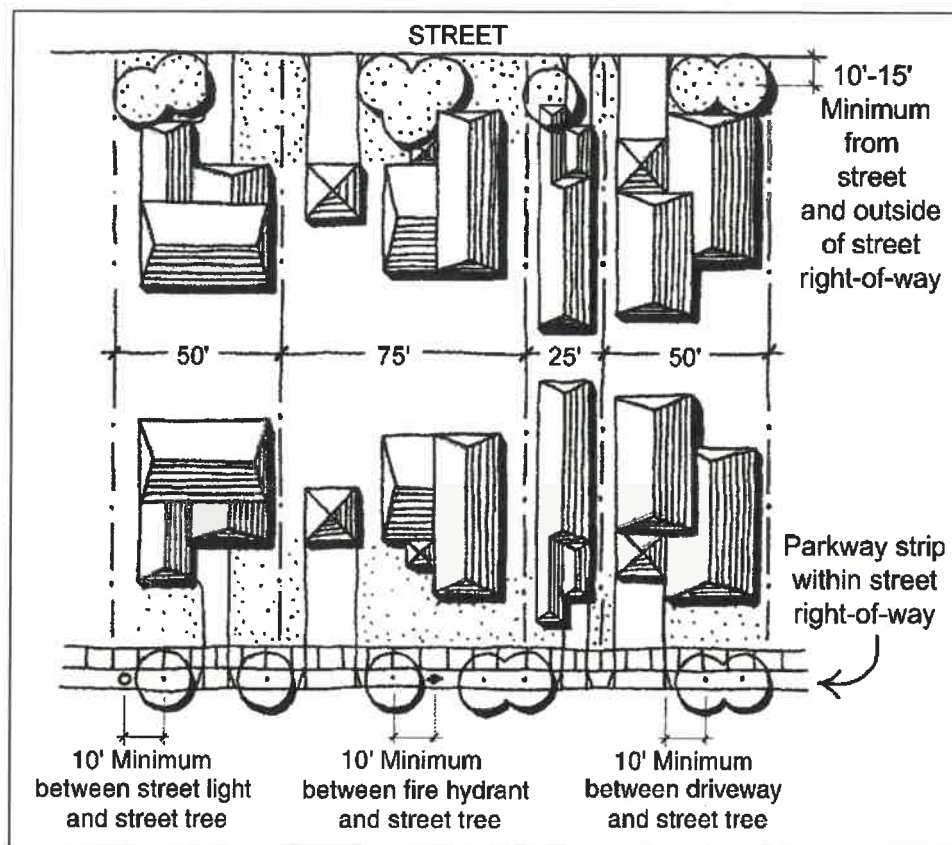
~~d.—Characteristics: Drought tolerant, appropriate to the climate, resistant to disease, compatible with the character of the area, consistent with the scale of the roadway, and of a size that will not impair major public view corridors to and along the coast.~~

~~4.—Public Street and Access Connections.—The following standards apply to land divisions, and Minor Use Permits and Development Plans for development of more than one dwelling unit:~~

~~a.—Public Access. Except where infeasible, dedicate and improve public right-of-way easements for vehicular, bicycle, pedestrian, and equestrian connections to surrounding areas where they: (1) provide efficient and convenient links to adjacent neighborhoods, nearby schools, nearby recreational areas, and other nearby activity centers; (2) are shown on the Circulation Element map; or (c) are needed for adequate emergency access.~~

~~b.—Street Extensions. Where feasible and where no adverse impacts to environmentally sensitive areas will occur, dedicate and improve public right-of-way easements for streets in order to provide access to adjacent parcels and create an interconnected circulation system.~~

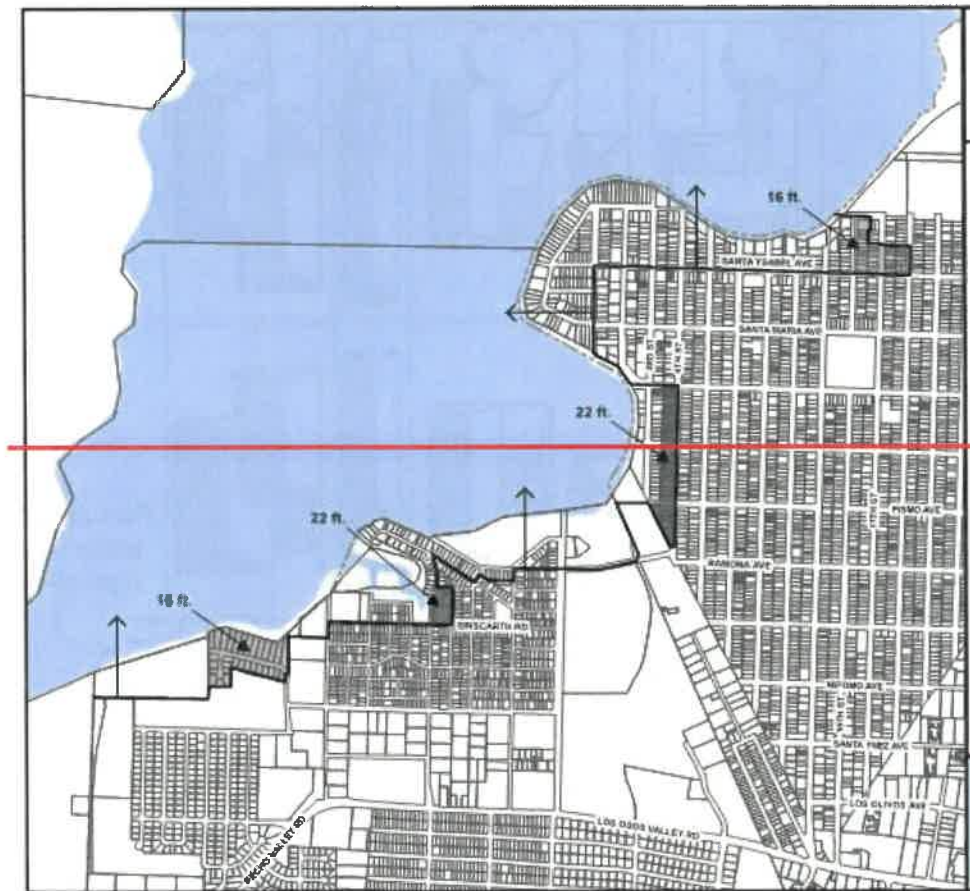
Figure 7-4: Street Tree Location



N.—Coastal Access and Bayfront Development:

- 1.—**Height.** Proposed structures on sites that are bay-ward of the line shown on Figure 7-5 are limited to a maximum height of 14 feet, except where a greater height limit is noted.
- 2.—**Vegetation Protection.** Sensitive vegetation shall be preserved whenever possible. Grading shall be minimized and limited to the building pad and driveway, road and other required improvements.
- 3.—**Fences.** Fences shall not be constructed that would restrict public views of the bay from public roads or preclude lateral public access. Fences on the bayfront side of development shall not interfere with the movement or migration of native wildlife.
- 4.—**Retain existing public access.** Any existing free public access to public recreational areas shall be maintained.
- 5.—**Parking.** New development or other actions shall not result in a net loss of public parking that serves coastal access or recreation.

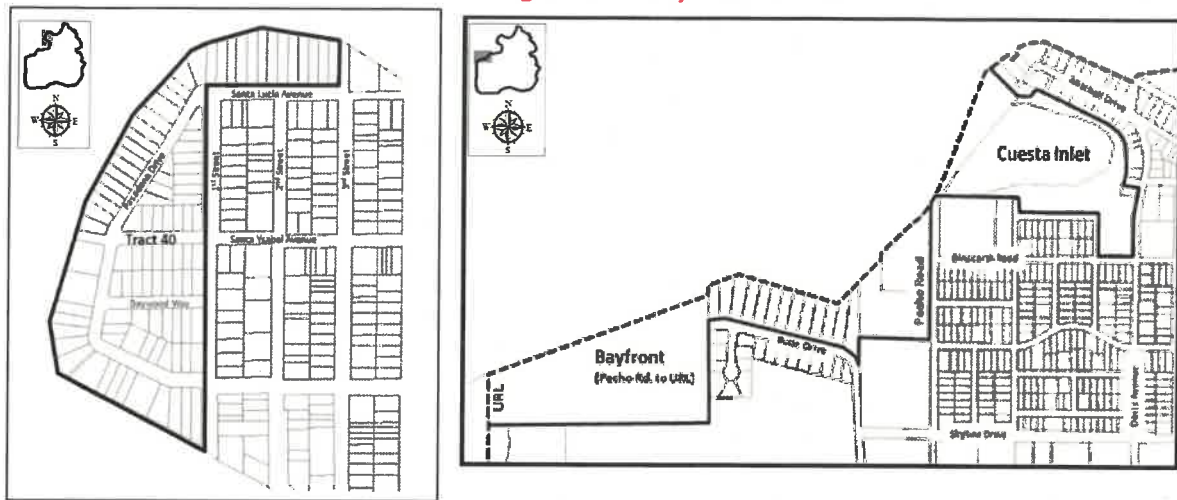
Figure 7-5: Los Osos Height Limits



6. Access and Improvements. New development in the following areas shall include the specified access and improvements:

- a. **Tract 40 Bayfront Development (see Figure 7-6):** Provide a minimum 30-foot wide lateral easement extending from the inland extent of wetland vegetation, primarily for habitat protection and secondarily for public access.
- b. **Cuesta Inlet (see Figure 7-6):** Provide opportunities for coastal recreation, and provide maximum public access to and along the shoreline in this visitor-serving priority area with the intent of the Circulation Element maps (see Chapter 5) and protection of sensitive habitat.

Figure 7-6: Bayfront Access



OF. Building Height. Exceptions to height limitations pursuant to Chapter 23.04 of the Coastal Zone Land Use Ordinance shall not apply to any planning area standards in this chapter and in the Estero Area Plan Chapter 7, Section VI. Los Osos Urban Area Standards that specify maximum building height or building face height. Solar panels may extend an additional 2 feet above the ridgeline.

PG. Affordable Housing. New or replacement affordable housing units required by Section 23.04.092 of the Coastal Zone Land Use Ordinance shall, if feasible, be located on the same site as the other new, demolished or converted housing units, provided that all other requirements of the Coastal Zone Land Use Ordinance and Estero Area Plan allow for such development. If such location is infeasible, the new or replacement affordable housing units shall be located within the Los Osos urban area.

~~**Q. Residential Garage Size and Location.** The following standards apply to land divisions, Minor Use Permits and Development Plans for new development that is located on lots less than one acre in area. The intent of the following standards is for garages to not dominate the structure as viewed from the fronting street (see Figure 7-7). Garages shall be located as follows:~~

~~1.—On the rear portion of the site, or~~

~~2.—On the front portion of the lot as follows:~~

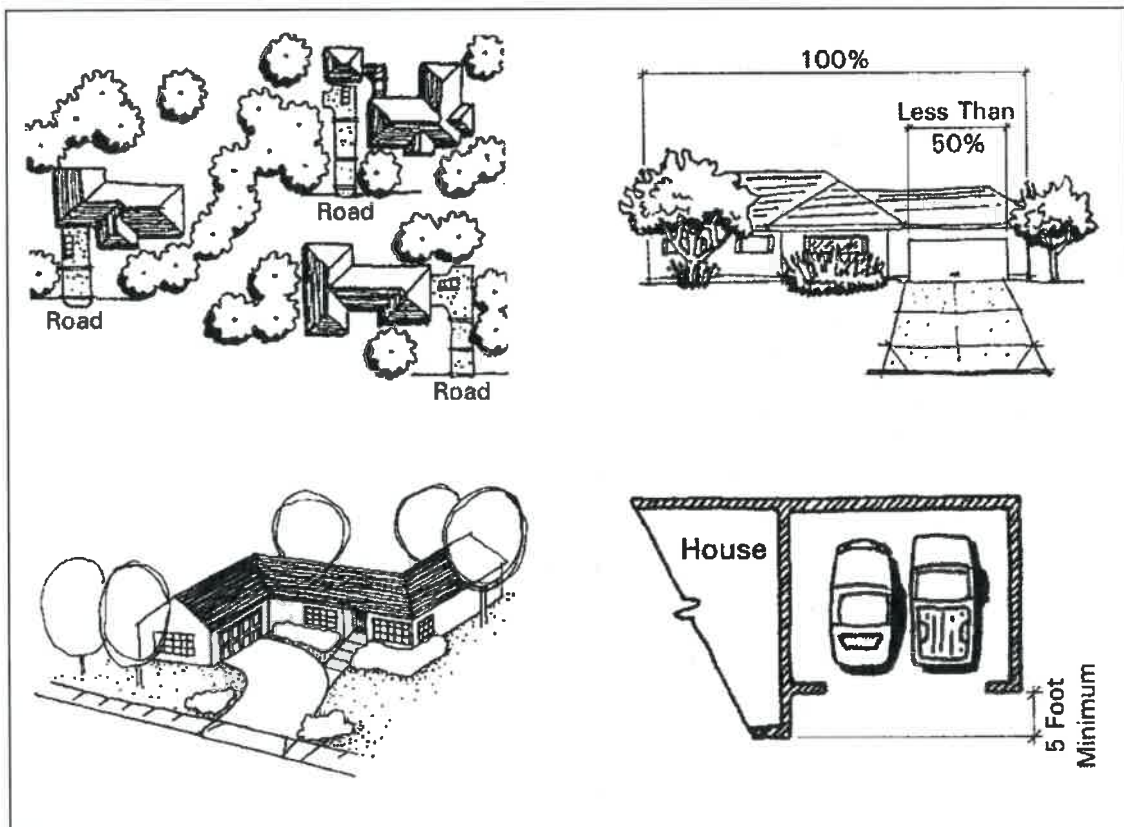
~~a.—The garage door shall not be directly visible from and face the fronting street (e.g., a side entrance garage), or~~

~~b.—Where the garage door is directly visible from and faces the fronting street, its width shall not exceed 50 percent of the total width of the street-facing building facade. If the parcel width is too narrow to comply with this standard, the following alternatives may be approved by the review authority:~~

~~(i) —Stacked or tandem parking, or~~

- (ii) ~~A garage setback of at least five feet from the front plane of the residential portion of the building (the individual garage bays may be staggered if there is at least a five-foot setback between the rear-most bay and the front plane of the residential portion of the building); or~~
- (iii) ~~If the preceding alternatives are not feasible, other design or decorative measures that accomplish the intent of this standard may be approved by the review authority.~~

Figure 7-7: Residential Garage Size and Location



RH. Construction Projects: Air Quality

- I. Construction Equipment Emissions Reductions. Construction projects shall implement the following emissions control measures so as to reduce diesel particulate matter in accordance with SLOAPCD requirements:
 - Maintain all construction equipment in proper tune according to manufacturer's specifications;
 - Fuel all off-road and portable diesel-powered equipment with a CARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
 - Use diesel construction equipment meeting the CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;

- Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
 - Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standard identified in the above two measures (e.g., captive or NO_x exempt area fleets) may be eligible by providing alternative compliance;
 - All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or jobs sites to remind drivers and operators of the 5-minute idling limit;
 - Diesel idling within 1,000 feet of sensitive receptors is not permitted;
 - Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
 - Electrify equipment when feasible;
 - Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
 - Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
2. **Fugitive Dust Control Measures.** Construction projects shall implement the following dust control measures so as to reduce PM10 emissions in accordance with SLOAPCD requirements:
- Reduce the amount of the disturbed area where possible;
 - Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Water shall be applied as soon as possible whenever wind speeds exceed 15 miles per hour. Reclaimed (nonpotable) water should be used whenever possible;
 - All dirt-stock-pile areas shall be sprayed daily as needed;
 - Permanent dust control measures shall be identified in the approved project revegetation and landscape plans and implemented as soon as possible following completion of any soil disturbing activities;
 - Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established;
 - All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD;
 - All roadways, driveways, sidewalks, etc., to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
 - Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
 - All trucks hauling dirt, sand, soil or other loose materials shall be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;

- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.
- All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition.

S.—Historical Resources

- ~~1.—Historical Resources Evaluation. Prior to issuance of permits for demolition or development, the County shall ensure that buildings or structures erected prior to 1970 on the subject parcel or any adjoining parcel are documented according to professional standards and their historical significance is evaluated. No permits shall be issued for any demolition, development, or other activity that would adversely affect the integrity of an officially designated Historic Landmark, historical buildings or structures eligible for the CRHR, or identified historical districts.~~
- ~~2.—Secretary of Interior' Standards and Guidelines. Projects that that would adversely affect the integrity of an officially designated Historic Landmark, historical buildings or structures eligible for the CRHR, or identified historical district shall be designed to comply with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. The applicant shall retain a qualified professional architectural historian to conduct design review and ensure compliance with the Standards and Guidelines.~~

T.—Paleontological Resources

- ~~1.—Paleontological Surveys. If individual projects in areas of high paleontological sensitivity (i.e., the Pismo Formation; Figure 7-8) require grading, excavation, or trenching that would result in ground disturbance within previously undisturbed sediments, the following measures shall apply:~~
 - ~~• the applicant shall retain a qualified professional paleontologist to perform a pre-construction paleontological survey to visually inspect the ground surface for exposed fossils or traces thereof and to further evaluate geologic exposures for their potential to contain preserved fossil material at the subsurface.~~
 - ~~• The qualified Paleontologist shall have a Master's Degree or equivalent work experience in paleontology, shall have knowledge of the local geology and~~

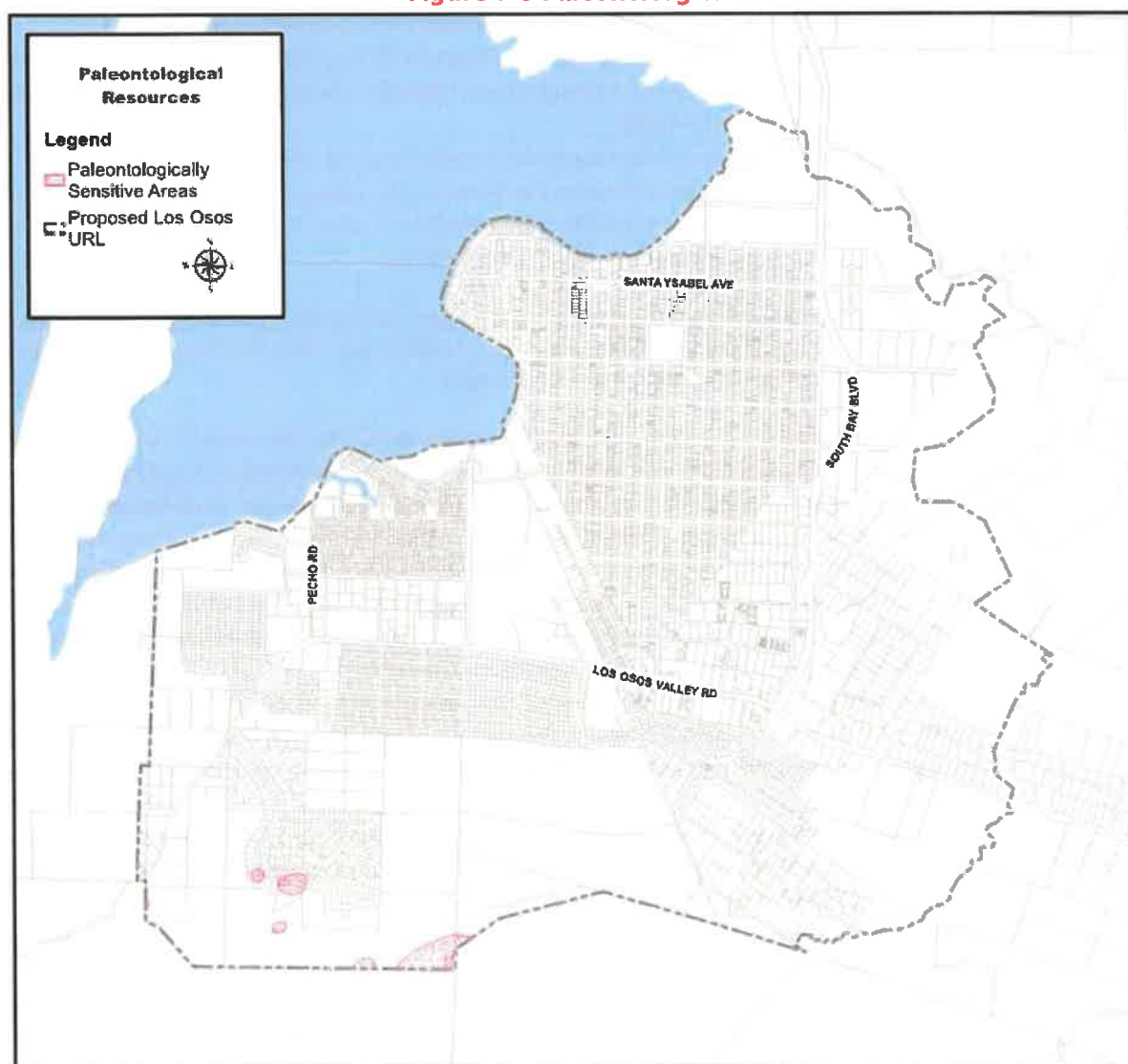
~~paleontology, and shall be familiar with paleontological procedures and techniques.~~

- ~~• All fossil occurrences observed during the course of fieldwork shall be adequately documented and recorded during the survey. The data collected for each fossil occurrence shall include, at minimum, the following information: Universal Transverse Mercator (UTM) coordinates, approximate elevation, description of taxa, lithologic description, and stratigraphic context (if known). In addition, each locality shall be photographically documented with a digital camera.~~
- ~~• The paleontologist shall assess the significance of any identified fossil resources, and all significant or potentially significant fossils shall be collected at the time they are observed in the field.~~
- ~~• If the fossil discovery is too large to collect during the survey (e.g., a whale skeleton or bone bed) and requires a large-scale salvage effort, then it shall be documented immediately and the paleontologist shall consult with the County regarding a strategy for preservation or recovery.~~

~~2. Paleontological Monitoring. If a pre-construction survey identifies significant fossil resources, or if a qualified paleontologist determines the need for monitoring during construction, the following measures shall apply:~~

- ~~• a qualified paleontologist shall observe excavation, grading, and/or trenching.~~
- ~~• If a paleontological resource is discovered during monitoring, the paleontologist shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and collected if appropriate. The paleontologist shall notify the County within 24 hours of any such discovery, and the location shall be protected from further impact until the significance evaluation and any necessary recovery is completed. Work may not resume without approval of the paleontologist and County.~~
- ~~• All significant fossils collected shall be prepared for curation in a properly equipped paleontology laboratory. Preparation shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary.~~
- ~~• Following laboratory work, all fossils specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to an accredited museum repository for permanent curation and storage.~~
- ~~• The paleontologist shall prepare a technical report describing the results of the paleontological mitigation efforts, including a summary of the field and laboratory methods, an overview of the project area geology and paleontology, a list of taxa recovered, an analysis of fossils recovered and their scientific significance, and recommendations. A copy of the report shall be submitted to the County and the designated museum repository. The cost of fossil recovery, analysis, and curation shall be the responsibility of the individual Project proponent.~~

Figure 7-8 Paleontological Resources



III. Noise

1. **Noise and Vibration Reduction Plan.** Projects that involve grading, demolition, and/or construction on lots adjacent to occupied residential structures shall

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implement the following applicable performance standards to ensure that sensitive receptors are not adversely impacted by construction related noise:

- a) Notify existing residences within 1,000 feet of the site boundary concerning the construction schedule;
 - b) Shield especially loud pieces of stationary construction equipment;
 - c) Locate portable generators, air compressors, etc. away from sensitive noise receptors;
 - d) Limit grouping major pieces of equipment operating in one area to the greatest extent feasible; and
 - e) Use newer equipment that is quieter and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine vibration isolators intact and operational. Internal combustion engines used for any purpose on or related to the job shall be equipped with a muffler or baffle of a type recommended by the manufacturer.
2. **Noise Compatibility:** Where noise sensitive development such as residential uses is proposed within the projected 60 CNEL noise contours distances for Los Osos Valley Road and South Bay Boulevard, a site-specific noise study shall be conducted to demonstrate compliance with the County's noise and land use compatibility standards (60 CNEL). This study shall be completed for noise sensitive uses located within the following distances of the identified segments of Los Osos Valley Road and South Bay Boulevard:

Roadway	Segment	Distance to
		60 CNEL (feet)
Los Osos Valley Road	east of Los Osos Creek	175
Los Osos Valley Road	east of South Bay Boulevard	127
Los Osos Valley Road	west of South Bay Boulevard	83
Los Osos Valley Road	east of 9th Street	77
Los Osos Valley Road	west of Bush Drive	69
Los Osos Valley Road	west of Palisades Avenue	66
Los Osos Valley Road	east of Doris Avenue	63
Los Osos Valley Road	east of Pecho Drive	62
South Bay Boulevard	north of Los Osos Valley Road	171
South Bay Boulevard	south of Santa Ysabel Avenue	149
South Bay Boulevard	north of Santa Ysabel Avenue	156

This study shall contain recommendations to mitigate any noise levels that exceed the County's standard of 60 CNEL. At the program level, the specific attenuation methods cannot be definitively determined. Noise reduction measure could include, but are not limited to, the following:

- Construction of a berm or wall;
- Design of individual homes such that structures block the line-of-sight from useable backyards to the noise source;
- For homes with backyards not blocked by intervening structures, backyard fencing of sufficient height to block line-of sight to the noise source; or

- Placement of exterior use areas and balconies away from the noise source, as applicable.
3. **Noise Study.** Where new commercial and industrial development would be located adjacent to residential uses, a site-specific noise study should be conducted to demonstrate compliance with the County noise standards in the Land Use Ordinance (Section 22.10.120). For the purpose of this measure, “adjacent” is assumed to include properties immediately bordering the existing use where the existing structures are within 50 feet of the project site. This study shall determine the area of impact and present appropriate mitigation measures. The mitigation measures required as a result of the noise study may include, but are not limited to the following:
- For new commercial uses, require the placement of loading and unloading areas so that buildings shield nearby residential land uses from noise generated by loading dock and delivery activities or such that there is an open space separation large enough to attenuate noise levels below the threshold.
 - Require the placement of all commercial HVAC machinery to be placed within mechanical equipment rooms wherever feasible. If such mechanical equipment is to be outdoors and would expose adjacent residences to equipment noise, provide a noise study to confirm that standards applicable to stationary noise sources in the County Noise Element and Land Use Ordinance will be met.

~~V. Critical Viewsheds:~~

- ~~1. **Pecho Valley Road.** Pecho Valley Road from Rodman Drive to the boundary of Montana de Oro State Park is a Critical Viewshed. Development along this corridor shall be subject to the Visual Resource standards included in the Coastal Zone Land Use Ordinance Section 23.04.210.~~
- ~~2. **South Bay Boulevard and Los Osos Valley Road.** South Bay Boulevard, and Los Osos Valley Road east of South Bay Boulevard, are designated as a Critical Viewsheds. Development along these corridors shall be subject to the Visual Resource standards included in the Coastal Zone Land Use Ordinance Section 23.04.210.~~

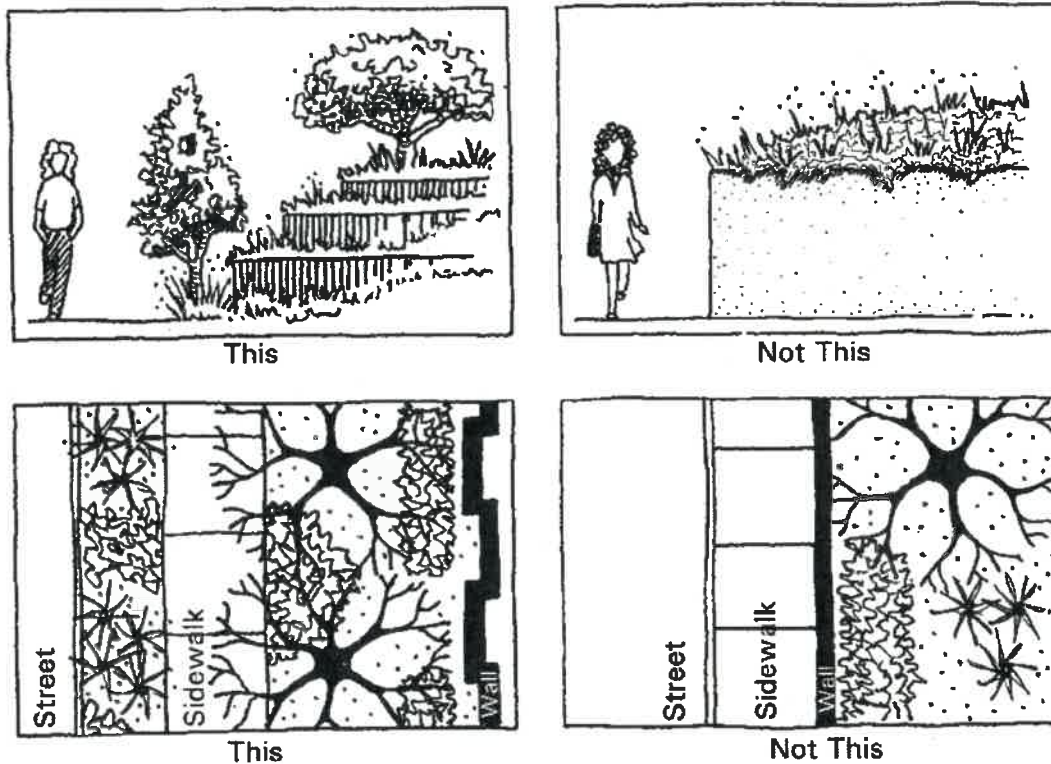
~~WJ.~~ _____ Residential Development and Design Guidelines

The following guidelines apply to proposed new land divisions, Minor Use Permits and Development Plans in all residential categories (see also design standards for particular categories in this section).

1. **Diversity in Appearance.** *New land divisions, and Minor Use Permit and Development Plan applications for development of more than one dwelling unit should provide diversity in appearance, such as:*
 - a. *A variety of exterior colors.*

- b. A variety of exterior design features, such as facades, roof pitches, building materials, and architectural style.*
- 2. Gated Communities. Gated communities are discouraged.*
- 3. Perimeter Walls and Fences. Perimeter walls and fences higher than three feet along streets are discouraged, except where: 1) they are located along the street sides of corner lots, or 2) an acoustical analysis demonstrates that there is no feasible alternative to reduce noise levels to an acceptable level, or 3) the walls or fences are needed due to topography or to reduce the amount of grading. In preceding cases 2) and 3), walls and Fences should be attractive and not highly visible to the public, using the following guidelines, as illustrated in Figure 7-39.*
 - (i) Where feasible, set back walls and fences from the street.*
 - (ii) Where feasible, provide landscaped buffers or parkways between walls and the street.*
 - (iii) Provide landscaping and/or earthen berms to partially screen the wall or fence from public view.*
 - (iv) Provide articulation, texture, or other features to make the wall or fence more visually pleasing.*
- 4. Front Setbacks--Single-Family Dwellings in Certain New Land Divisions. In new land divisions that are proposed as planned developments, condominiums or cluster divisions per Section 23.04.036 of the Coastal Zone Land Use Ordinance, the following minimum front setbacks are recommended for single family dwellings.*
 - a. Where the plane of the garage door is parallel to the street: a minimum of 20 feet from the garage, and a minimum of 10 feet from all areas of the dwelling unit other than the garage.*
 - b. Where the plane of the garage door is roughly perpendicular to the street or not directly visible from the street and there is sufficient room in the driveway to accommodate at least one vehicle: 10 feet.*

Figure 7-39: Wall and Fence Design



7.4 Combining Designation Standards

The following standards apply to lands in the Local Coastal Plan (LCP), combining designations, as listed below. If specific standards are not listed, the standards of Chapter 23.07 of the Coastal Zone Land Use Ordinance apply to the respective combining designations. Where a conflict exists between the Coastal Zone Land Use Ordinance standards and the combining designation standards in the Estero Area Plan, the Estero Area Plan shall prevail.

[Designation of properties in the Sensitive Resource combining designation does not in and of itself convey or imply any right of public use, access, trespass or violation of privacy. The same is true when the LUE/LCP identifies a need for open space preservation through easement, contract or other instrument.]

~~A. Morro Bay Shoreline (SRA)~~

- ~~1. Residential Density, New Land Divisions. Density shall be computed on the gross site area minus the portion that is identified as wetland.~~
- ~~2. Wetland Setbacks. New development shall be set back from the upland extent of wetland vegetation as shown in Table 7-1 and Figure 7-10. A biological survey performed consistent with Chapter 23.07 of the Coastal Zone Land Use Ordinance shall be used to determine the upland extent of wetland vegetation.~~

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Table 7-1: Required Wetland Setbacks

LOCATION (See Figure 7-10)	MINIMUM SETBACK (FT.)¹
West of Tract 316 (Butte Drive Residential Single Family)	100
Tract 316 (Butte Drive Residential Single Family category)	50
Butte Drive to Pecho Road	100
Pecho Road to Doris Avenue (south half of Cuesta inlet) Blocks 4 and 5, Cuesta-by-the-Sea Tract)	75
North half of Cuesta inlet (blocks 13,14, and 35 Cuesta-by-the-Sea Tract)	50
Doris Avenue to Tract 40 near (1st street.)	75
Tract 40 (Along Pasadena Drive, Santa Lucia Ave.)	75 (may be adjusted ² but to no less than 50 feet)
East of 3 rd Street	50 (may be adjusted ² but no closer than 25 feet from the mean high tide line)
1. The required setbacks are minimum distances as measured from the upland extent of wetland/riparian vegetation.	
2. Section 23.07.172 of the Coastal Zone Land Use Ordinance.	

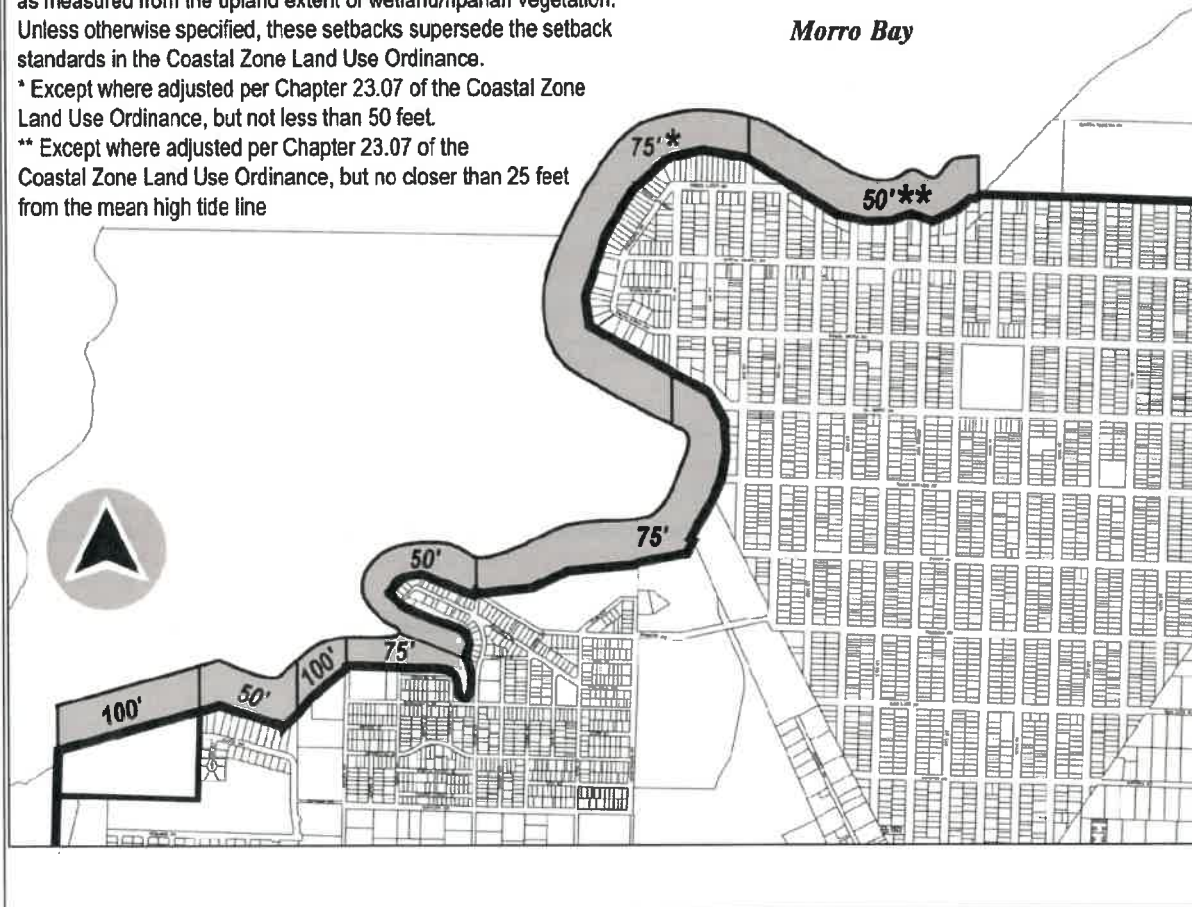
Figure 7-10: Wetland Setbacks

NOTES:

The setbacks shown in this figure are minimum distances as measured from the upland extent of wetland/riparian vegetation. Unless otherwise specified, these setbacks supersede the setback standards in the Coastal Zone Land Use Ordinance.

* Except where adjusted per Chapter 23.07 of the Coastal Zone Land Use Ordinance, but not less than 50 feet.

** Except where adjusted per Chapter 23.07 of the Coastal Zone Land Use Ordinance, but no closer than 25 feet from the mean high tide line



BA. Los Osos Ecosystem (SRA). In order to ensure the long-term preservation of the rare and sensitive Los Osos Ecosystem habitat (Figure 7-411), new development shall comply with the following standards:

- 1. Habitat Conservation Standards.** These provisions are intended to ensure the long-term preservation of the rare and sensitive Los Osos Ecosystem habitat (much of which is an Environmentally Sensitive Habitat), recognizing that habitat in the "Los Osos Ecosystem SRA-TH" area is of relative high quality compared to that on smaller, isolated, undeveloped lots.
- 2. Los Osos Ecosystem Habitat (SRA).** The following provisions are intended to ensure the long-term preservation of the rare and sensitive Los Osos Ecosystem habitat (which is an Environmentally Sensitive Habitat). Such habitat is of relative high quality compared to that on smaller, isolated, undeveloped lots. Following are the specific objectives:
 - Preserve, maintain, and protect rare and specific endangered species;

- Preserve, maintain, and enhance the following environmentally sensitive areas: Los Osos Ecosystem habitat, and 2) natural land forms that are barren or covered with non-native plants and that are potentially restorable to native plant cover such as Morro manzanita and Indian Knob mountainbalm;
- Eliminate any incentives for the illegal or inappropriate removal of Los Osos Ecosystem habitat;
- Ensure that all new development is compatible with and sensitive to Los Osos Ecosystem habitat;
- Subordinate all public and private development to the protection of critical natural areas

Los Osos Ecosystem Development Standards. The following standards apply to new development within the areas designated "Los Osos Ecosystem SRA-TH" except where the Planning Director determines that the proposed activity is otherwise sufficiently minor that no adverse effects on habitat can result. Within this area, the highest conservation priority is avoiding disturbance of sensitive Los Osos Ecosystem habitat.

- a **Required Findings.** Approval of a land use permit shall not occur unless the review authority first finds that, in addition to the required findings for Environmentally Sensitive Habitats specified in Chapter 23.7 of the Coastal Zone Land Use Ordinance, the project incorporates all feasible and reasonable means of maintaining Los Osos Ecosystem habitats.
- b **Resource Maintenance and Restoration Plan and Biological Survey.** Land use permit applications shall include a resource maintenance and restoration plan and biological survey prepared by a qualified biologist approved by the Environmental Coordinator. The recommendations of this plan and survey shall be incorporated into the project design and conditions at the discretion of the Planning Director.
 - (i) **Required contents.** The resource maintenance and restoration plan and biological survey shall recommend design, construction, restoration/enhancement, maintenance, and monitoring measures for the entire site, as applicable, to achieve the preceding specified purposes of the Los Osos Ecosystem SRA.
 - (ii) **Survey methodology.** Biological survey methodology shall at a minimum comply with California Department of Fish and Wildlife and U.S. Fish and Wildlife Service guidelines.
 - (iii) **Monitoring.** The monitoring measures recommended in the resource maintenance and restoration plan may include frequent monitoring during and soon after the completion of initial habitat restoration and/or enhancement activities, and less frequent monitoring after plants are well-established.

- c **Landscaping Plan.** A landscaping plan in accordance with Chapter 23.04 of the Coastal Zone Land Use Ordinance shall be required where development will disturb existing or potential native dune plant habitat. The landscaping plan shall include restoration planting on the site, including areas to be permanently protected, as recommended by the required resource maintenance and restoration plan. Invasive, non-native plants, including Pampas grass, Acacia, Genista, and non-native iceplants, pose a threat to the indigenous plant community and shall not be approved as part of proposed landscaping. The use of other non-native plants shall be limited to the outdoor living space immediately adjacent to the proposed development (i.e., within the defined building envelope) and shall not be used within a conservation easement or other area to be set aside for permanent protection.
- d **Conservation Instruments.** If proposed development will disturb sensitive habitat supporting or potentially supporting Morro manzanita, Indian Knob mountainbalm, or other rare or endangered species, as determined by the required resource management and restoration plan and biological survey, all portions of the property beyond the maximum area of site disturbance specified in this standard shall be permanently protected by agreements, easement controls, or other appropriate instrument, consistent with applicable legal requirements to allow reasonable use of the site.
- e **Long-term maintenance and monitoring.** When areas to be permanently protected through conservation instruments are to remain in private ownership, the owner shall enter into a long-term maintenance and monitoring agreement with the county prior to issuance of building permits. The agreement and any easement shall provide for, but not be limited to, all of the following.
 - (i) The ongoing maintenance of remaining Los Osos Ecosystem habitat in a natural state.
 - (ii) The restoration of native plants, as recommended by the approved resource maintenance and restoration plan, and as shown in the approved landscape plan.
 - (iii) The long-term monitoring of rare and endangered plants and the maintenance of supporting habitat, as recommended by the approved resource maintenance and restoration plan.
 - (iv) Requirements for financial security, including guarantees to cover the cost of:
 - (a) The proper completion of restoration measures (for example, plant installation and the eradication of non-native species) within a specified time; and
 - (b) The proper maintenance of restored and undisturbed areas over a specified time (for example, five years), and the monitoring of those efforts. These requirements may also include penalty provisions such as extensions of the monitoring period, in addition to the forfeit of funds

provided, in response to a failure to perform as agreed.

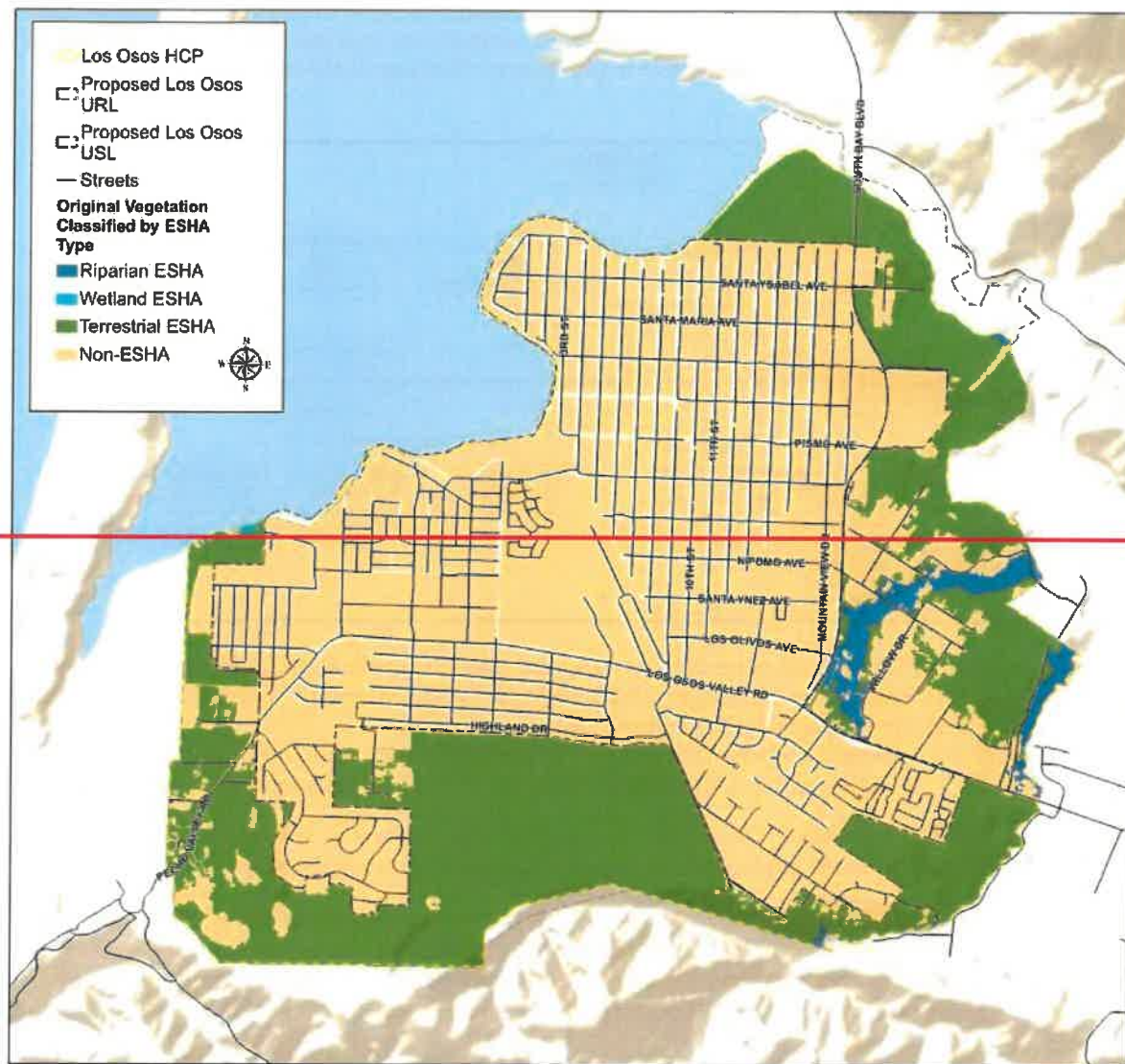
- f **Site Disturbance.** This standard is intended to provide maximum preservation of Los Osos Ecosystem and its associated habitat of rare and endangered species. New development causing site disturbance shall ensure protection of habitat for Morro manzanita, Indian Knob mountainbalm, or any other rare or endangered species determined to be present on the site. However, limitations on the amount of site disturbance shall be consistent with applicable legal requirements to allow reasonable use of the site.

Site disturbance includes disturbance of the following areas: areas disturbed by structures, roads, utility trenching, and pavement; areas on which grading, or removal of native vegetation occurs. Site disturbance does not include activities that are consistent with the restoration and maintenance of native plant habitats as guaranteed by project approval.

- g **Resource Protection During Construction.** Habitat containing Morro manzanita, Indian Knob mountainbalm, and other rare and endangered species shall be protected from disturbance by construction activities. Temporary wire mesh fencing shall be placed around such habitat prior to construction, and protected areas shall not be used by workers or for the storage of machinery or materials.
- h **Permanent Fencing.** Permanent fencing shall be restricted to that which will not impact the free passage of native wildlife and shall employ design and materials determined by the review authority to be compatible with the open space character of the Los Osos Ecosystem habitats.
- i **Utilities.** Where feasible, utility connections shall be installed in a single corridor, and shall avoid surface disturbance of conservation easements or other areas to be set aside for permanent protection of sensitive habitat.
- i **Destroyed Structures.** Where a dwelling has been destroyed pursuant to Coastal Zone Land Use Ordinance Section 23.09.033a, it may be restored or a new dwelling rebuilt within the existing footprint without having to comply with the preceding Los Osos Ecosystem Habitat standards b(1) - b(9). ("Los Osos Ecosystem Development Standards")

Figure 7-41: Los Osos Ecosystem SRA (ESHA)

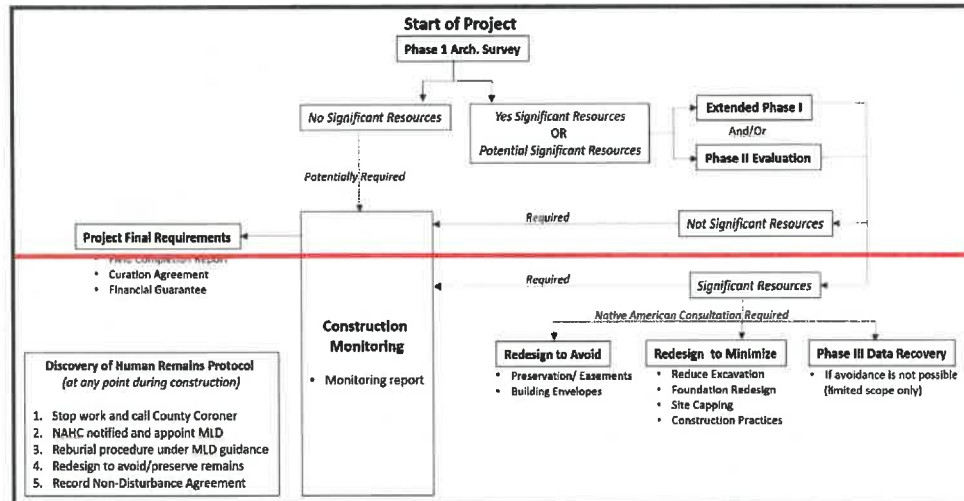




C. Archaeological Sensitive Areas. The Archaeological Sensitive Area (ASA) map in Los Osos has been revised to identify areas updated with highly sensitive cultural resources. The purpose of this updated map (Figure 7-12) and the application of the following procedures and requirements set forth in this section below is to streamline permit requirements for future developments and ensure the maintenance and protection of the County's archeological and tribal cultural resources in Los Osos:

1. Applicability of Standards. The standards set forth in this section apply to all uses requiring a land use permit or construction permit located within the mapped ASA areas inside the urban reserve line as shown in Figure 7-12:

~~2.—Permit and Processing Requirements. The land use permit requirements established by Chapters 23.03 (Permit Requirements), and 23.08 (Special Uses) are modified to include additional requirements for the ASA combining designation as follows:~~



~~a.—Initial Submittal: The type of land use permit application to be submitted is to be as required by Chapter 23.03 (Permit Requirements), Chapter 23.08 (Special Uses), or by Planning Area standards:~~

~~I.—Development proposed within the boundaries of a known archeological site shall require a Minor Use Permit/ Coastal Development Permit (MUP/CDP):~~

~~II.—If no land use permit is required, the following standards in this section are still applicable for a construction permit application:~~

~~b.—Application Content: Land use and construction permit applications for projects within the ASA shall include the following Archeological Resource Assessment report(s) as applicable, and evidence of measures proposed to protect the sensitive resources as outlined in Subsection i in this section:~~

~~i.—Archaeological Resource Report. Written reports shall be prepared consistent with the report format requirements contained in the State Office of Historic Preservation Archaeological Resource Management Reports (ARMR): Recommended Contents and Format guidelines. A single report may incorporate more than one Phase where appropriate to minimize redundancy and expense. All reports shall be filed with appropriate State information center:~~

~~The report(s) shall be prepared, at the applicant's expense, by a qualified archaeologist, either from the County's list of archaeological consultants or by a member of the Register of Professional Archaeologists, meeting the Secretary of the Interior's Professional Qualification Standards, who is familiar with California Central Coast archaeology. The applicant shall also be responsible for paying for the costs of data recovery and curation of recovered materials, if applicable:~~

~~If the assessment determines that a proposed development may have significant effects on existing, known, or suspected archeological resources, a mitigation plan shall be prepared by a qualified archeologist. The purpose of the plan is to protect the resource and highest priority shall be given to avoiding disturbance of sensitive resources. The mitigation plan shall be submitted to and approved by the Environmental Coordinator and considered in the evaluation of the development.~~

~~Submittal of the listed report(s) below, to the Environmental Coordinator, is required prior to a land use permit application being deemed completed. These report(s) are also required at the time of construction permit application in order to determine the applicability and/or requirement for a MUP/CDP before continued processing of the construction permit.~~

~~a. **Phase I Archeological Resource Assessment (Required).** All project applications shall include at minimum, a Phase I Archeological Resource Assessment which is a preliminary site survey and record search with Central Coast information Center (CCIC). The survey shall be conducted by a County-qualified archaeologist knowledgeable in local Native American culture. The County will provide pertinent project information to the Native American tribal groups:~~

~~1. *If the site survey findings are negative, no further review is necessary. However, monitoring maybe required at the discretion of the County to ensure no impacts to potential resources during construction.*~~

~~2. *If the site survey reveals information indicating the presence or proximity to archeological resources or it is determined by the County there is a likelihood for the site to contain archeological resources, an Extended Phase I or Phase II Evaluation shall be required unless either of the following apply:*~~

~~(i) *There is substantial evidence (such as existing evaluations that adequately characterize the resource), absent the Phase II, that the project will have a significant impact on archaeological resources and those impacts cannot be avoided pursuant to Section C of this section, in which case a Phase III Data Recovery Plan may be prepared without a Phase II Evaluation; or*~~

~~(ii) *The Phase I survey provided reasonable determination of the resource location(s) and all development is located to avoid impacts to those identified resources, in which case no further archaeological evaluation is necessary. Monitoring may still be required at the discretion of the County to ensure no impacts to potential resources during construction.*~~

~~b. **Phase II Evaluation of Archaeological Resources.** A Phase II Evaluation shall be prepared with the goal of determining site extent and spatial variability (both vertical and horizontal), evaluating the site's significance pursuant to California Code of Regulations, Title 14,~~

~~State CEQA Guidelines, 15064.5, and evaluating resource protection measures pursuant to Subsection C of this section, as applicable. A Phase II Evaluation may include test excavations when adequate data from previous reports are not available to assess a site's significance; however, prior to recovering any archaeological materials for testing and/or carbon dating, the archaeologist shall consider the appropriate disposition of materials in consultation with the Planning Director and the property owner.~~

~~1.—If no significant archeological resources found, no further reports are necessary unless the Planning Director determines that there is substantial evidence in the record that significant resources may be affected by the project. Conditions recommended by the archaeologist and the Native American tribal groups through the consultation process shall be applied to the project as appropriate.~~

~~2.—If significant archeological resources are found, the Phase II Evaluation plan shall include consideration of the avoidance measures required in Subsection C.1. If significant resources cannot be avoided, a Phase III Data Recovery Plan will be required.~~

~~3.—The Planning Director reserves the right to decide, based on substantial evidence, that non-significant archaeological resources can be significant tribal cultural resources pursuant to PRC Section 21074. In making such a determination, the Planning Director shall consider input from, and the importance of the resource to, the Native American tribal groups.~~

~~c.—Phase III Data Recovery Plan. A Phase III Data Recovery Plan shall be prepared to evaluate a project's unavoidable impacts on significant archaeological resources and shall set forth the reasons, based on substantial evidence, why avoidance and impact minimization measures required in Subsection C are not feasible. Data recovery excavation shall not incur additional impacts to the archeological resources and if applicable, previous data collected for Phase II may be credited towards the overall sampling required. Impacts to an archeological site and significant resources shall not exceed 10% of the cultural site area on a project site in order to qualify for a typical proportional sampling mitigation in Phase III.~~

~~1.—Report Guidelines. The plan shall incorporate results of Phase II study with detailed information considering proportional sample size related to the extent of impact, existing body of documentation and significance of the resource. The Phase III Plan shall include treatment of resources with cultural appropriate dignity taking into account the tribal cultural values and meanings, including but not limited to protection of the cultural character, integrity, traditional use and confidentiality of the resource.~~

~~2.—**Content:** A Data Recovery Plan shall include at minimum: dates of fieldwork and personnel qualifications, level and location(s) of excavation needed, laboratory processing and analysis protocol, detailed notes, photographs and drawings of all excavation and soil samples, curation and cost estimates.~~

~~3.—**Timing:** The Data Recovery Plan shall be submitted and approved by Environmental Coordinator before fieldwork can begin. All excavation and recovery activities shall require Native American monitoring. Curation or a financial guarantee for data analysis filing and curation must be demonstrated to the County before land use permit approval, or prior to final building inspection, to allow the project to move forward.~~

~~ii.—**Monitoring Plan.** A monitoring plan shall be submitted to the County prior to issuance of construction permit, prepared by a County-approved archaeologist, for review and approval by the Environmental Coordinator. The intent of this Plan is to outline monitoring guidelines and protocol for all earth-disturbing activities in areas identified as potentially sensitive for cultural resources. The monitoring plan shall include at a minimum:~~

- ~~a.—List of personnel involved in the monitoring activities;~~
- ~~b.—Inclusion of involvement of the Native American community and culturally affiliated Native American community, as appropriate;~~
- ~~c.—Description of how the monitoring shall occur;~~
- ~~d.—Description of frequency of monitoring (e.g., full-time, part time, spot checking);~~
- ~~e.—Description of what resources are expected to be encountered;~~
- ~~f.—Description of circumstances that would result in the halting of work at the project site (e.g., What is considered “significant” archaeological resources?);~~
- ~~g.—Description of procedures for halting work on the site and notification procedures;~~
- ~~h.—Description of monitoring reporting procedures; and~~
- ~~i.—Description of provisions defining education of the construction crew and establishing protocol for treating unanticipated findings. This training will include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources and sacred sites to the Native American community and culturally affiliated Native American community, and the laws protecting significant archaeological and historical sites.~~
- ~~j.—The Native American monitor or a tribal representative should participate in the cultural sensitivity training for the project participants.~~

~~c.—**Environmental Determination:** Pursuant to CEQA Section 15183, projects complying with all standards set forth in this section will be consistent with the community plan certified EIR. Failure to meet all the standards will require additional environmental review necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.~~

~~d. **Required Findings:** Any land use permit application within the ASA shall be approved only where the Review Authority can make one of the following required findings:~~

~~(i) *The site design and development incorporated adequate measures to fully avoid impacting archeological resources and ensure that archeological resources will be acceptably and adequately protected, or*~~

~~(ii) *The site design and development cannot be feasibly changed to avoid intrusion into or disturbance of archaeological resources. The project design and construction incorporated adequate site measures and methodology to minimize and mitigate impacts to identified archeological resources.*~~

~~3. **Development Standards.** All new development shall be considered compliant with the community plan when they incorporate all site planning and design features necessary to demonstrate (in order of priority); avoidance of impacts to sensitive resources, minimization of impacts through careful siting, considerate design and construction practices if avoidance is not possible, and as a last resort, excavation and recovery of those resources as mitigation for unavoidable impacts:~~

~~All development within ASA shall include the following minimum standards:~~

~~a. **Resource Protection:** Impacts to significant archaeological resources and tribal cultural resources shall be avoided to the extent feasible. In all cases where significant archaeological resources or tribal cultural resources are identified, the following avoidance measures shall be considered:~~

~~i. **Avoidance/ Preservation in Place.** These protection measures include but not limited to, revising the project design or location to avoid the resources entirely. Avoidance means relocation of all development, including grading, utilities, foundations, drainage facilities, and major landscaping. Pools, basements, or any project feature requiring extensive excavation that would impact significant cultural resources is not allowed. No land division of a parcel containing archaeological resources shall be permitted unless all proposed building sites are located entirely outside of the archaeological site.~~

~~ii. **Protection of Resources.** If full avoidance is not feasible, sensitive areas shall be placed under culturally appropriate protection and management criteria such as permanent conservation easements or other interests in real property. Public access and site disturbance work including habitat or site restoration and revegetation work shall be kept to a minimum. Other feasible methods of avoidance and protection of the resource shall be considered and approved by the Environmental Coordinator.~~

~~iii. **Minimize Impacts to Significant Resources.** If full avoidance, preservation or protection in place is not feasible, project redesign may be required to reduce impacts to less than significant level. Project redesigns shall include and not limited to, any of the following:~~

~~1. **Reduce Excavation.** Moving foundation elements, designing spanning foundations, reducing proposed~~

excavation volumes, and altering proposed utility lines and connection alignments.

2. ~~**Foundation Redesign.**~~ Foundation design may need to be altered to minimize site disturbance. "Side-by-side" comparisons of disturbance and calculations of volume of cultural materials affected will be submitted to show the revised foundation design will result in the least disturbance. The approved redesign(s) shall be verified by the County prior to construction work.

3. ~~**Site Capping.**~~ Where project must encroach within the identified cultural resource(s), incorporation of fill shall be considered. Only sufficient fill shall be placed over the site so as to allow native soils to remain undisturbed (e.g. 18 inches for residential footings, 6-8 inches for driveway construction). Clean, sterile fill, consisting of a layer of other conspicuous material (e.g. fill of a noticeable different color and texture than native soil) shall be placed over the native soil prior to placement of any other clean fill material. Native soils shall not be disturbed or compacted (or compacted to the most limited extent necessary) within the cultural resource areas. The use of fill shall be the minimum necessary to protect the resource. Additional height (up to 24") shall be allowed as follows:

Fill	Additional Height Allowed
12"	6"
18"	12"
24"	18"

iv. ~~**Phase III Data Recovery Plan.**~~ Where development is likely to adversely impact any important or unique archeological resources and it is not feasible to avoid or preserve resources, total and partial recovery through excavation may be considered the only feasible mitigation measure. A Data Recovery Plan shall be prepared per the guidelines set in Section 2b(iii) and submitted to the Environmental Coordinator for review and approval before work can continue.

b. ~~**Construction Practices.**~~ Projects with potential impacts to identified archeological resources shall include the following into the construction documentation submittal:

i. ~~**Project Limit Area.**~~ Plans submitted shall clearly show a 'project limit area' established in a manner that avoids impacts to resources to the maximum extent possible, located on the least sensitive portion of the site, and safeguards the resources on site. The project limit area shall include all areas on and off site where ground disturbance will occur including access road grading, utility trenching or similar works related to the project.

ii.—~~Construction Methodology.~~ Specific construction methods may need to be employed that provide for maximum protection of resources. This may include and not limited to:

- a.—~~Grubbing shall be limited to the first six inches of top soil and compaction can be done with a heavy rubber tire machinery. Compaction should be done with care as not to rip into the soil with aggressive wheel turns.~~
- b.—~~Trenching for utilities shall be limited so underground services are grouped as closely as possible, to minimize native ground excavations. Trenching work must be monitored.~~
- c.—~~Smaller excavating equipment is preferred to allow for controlled monitored excavation. Excavations in identified sensitive areas shall be done in shallow increments as recommended by the archeologist. If significant cultural resources, such as human remains are present at a site, hand excavation may be warranted.~~
- d.—~~Machineries should have rubberized, non-tracked wheels that will minimize disturbance of the native soils or a protective barrier such as metal sheets shall be used as a protective layer between the construction machinery and the native ground.~~
- e.—~~Clean, sterile fill of a noticeable distinct color than native soil can be placed over project. Depth of fill should be sufficient to prevent foundation elements from extending into native soil. Fill shall be placed from the outwardly portion of the site so machine tires will roll on placed fill instead of native ground.~~
- f.—~~Alternative foundation design such as floating mat slab that will minimize excavations and compaction. Capping of significant resources is encouraged with placing of concrete slabs or flatwork.~~
- g.—~~Graded native soils shall be monitored, screened as applicable and balanced on site, as much as possible. Exporting of dirt is discouraged and off-site location for hauled materials shall be disclosed in a County approved monitoring plan.~~

~~If applicable, stockpiled materials waiting to be screened shall be covered in a secure manner including protection from rain, wind, and erosion.~~

- h.—~~If inadvertent discovery is found on site, a minimum 25-foot buffer around the find shall be installed. Work in other areas may proceed after getting approval from the County.~~

iii.—~~Construction Monitoring.~~ During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and culturally affiliated Native American Representative to monitor all earth disturbing activities including offsite grading /trenching work for access and utilities per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity of the resource (precise area to be determined by the archaeologist and the Native American Monitor in the field) until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant

~~shall implement the mitigation as required by the Environmental Coordinator.~~

~~The archaeologist shall verify implementation of the Monitoring Plan during any ground-disturbing activities. A final report on compliance shall be submitted by the archaeologist prior to final inspection.~~

~~iv.—Changes to Design. If significant archaeological resources are identified on site, the applicant's construction drawings shall demonstrate incorporation of all revised design and/or mitigation measures approved by the Environmental Coordinator to avoid significant impacts or reduce to a less than significant level. If construction is underway, all work shall stop until a redesign is reviewed and approved via After-Issuance Change' permit from the County~~

~~c.—Project Final Requirements. After the completion of construction monitoring and any Phase III data recovery excavations, the applicant shall submit the following to the Environmental Coordinator prior to final inspection or occupancy (whichever comes first):~~

~~i.—Field Completion Report. Archeologist-prepared report summarizing all monitoring and/or mitigation measures conducted, field findings, and construction compliance. The report shall be provided in ARMR format describing field tasks by date, location, and results. The report shall include field methods, results and photographs, artifact analysis and interpretation, updated site maps and/or appropriate State site record forms. The final report shall be submitted electronically to the County, the property owner, and the State site record/information center.~~

~~ii.—Financial Guarantee. If the analysis included in the Phase III Data Recovery Plan or inadvertent findings is not complete at this milestone, the applicant shall provide to the County proof of obligation to complete the required analysis and file final reports.~~

~~4.—Consultation with Native American Tribal Groups. Consistent with Section 15183, the incorporation of standards set forth in this section are intended to streamline the review of projects within the ASA combining designation in Los Osos. Pursuant to PRC Section 21080.3.1, AB52 consultation with Native American tribal groups are considered fulfilled when a project complies with all standards set forth herein. In addition to the archeological report(s) and development standards set in this section, the Director of Planning can provide notifications to the California Native American tribe(s) that may be traditionally and culturally affiliated with the project area(s) to initiate additional consultation when any of the following below occurs:~~

~~a.—The project's Phase I Archeological Assessment reports a positive finding and additional Phase II and/or Phase III is warranted.~~

~~b.—There is inadvertent finding during project development i.e. human remains, significant cultural resource or similar.~~

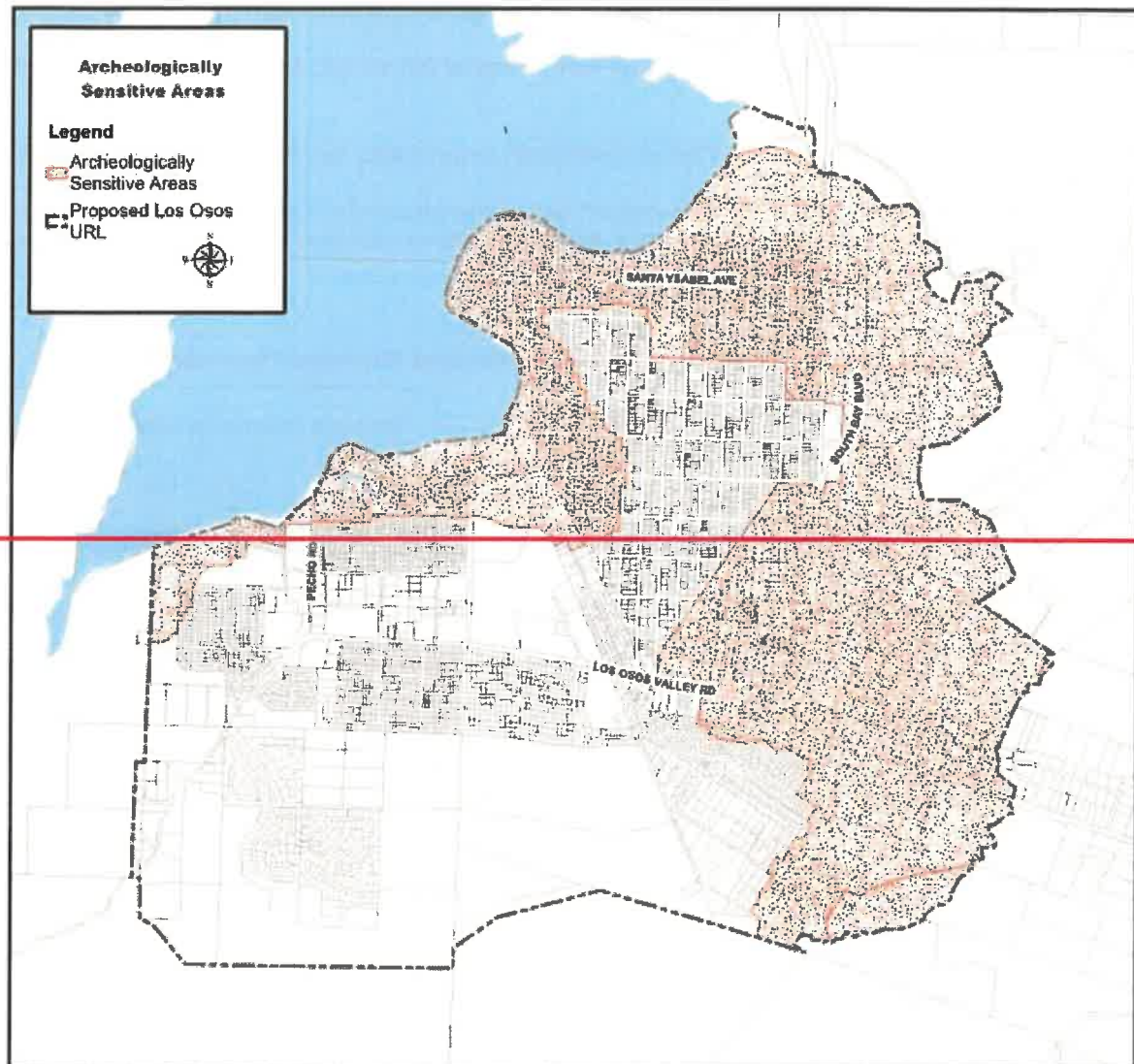
- c. ~~The project has to incorporate *additional* mitigation measures to avoid and/or minimize impacts to identified significant archeological resources.~~
- d. ~~The Planning Director decides, based on substantial evidence, that a non-significant archeological resource can be significant tribal cultural resources pursuant to PRC Section 21074.~~

5. ~~Discovery of Human Remains.~~ ~~If human remains are encountered during construction, the procedures outlined by the Native American Heritage Commission (NAHC), in accordance with Section 7050.5 of the California Health and Safety Code (HSC) and Section 5097.98 of the Public Resources Code (PRC), would be followed, as well as the provisions of the CZLUO 23.05.150. A general summary of these provisions and best practices are as follows:~~

~~If it is determined or suspected that a discovery includes human remains:~~

- a. ~~Work in the immediate vicinity (within 50 feet) of the find would cease.~~
- b. ~~The San Luis Obispo County Coroner shall be contacted immediately.~~
- c. ~~In addition, the County Environmental Coordinator shall be notified as soon as possible. The County will also issue a "Stop Work" for any construction activities that have the potential to disturb the resource or for all activities on a site if additional resources are suspected to be present and to insure compliance with CZLUO 23.05.150.~~
- d. ~~As a courtesy, the archaeologist should also notify the NAHC.~~
- e. ~~The remains should be secured immediately with steel plating cover, or similar. No work is to proceed in the discovery area until consultation procedures are complete, procedures to avoid or recover the remains have been implemented, and the "Stop Work" has been lifted and the owner/developer has been notified that all County and State required provisions have been satisfied.~~
- f. ~~The Coroner has 2 working days to examine the remains after being notified in accordance with HSC Section 7050.5. If the coroner determines that the remains are Native American and are not subject to the to the coroner's authority, the coroner has 24 hours to notify the NAHC of the discovery.~~
- g. ~~The NAHC should immediately designate and notify the Native American Most Likely Descendent (MLD), who has 48 hours after being granted access to the location of the remains to inspect and make recommendations for proper treatment of the remains.~~
- h. ~~The archeologist and Native American MLD should meet with the owner /developer, other design professionals, as well as with County staff, to plan for and implement the recommended treatment, which may include design and construction modifications to avoid further impacts.~~
- i. ~~A Covenant of Non-Disturbance of Native American Heritage Site may be required by the County to prevent future disturbance of the remains identified.~~

Figure 7-12 Archaeological Sensitive Area



7.5 Land Use Category Standards

A. Commercial Retail (CR)

The following standards apply only to lands within the Commercial Retail land use category in the specified areas:

1. **Drive-Through Facilities.** No new drive-through facilities shall be established.
2. **Central Business District and Baywood Commercial Area, Permit Requirement.** Notwithstanding the requirements of the Coastal Zone Land Use Ordinance, new development may be authorized in the Central Business District and Baywood Commercial Area (see Figure 7-13) through Minor Use Permit approval in lieu of a

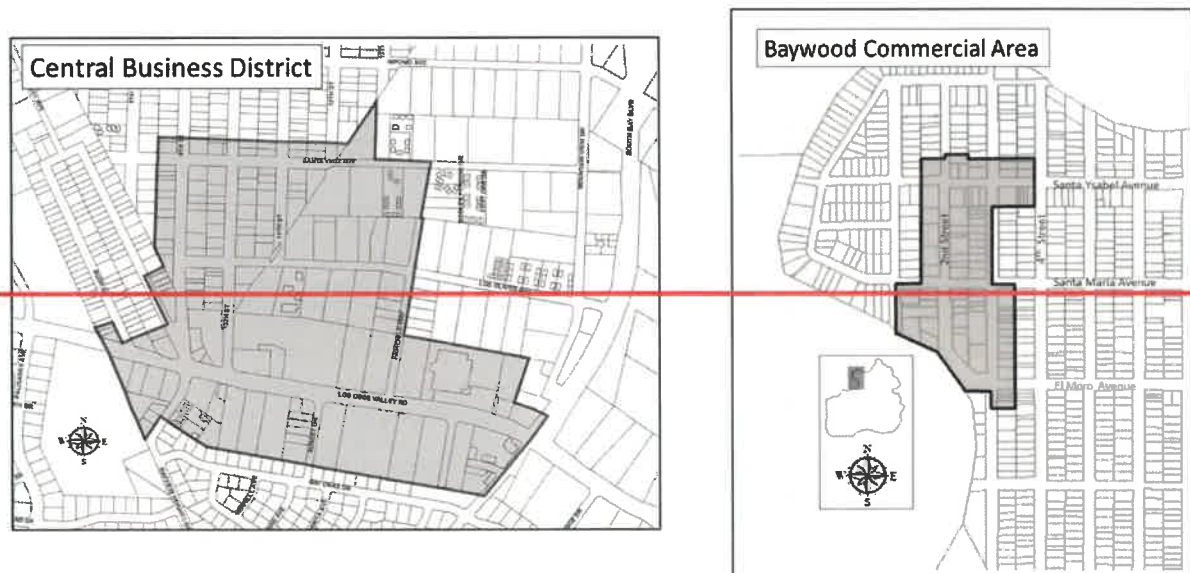
~~Development Plan when the project complies with applicable planning area standards and design guidelines, except in any of the following circumstances:~~

~~a.—When modifications or waivers from Coastal Zone Land Use Ordinance standards are required:~~

~~b.—When a Development Plan is specifically required by the Planning Area Standards:~~

~~This standard shall not be construed to require Minor Use Permit approval where the Coastal Zone Land Use Ordinance otherwise allows ministerial approval through the Plot Plan or Zoning Clearance process.~~

Figure 7-13: Los Osos Central Business District and Baywood Commercial Area



~~3.—Central Business District and Baywood Commercial Area, Parking. (see Figure 7-13), the number of on-site parking spaces provided shall be no more than that required by Chapter 23.04 of the Coastal Land Use Ordinance. Community parking areas within a 1/4 mile radius and on-street parking within the same block may be used to satisfy parking requirements.~~

~~4.—Central Business District. The following standards apply within the central business district, as shown in Figure 7-9:~~

~~a.—Height. Maximum building height shall be 35 feet.~~

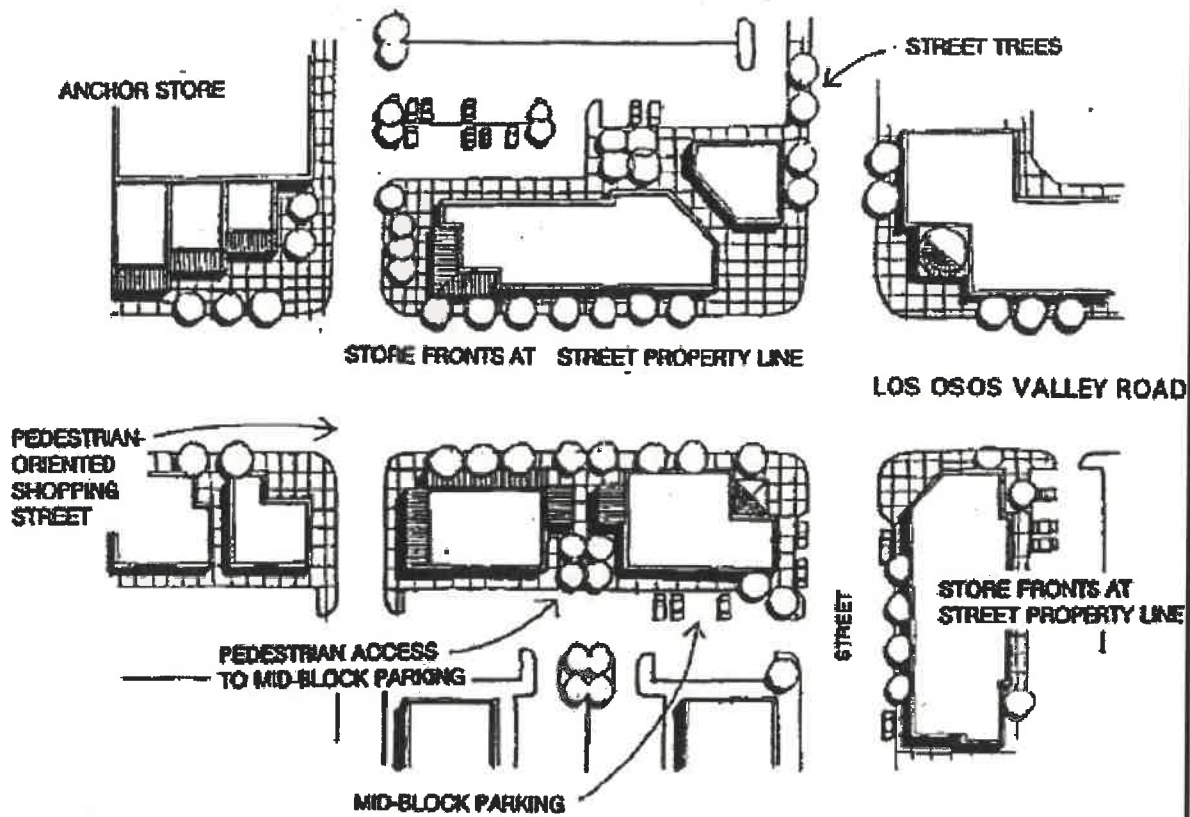
~~b.—Mixed-Use Development. This standard is intended to encourage provision of a mixture of residential and non-residential uses on the same site, to encourage provision of affordable and senior housing in close proximity to shopping and services, and to increase economic and social activity downtown.~~

- (i) ~~**Residential Uses.** Residential development shall be subject to the standards in Chapter 8 of the Coastal Zone Land Use Ordinance--Residential Uses in Office and Professional or Commercial Categories--except that where those standards conflict with the following standards, the following standards shall prevail.~~
- (ii) ~~**Site Coverage.** Residential development, excluding garages, shall comprise no more than 50 percent of the total floor area of the entire mixed-use site (residential and non-residential), and no more than 60 percent of the total floor area of the entire mixed-use site for development that meets the housing affordability standards in Chapter 23.04 of the Coastal Zone Land Use Ordinance.~~
- (iii) ~~**Floor and Open Area.** The maximum floor area and minimum open area requirements in Chapter 4 of the Coastal Zone Land Use Ordinance shall not apply. Instead, the land use permit shall require an amount of private open space and common area for privacy, recreation, light, and air that is appropriate for the nature of the project.~~
- (iv) ~~**Residential Density.** Maximum residential density shall be 15 dwelling units per acre, calculated using the acreage of the entire mixed-use site. The density of senior citizen housing shall be as specified in the following Subsection (vi).~~
- (v) ~~**Detached Residential Development.** Residential development that is not attached to the non-residential use may be approved only if all of the following are satisfied, in addition to the preceding standards for mixed-use development:~~
 - (a) ~~**Location.** Residential development shall be located mainly behind or on the second floor of the primary non-residential use(s) on the same site.~~
 - (b) ~~**Site Coverage--Separate Parcel.** If residential uses are developed on a separate parcel, that parcel shall comprise no more than 50 percent of the parcel area of the total mixed-use site.~~
 - (c) ~~**Agreement for Non-Residential Use--Separate Parcel.** Residential uses may be developed on a parcel that is separate from the one developed with non-residential uses. In this circumstance, the owner of the parcel to be developed with non-residential uses shall enter into an agreement with the County to prohibit any future residential development on that parcel.~~
 - (d) ~~**Side and Rear Setbacks.** Where the side or rear yard of residential development is adjacent to a non-residential land use category, the minimum setback for the residential development shall be as specified in Chapter 4 of the Coastal Zone Land Use Ordinance for side and rear setbacks, as applicable, in Commercial and Industrial categories adjacent to a residential category/residential use.~~
 - (e) ~~**Pedestrian Connections.** Mixed-use development shall include, where possible, convenient pedestrian connections between residential and retail-commercial uses on the site.~~

- (vi) ~~**Senior Citizen Housing.** Senior citizen housing is subject to the following standards, in addition to the preceding mixed-use development standards. Senior citizen housing consists of either a) residential development that is specifically designed to meet the physical and social needs of persons aged 62 and over; or b) residential development consisting of at least 35 dwellings specifically designed to meet the physical and social needs of persons aged 55 and over.~~
 - ~~(a) **Residential Density.** Maximum residential density shall be 19 dwelling units per acre calculated using the acreage of the entire mixed-use site.~~
 - ~~(b) **Parking.** Parking spaces shall be provided at a ratio of 0.75 space per dwelling unit in accommodations for independent living, and 1 space per 3 dwelling units in assisted living accommodations.~~
 - ~~(c) **Design.** Projects shall be sensitively designed to meet the special needs of senior citizens, especially with regard to: general safety; safe and convenient pedestrian access on gentle slopes, both within the project and connecting to community services and facilities; recreational choices; environmental amenities; social interaction; and integration with the larger community~~
- (vii) ~~**Site Design.** New development shall facilitate pedestrian movement and activities and bicycle travel through design of buildings, parking areas, landscaping, and streetscapes. Design measures shall include the following and are conceptually illustrated in Figure 7-10:~~
 - ~~(a) **Locate building entry facades primarily adjacent to, but no more than 5 feet from the sidewalk along front and street corner side property lines, or adjacent to interior pedestrian spaces with access to streets.**~~
 - ~~(b) **Landscape all pedestrian spaces. Provide public gathering spaces with benches on the site. Provide conveniently located bicycle racks throughout the site.**~~
 - ~~(c) **Encourage shared parking among businesses.**~~
 - ~~(d) **Locate landscaped parking areas to the rear or side of non-residential buildings and design the parking areas to be integral with (not dominating) the buildings.**~~
 - ~~(e) **Provide convenient connections between parking areas, businesses, and adjoining properties through pedestrian-oriented and scaled spaces.**~~
 - ~~(f) **The number, location and design of driveways shall function in accordance with the planned center median on Los Osos Valley Road as recommended in Chapter 5 of this plan.**~~
 - ~~(g) **No building service facades shall face Los Osos Valley Road.**~~

- (h) — Where feasible and where adequate right-of-way exists, sidewalks shall provide a clear walking lane at least eight feet wide, not including any areas needed for street trees, street furniture, newspaper racks, and the curb.

Figure 7-14: Pedestrian-Oriented Design Concept



- (viii) — **Drainage Basins.** Drainage basins in new development shall be placed either a) underground; or b) on the surface if designed for recreational or other public use and attractively landscaped.

c. — Design Guidelines — Central Business District

Ground Floor Uses

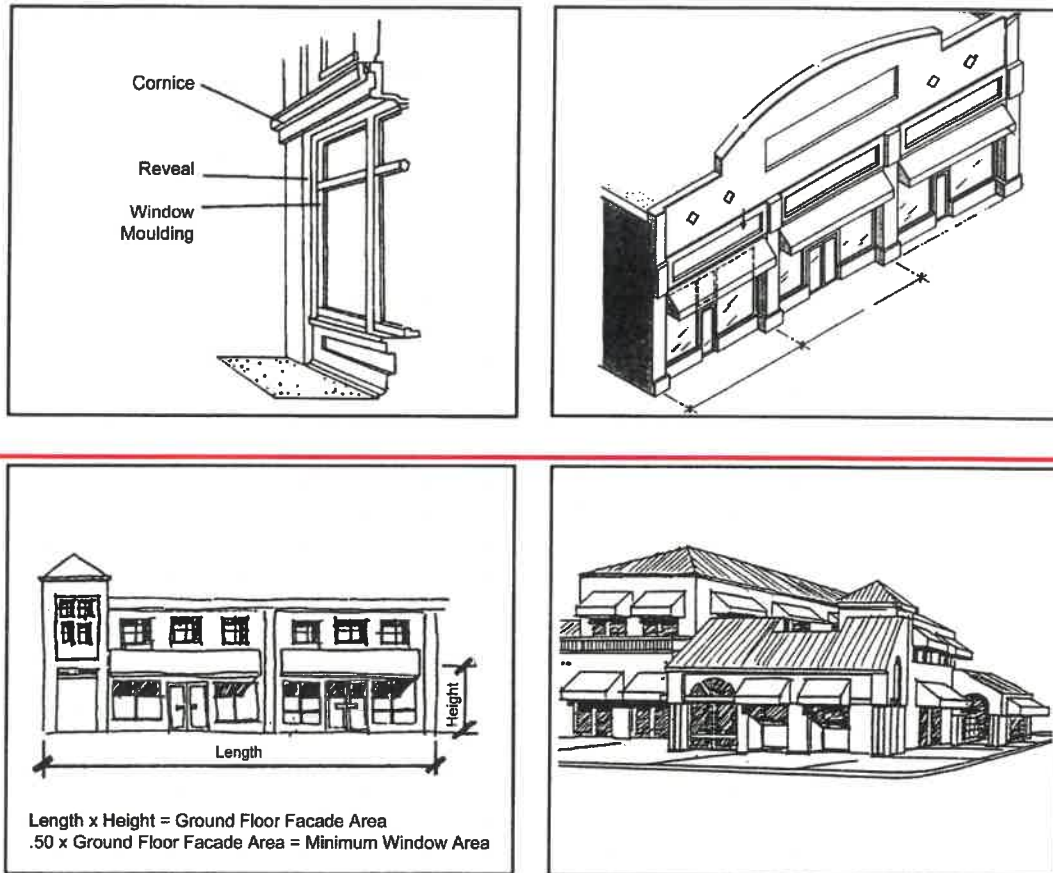
In order to attract customers and promote pedestrian activity, retail uses are encouraged on the ground floor fronting the street, while office, residential and other non-retail uses should be located on the upper floors or on the rear portion of the site.

Building Design

The design of new construction shall be pedestrian-oriented and have a human scale that is compatible with the scale of existing development in the Central Business District. Preferred design measures include the following:

- *Articulation of building facades to create relief and visual interest by using architectural elements such as awnings and projections, trellises, detailed parapets, and arcades.*
- *Locations of building entries within recessed entry bays to create transitional spaces between the street and buildings.*
- *Use of overhangs and awnings. Use of balconies over transitional spaces.*
- *Use of transparent glass windows or doors that together comprise more than 50 percent of the entry facade at ground level in order to allow pedestrians to see inside.*
- *Placement of store entrances/display windows at frequent intervals such as 25 feet in order to maintain visual interest for pedestrians. (see Figure 7-11).*
- *Building facades or public spaces should occupy most or all of the site frontage, except where infeasible due to sensitive vegetation or other physical or environmental constraints.*
- *Sidewalks along Los Osos Valley Road shall be in accordance with County public improvement standards. Recommended materials for pathways and areas outside the public right-of-way are brick, concrete pavers and concrete.*

Figure 7-15: Example of Façade Building Design



5. ~~Baywood Commercial Area (Special Community).~~ The following standards apply within the Baywood Commercial Area as shown in Figure 7-12.

- a. ~~Limitation on Use.~~** All allowable uses are permitted in accordance with Coastal Table O, Part I of the Land Use Element, except as follows: auto, mobile home and vehicle dealers and supplies; and food and kindred products as a primary use.
- b. ~~Height.~~** Maximum building height shall 25-feet, except where a lower height limit is established (see Section 7.3.N.1 and Figure 7-3).
- c. ~~Signs.~~** Freestanding signs, other than monument signs, are not permitted. Monument signs shall not exceed a height of six feet and a sign area of 20 square feet.
- d. ~~Sidewalks on 2nd Street.~~** Sidewalks shall include a minimum clear walking lane of six feet in width, and a minimum four-foot wide parkway between curb and sidewalk.

Figure 7-16: Baywood Commercial Area



e. ~~Sidewalks on Other Streets:~~

- ~~(i) — On street frontages other than 2nd Street, sidewalks shall be a minimum four feet wide, with a minimum four foot wide parkway between curb and sidewalk.~~
- ~~(ii) — Additional width may be needed to accommodate proposed street furniture, or as needed to comply with the requirements of the Americans with Disabilities Act (ADA).~~
- ~~(iii) — These requirements for sidewalk or parkway width may be modified at the discretion of the review authority in consultation with the Department of Public Works through a Minor Use Permit (unless a Development Plan is otherwise required), based upon site-specific right-of-way and topographic constraints.~~

- f. ~~Setbacks and Parking Location, 2nd Street and Street Corner Sites.~~** ~~Locate building entry facades primarily adjacent to, but no more than five feet from the sidewalk along front and street-corner side property lines adjacent to 2nd Street, or adjacent to interior plazas with access to streets. Locate landscaped parking areas to the rear or side of nonresidential buildings. Design the parking areas to be integral with (not dominating) the buildings.~~

- ~~g. **Bay Access.** New development adjacent to the bay shall provide improved public access to the bay where feasible and consistent with protection of natural resources.~~
- ~~h. **Mixed Use.** Single-family and multi-family dwellings are allowable on the same site as non-residential development as follows:~~
- ~~(i) **Mixed-use projects** shall be in accordance with the standards in Chapter 23.08 of the Coastal Zone Land Use Ordinance for Residential Uses in Office and Professional or Commercial Categories, except that maximum residential density is 15 dwelling units per acre, calculated using the acreage of the entire mixed-use site (residential plus non-residential);~~
 - ~~(ii) **Additional standards applicable to Area "A" as shown in Figure 7-12.** The following standards supersede any conflicting standards of Chapter 23.08 of the Coastal Zone Land Use Ordinance:~~
 - ~~(a) **Location.** Residential development shall be located on the upper floor(s) above a non-residential use or in the rear of the site behind a non-residential use.~~
 - ~~(b) **Density.** Maximum residential density is 15 dwelling units per acre, calculated using the acreage of the entire mixed-use site (residential plus non-residential);~~
 - ~~(c) **Parking.** Notwithstanding any other provisions of this plan, the number of parking spaces shall be as required by the Coastal Zone Land Use Ordinance and shall be provided on the site.~~
 - ~~(d) **Existing single-family residences.** Residential uses existing prior to adoption of the Los Osos Community Plan and located on properties may continue and be expanded or remodeled as a primary use without the limitations imposed by Section 23.09.026 Nonconforming Uses of Land and without being required to include commercial development.~~
- ~~i. **Residential multi-family development as a principle use in Area "B" as shown in Figure 7-12.** Multi-family dwellings are allowable as a principal use in accordance with applicable Coastal Zone Land Use Ordinance standards for multi-family development, except as follows:~~
- ~~(i) **Chapter 23.08, Coastal Zone Land Use Ordinance.** The standards for residential uses in Office and Professional and Commercial categories shall not apply.~~
 - ~~(ii) **Density.** Maximum density shall be 15 dwelling units per acre.~~
 - ~~(iii) **Side and Rear Setbacks.** Where the side or rear yard of residential development is adjacent to a non-residential land use category, the minimum setback shall be as specified in Chapter 23.04 of the Coastal Zone Land Use Ordinance for side and rear setbacks, as applicable, in Commercial and Industrial categories adjacent to a residential category/residential use.~~

~~j.—Baywood Design Guidelines~~

~~New development should apply the following design principles. An example of how these principles might be applied is illustrated in the Baywood Commercial Area Design Concept shown in Appendix B, Figure B-2.~~

- ~~• Design streets, streetscapes, landscaping, parking lots, and buildings to encourage pedestrian use and activities and bicycle travel.~~
- ~~• Provide building facades or public spaces that occupy most or all of the site frontage, except where infeasible due to sensitive vegetation or other physical or environmental constraints.~~
- ~~• Landscape all pedestrian spaces, which should be inter-connected by a network of walkways and plazas. Encourage shared parking among businesses.~~
- ~~• Encourage the use of modifications to the parking standards in the Coastal Zone Land Use Ordinance to allow, where appropriate, the use of on-street parking spaces to help satisfy requirements for the number of on-site parking spaces.~~
- ~~• Provide convenient connections between parking areas and businesses through pedestrian-oriented and scaled spaces. Fences and other barriers between non-residential development should be avoided, especially on 2nd Street.~~
- ~~• Design new development to emphasize the importance of public spaces.~~

B.—Commercial Service (CS)

~~The following standards apply only to land within the Commercial Service land use category:~~

~~1.—Height. Maximum building height shall be 35 feet.~~

~~2.—Compatibility. All commercial development subject to discretionary approval shall incorporate measures to assure compatibility with nearby residences (including on-site caretaker units), with regard to impacts associated with, but not limited to, noise, vibration, odor, light, glare, hazardous materials, truck traffic, exhaust, unsightliness, or hours of operation. Land use permit applications shall include a description of activities that may be incompatible with residential neighbors and measures to avoid or mitigate those incompatibilities. This may require the applicant to submit special studies, such as a noise study, to address the issue(s). The size, scale, and design of such facilities must be consistent with the existing small-town character of Los Osos and compatible with adjacent residential and retail development. Land use compatibility shall be based on Planning Commission review of a commercial project's impacts to nearby residences related~~

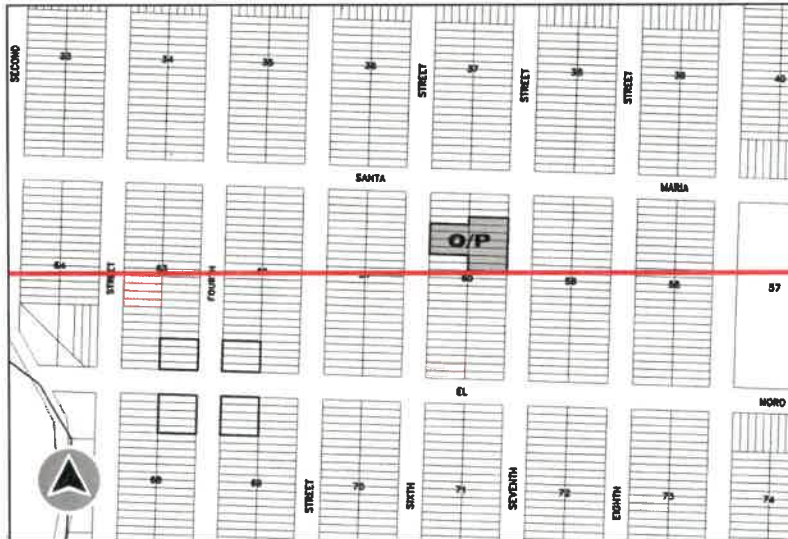
~~to noise, lighting, air quality, and traffic, based on technical studies associated with such projects, as determined to be appropriate by the Department of Planning and Building.~~

~~C. Office and Professional (OP)~~

~~The following standards apply only to lands within the Office and Professional land use category in the specified areas:~~

- ~~1. Central Business District, Parking (See Figure 7-9). The number of on-site parking spaces provided shall be no more than that required by Chapter 23.04 of the Coastal Land Use Ordinance. Community parking areas within a 1/4-mile radius and on-street parking within the same block may be used to satisfy parking requirements.~~
- ~~2. Height, Central Business District. Maximum building height in the central business district shall be 35 feet.~~
- ~~3. West Side of 7th Street Between El Moro and Santa Maria Avenues. The following standards apply only to the property shown in Figure 7-17.~~
 - ~~a. Limitation on Use. Uses identified in Coastal Table O, Part I of the Land Use Element/Local Coastal Plan as "A", "S" or "P" uses are limited to: churches, schools – pre to secondary, caretaker residence, residential care, membership organization facilities, and residential accessory uses.~~
 - ~~b. Site Design Criteria. All new development shall resemble the size, character and scale of the surrounding residences, and shall provide landscaping between the new development and the frontage of the nearest public road. Pedestrian sidewalk(s) shall be provided between new development and the nearest public road. All outdoor lighting, play areas, and new parking spaces shall be located away from the adjacent residential property lines or shall be separated by a minimum 10-foot wide landscaping screen.~~
- ~~4. Existing single-family residences. Residential uses existing prior to adoption of the Los Osos Community Plan and located on properties may continue and be expanded or remodeled as a primary use without the limitations imposed by Section 23.09.026 Nonconforming Uses of Land and without being required to include commercial development.~~

**Figure 7-17: O/P Category on West Side of 7th Street
Between El Moro and Santa Maria Avenues**



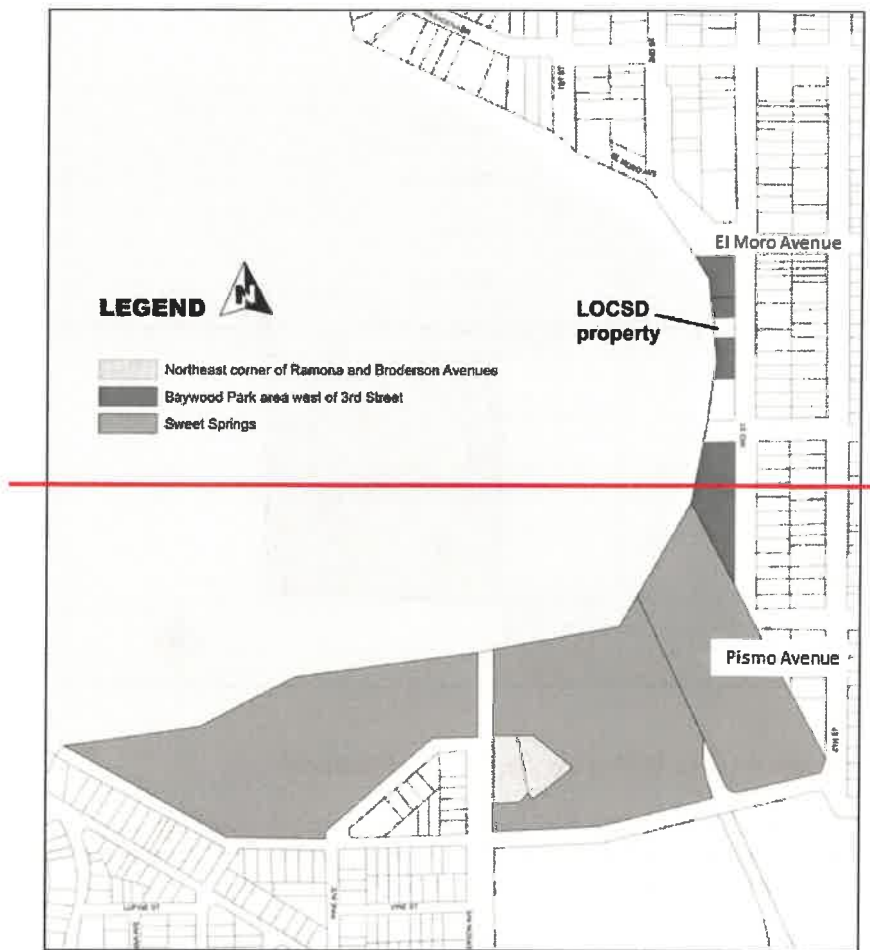
D.—Open Space (OS)

The following standard applies only to lands within the Open Space land use category in the specified area:

[Designation of properties in the Open Space land use category does not in and of itself convey or imply any right of public use, access, trespass or violation of privacy. The same is true when the LUE/LCP identifies a need for open space preservation through easement, contract or other instrument.]

- 1.—**Sweet Springs Preserve, Limitation on Use.** Allowable uses in the Sweet Springs area as shown in Figure 7-18 are limited to coastal accessways and passive recreation.

**Figure 7-18: Sweet Springs Area and
Baywood Park Area West of 3rd Street**



E.—Public Facilities (PF)

The following standards apply only to lands within the Public Facilities land use category in the specified areas:

- 1.—**Broderson Site, Limitation on Use.** Allowable uses shall be limited to passive recreation and public utility facilities on the approximately 40-acre area south of Highland Drive and west of an extension of Broderson Avenue, as shown in Figure 7-15.

Figure 7-19: Broderson Site



2.—~~Limitation on Site Disturbance, LOCS D Property.~~

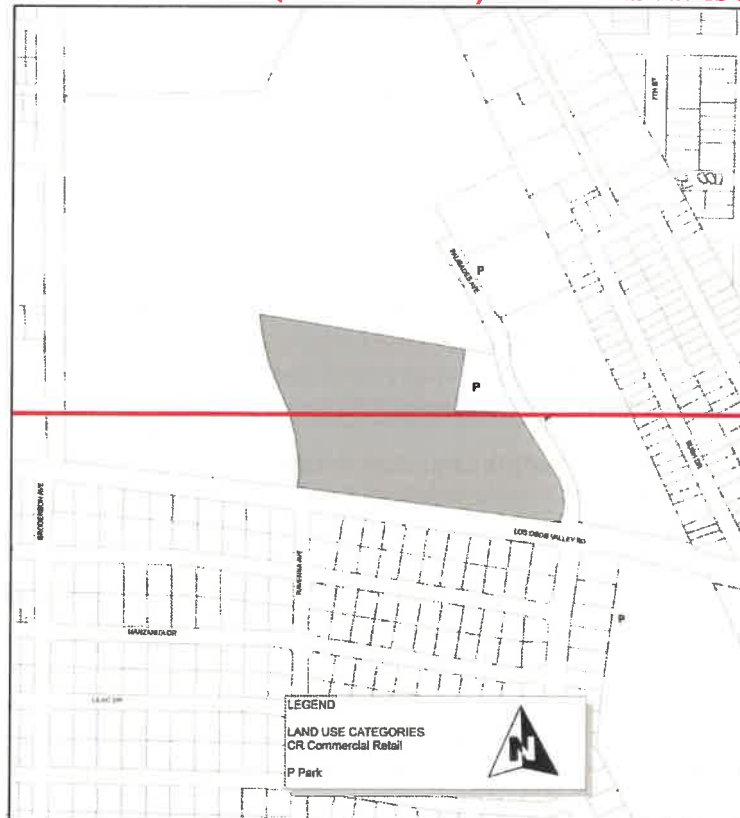
- a.—~~New development on the Los Osos Community Services District property in the Baywood Park Area West of 3rd Street, as shown in Figure 7-14, shall be limited to the area of disturbance of the existing well site.~~
- b.—~~Development Limitations.~~ Development shall follow appropriate setback and building standards to avoid future coastal hazards for the life of the proposed development without the use of shoreline protective devices.

F.—~~Recreation, Public Facilities (REC, PF)~~

~~The following standards apply only to lands within the Public Facilities and Recreation land use categories in the specified area. The following standards apply to the County-owned site, as shown in Figure 7-20.~~

- 1.—~~Limitation on Use.~~ Allowable uses shall be limited to passive recreation, pipelines and transmission lines, and pump or lift stations consistent with the approved communitywide sewer project. The following additional uses shall be allowed only in the event that the CDP for the communitywide sewer (CDP A-3-SLO-09-055/069) is amended to replace sensitive habitat offsite and allow additional uses: outdoor sports and recreation, public assembly and entertainment, temporary events, water wells and impoundments, outdoor retail sales, offices.
- 2.—~~Lighting and Nighttime Use.~~ Future park and community facilities at this location must include appropriately scaled lighting that does not adversely affect nearby residents. The site shall be primarily for daytime use.

Figure 7-20: Midtown Site (Los Osos Valley Road at Palisades Avenue)



G.—Recreation (REC)

The following standards apply only to lands within the Recreation land use category in the specified areas:

Designation of properties in the Recreation land use category does not in and of itself convey or imply any right of public use, access, trespass or violation of privacy. The same is true when the LUE/LCP identifies a need for open space preservation through easement, contract or other instrument.

1.—**Cuesta Inlet.** The following standard applies within the Cuesta Inlet area (visitor-serving priority area) as shown in Figure 7-6:

a.—**Limitation on Use.** Allowable uses shall be limited to passive recreation (including a boat launching ramp and parking areas), one single-family dwelling or one mobilehome.

b.—**Density.** The maximum development potential shall be one dwelling unit. Development shall be concentrated or clustered in accordance with Section 7.3.E.

- c. ~~**Public Access.** Maximum public access shall be provided to the shoreline in this visitor-serving priority area, consistent with the intent of the Circulation Element maps (see Chapter 5) and protection of sensitive habitat.~~
 - d. ~~**Application Content.** All applications for development shall document the location of state tidelands in relation to this site and resolve any questions about ownership of this property.~~
2. ~~**Baywood Park Area West of 3rd Street.** The following standards apply to the bayfront area between Pismo and El Moro Avenues (see Figure 7-18):~~
- a. ~~**Limitation on Use - West of 3rd Street.** For the bayfront area between Pismo and El Morro Avenues, allowable uses are limited to one single family dwelling per legal parcel, residential accessory structures, home occupations, animal raising and keeping, coastal accessways, and passive recreation (hiking and nature trails and nature study).~~
 - b. ~~**Land Divisions Prohibited.** No further land divisions are allowed due to environmentally sensitive habitats and lack of appropriate building sites on these bayfront properties.~~
 - c. ~~**Development Limitations.** Development shall follow appropriate setback and building standards to avoid future coastal hazards for the life of the proposed development without the use of shoreline protective devices.~~
3. ~~**Golf Course North of Howard Avenue, Limitation on Use.** Allowable uses on the existing golf course north of Howard Avenue in the northern portion of the West of Pecho area, as shown in Figure 7-21, shall be limited to coastal accessways, water wells and impoundments, and the existing uses on the site: golf course with eating and drinking places (restaurant), hotels, motels, wireless telecommunications facility, and resort type uses.~~

Figure 7-21: Golf Course North of Howard Avenue

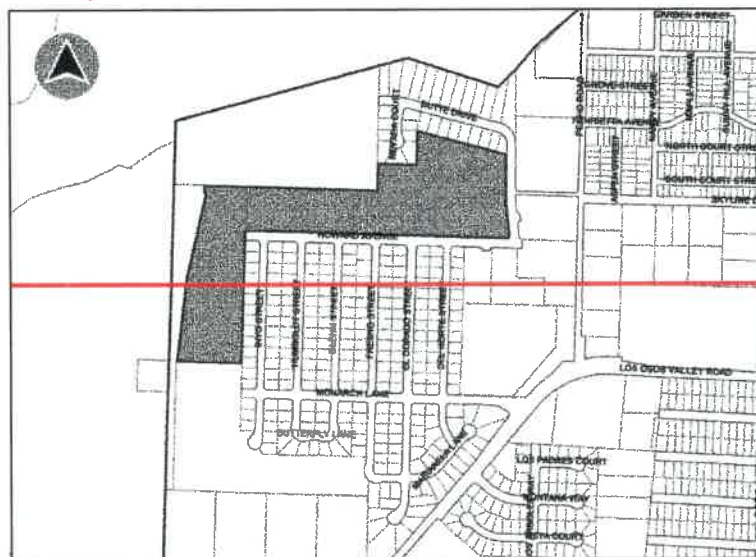
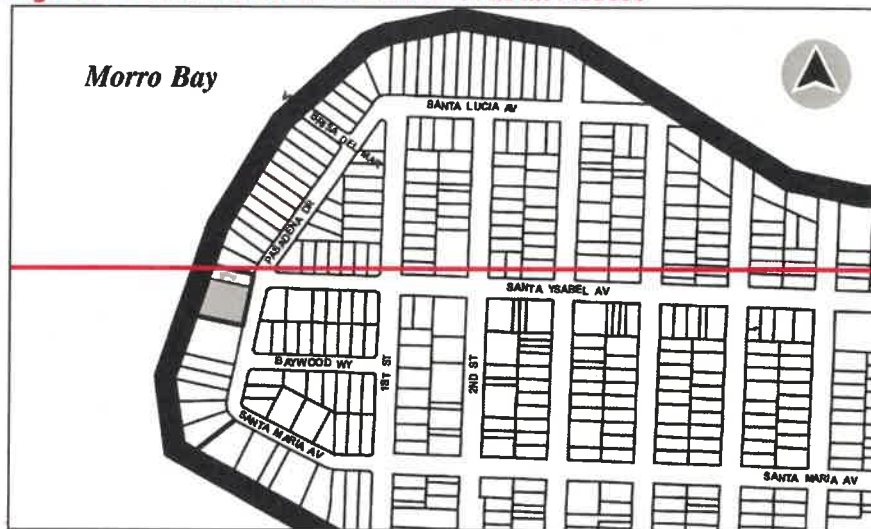


Figure 7-22: Santa Ysabel Avenue Coastal Access



4. ~~Santa Ysabel Avenue Coastal Access, Limitation on Use.~~ Allowable uses on the County-managed coastal access at the westerly terminus of Santa Ysabel Avenue, west of Pasadena Drive, as shown in Figure 7-22, are limited to coastal accessways and passive recreation.

H. ~~Residential Rural (RR) – Creekside Area.~~ The following standards apply only to lands within the Residential Rural land use category in the Creekside Area as shown in Figure 7-23:

- a. ~~**Clustered Development.**~~ Minimize site disturbance and concentrate or cluster development in accordance with Section 7.3.E. This is intended to protect riparian and wetland habitat; rare, endangered or threatened species such as the Morro Bay Kangaroo Rat and the Morro Shoulderband snail and their habitat; the Morro Bay estuary; and other sensitive features described in Section 7.3.E.
- b. ~~**Setbacks.**~~ New development shall be set back at least 100 feet from the following sensitive features: wetland vegetation, the upland extent of riparian vegetation, and areas of habitat that support rare, endangered, or threatened species.

Figure 7-23: RR—Creekside Area



I.—Residential Multi-Family (RMF)

The following standards apply only to lands within the Residential Multi-Family land use category:

1.—Residential Density—New Projects

- a.—**Maximum Density.** Except for senior citizen housing (see Subsection 1.3.) maximum density shall be 15 dwelling units per acre on properties less than one acre and 26 dwelling units per acre on properties of one acre or more.
- b.—**Minimum Density.** In all Residential Multi-Family categories, except in the Morro Shores Mixed Use Area as shown in Figure 7-26 if physically feasible and if environmental impacts can be mitigated, the *minimum* overall density on parcels of 10,000 square feet and larger shall be 10 dwelling units per acre. Refer to the standards for the Morro Shores Mixed Use Area (Section J) for minimum densities in that area.

- 2.—**Height Limitation.** Maximum height shall be 28 feet, except for bayfront areas (see Figures 7-5).

- 3.—**Senior Citizen Housing.** Senior citizen housing defined: a project that consists of either a) residential development that is specifically designed to meet the physical and social needs of persons aged 62 and over, or b) residential development consisting of

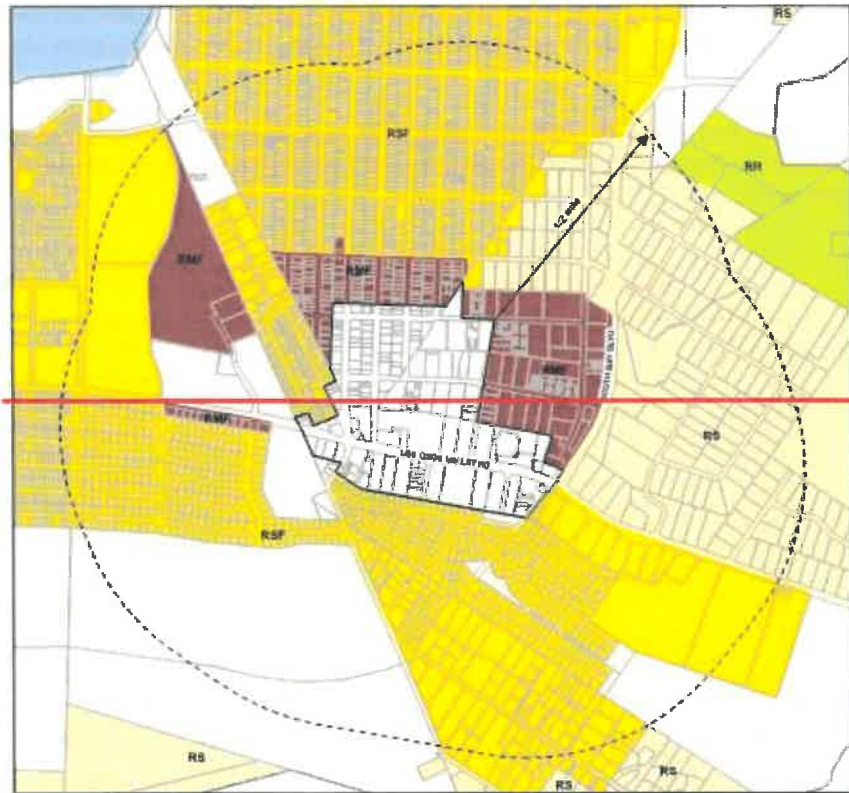
at least 35 dwellings specifically designed to meet the physical and social needs of persons aged 55 and over. Senior citizen housing may include accommodations for independent living and/or assisted living. Senior citizen developments are subject to the following:

- a. **Residential Density.** Within a ½ mile distance of the Central Business District, as shown in Figure 7-25, the maximum residential density shall be 38 dwelling units per acre:

Figure 7-24: RMF West of Pecho Road



Figure 7-25: RMF within ½ Mile from CBD



b.—Floor and Open Area. The land use permit shall require an amount of private open space and common area for privacy, recreation, light, and air that is appropriate for the nature of the project. There is no maximum floor area limitation; however, in no case shall the minimum open area fall below 40 percent of the site area, as defined in Chapter 23.04 of the Coastal Zone Land Use Ordinance.

c.—Parking, Design. Parking and design shall comply with the standards for senior citizen housing listed in the Commercial Retail land use category for the central business district—Section 7.5.A.4.b(vi)(b).

j.—Morro Shores Mixed Use Area RMF, RSF, CS:

The following standards apply to the Morro Shores Mixed Use Area in the RMF, RSF, CS categories (see Figure 7-26):

Figure 7-26: Morro Shores Mixed Use



- ~~1.—Height. The maximum building height for residential and accessory uses shall be 28 feet.~~
- ~~2.—Habitat corridor. Development shall provide a permanently protected habitat corridor that extends from the southern part of the site to Ramona Ave. This corridor shall be designed so that future circulation connections can be made to Los Osos Valley Road and through Area 1 (see Figure 7-26) to Broderson Ave.~~
- ~~3.—Circulation connections. Development shall provide public vehicular, bicycle, pedestrian, and equestrian links to adjacent neighborhoods, commercial areas, schools, parks, the bay, and the community center.~~

~~4.—Medium to High Density Residential:~~

- ~~a.—Development Potential. A maximum of 200 (250 with a senior citizen housing bonus) dwelling unit are allowable within Area 2 (see Figure 7-26) if physically feasible and if environmental impacts can be mitigated.~~
- ~~b.—Housing Types. A variety of housing types are encouraged: single family, multi-family, attached, detached, or zero lot-line units. Creative lot designs are also encouraged, such as "Z" lots, courtyard lots, and others.~~
- ~~c.—Densities. If physically feasible and if environmental impacts can be mitigated, the *minimum* density shall be 10 dwelling units per acre within the development area. The maximum density within the development area shall be 26 dwelling units per acre.~~
- ~~d.—Senior Citizen Housing:~~
 - ~~(i)——Incentive. Senior citizen housing as defined Subsection H is encouraged, but not required. If at least 100 senior housing units are provided, a bonus of 50 additional residential units with a density of at least 10 dwelling units per acre (up to a maximum total of 250 units) shall be granted if physically feasible and if environmental impacts can be mitigated.~~
 - ~~(ii)——Density. The maximum density of senior citizen housing shall be 38 dwelling units per acre within the development area.~~
 - ~~(iii)——Other Development Standards. Development shall comply with the floor and open area, parking, and design standards for senior citizen housing in the Residential Multi-Family land use category listed in Subsection I.~~

~~5.—Neighborhood Commercial. Up to 3.5 acres are allowable for commercial uses intended to serve the surrounding neighborhood and employees of the adjacent business park.~~

~~6.—Future Community Services Center. Up to 3.5 acres may be planned for a future community services center that could include a community hall, a substantially expanded library, a sheriff's substation, and medical and social services.~~

~~7.—Low Density Residential:~~

~~a.—Area 1: 30.5 Acres in the western portion of the site (see Figure 7-26):~~

- ~~(i)——A maximum of 95 low density residential parcels are allowable in area 1.~~

~~b.—Area 3: 2.5-Acre Property East of Palisades Avenue (see Figure 7-26):~~

- ~~(i)——Limitation on Use. Allowable uses shall be limited to all uses allowable in the Residential Multi-Family category per Coastal Table O, Part I of the Land Use Element.~~
- ~~(ii)——Residential Development Potential. A maximum of 25 dwelling units are allowable in Area 3. A variety of housing types are encouraged: single~~

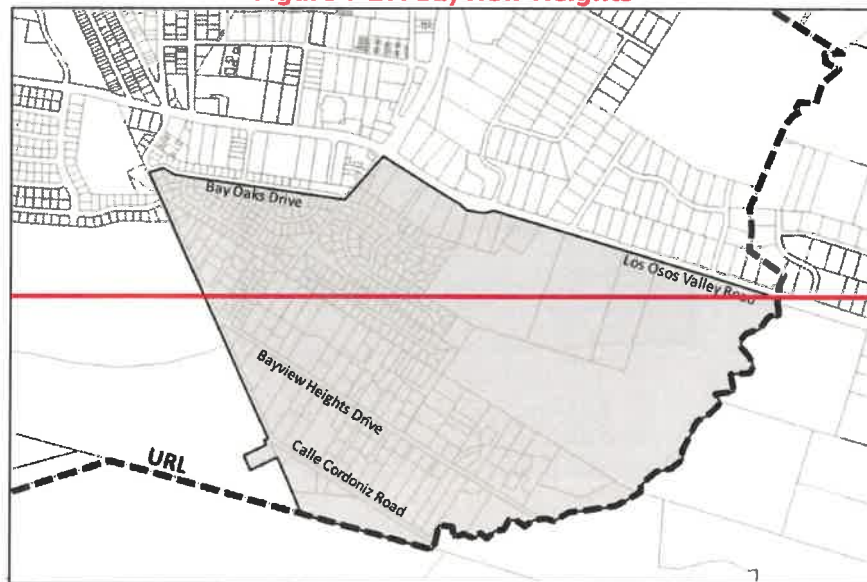
family, multi-family, attached, detached, or zero lot-line units. Creative lot designs are also encouraged, such as "Z" lots, courtyard lots, and others.

K.—Residential Single Family (RSF)

The following standards apply only to lands within the Residential Single Family land use category in the specified areas:

- 1.—**Height Limitations.** Maximum height shall be 28 feet except where other applicable planning area standards establish other specific height limits (see Figures 7-5).
- 2.—**Bayview Heights Area, New Land Divisions.** The following standards apply only to the Bayview Heights area (see Figure 7-27):
 - a.—**Parcel Size:** Minimum parcel size for new land divisions shall be one acre.
 - b.—**Access—New Land Divisions.** New land divisions south of Bayview Heights Drive are to be designed to provide through-street access between Bayview Heights Drive and Calle Cordoniz Road.

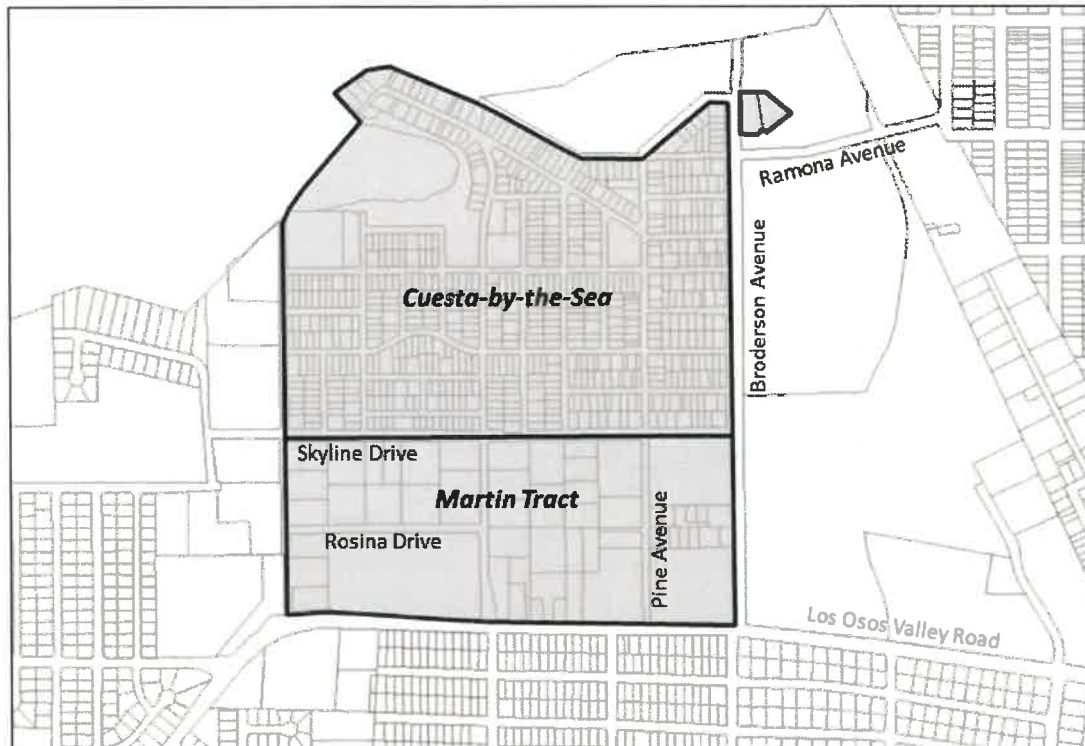
Figure 7-27: Bayview Heights



- 3.—**Martin Tract.** The following standards apply only to the Martin Tract as shown in Figure 7-28:
 - a.—**Land Divisions.** The minimum parcel size for new land divisions is one acre, except that the number of parcels for new land divisions on the parcels connected to the Los Osos Recycling Facility shall be one per 6,000 square feet (gross site area).

- ~~b. **Access – Los Osos Valley Road.** Where alternative access is available, lots fronting on Los Osos Valley Road shall not use Los Osos Valley Road for access.~~
- ~~c. **Access – New Lots Adjacent to Rosina Drive.** Proposed land divisions south of Rosina Drive are to be designed to have cul-de-sac access from Rosina Drive.~~
- ~~4. **Cuesta-by-the-Sea.** The following standards apply only to Cuesta-by-the-Sea as shown in Figure 7-28:~~
 - ~~a. **Setbacks.** Minimum setbacks for new construction are as follows, except that new construction proposed on bayfront properties is to be set back from the Morro Bay wetlands according to wetland setback requirements in Section 7.4.A.2. Front: 15 feet, Side: 3 feet, Corner side: 10 feet, Rear: 10 feet.~~

Figure 7-28: Cuesta-by-the-Sea, Martin Tract, Ramona/Broderson Avenues



- ~~5. **Sweet Springs Area Northeast Corner of Ramona and Broderson Avenues.** The following standards apply to the two residential parcels near the northeast corner of Ramona and Broderson Avenues in the Sweet Springs Area (see Figure 7-28):~~
 - ~~a. **Minimum Site Area.** The minimum site area is 20,000 square feet. The existing parcels shall not be further subdivided.~~
 - ~~b. **Density.** Each parcel may be developed with a maximum of one dwelling unit).~~

- c. ~~Tree Protection.~~ Retain trees to the maximum extent feasible.
 - d. ~~Storm Water.~~ Surface water/storm drainage shall be maintained on-site or directed in such a manner to protect the marsh and wetlands habitat.
 - e. ~~Development Limitations.~~ Development shall follow appropriate setback and building standards to avoid coastal hazards for the life of the proposed development without the use of shoreline protective devices.
6. ~~Baywood Park Area.~~ The following standards apply to the Baywood Park area (see Figure 7-29):
- a. ~~Lot Coverage.~~ Maximum lot coverage on a single 25-foot lot shall be 60 percent. On lots of 6,000 square feet or more, maximum lot coverage shall be 40 percent, excluding patios, driveway, walks, etc.
 - b. ~~Tract 40 (Small Scale Neighborhood).~~ In Tract 40, as shown in Figure 7-29, streetlights shall not be installed and shall not be required with new development.

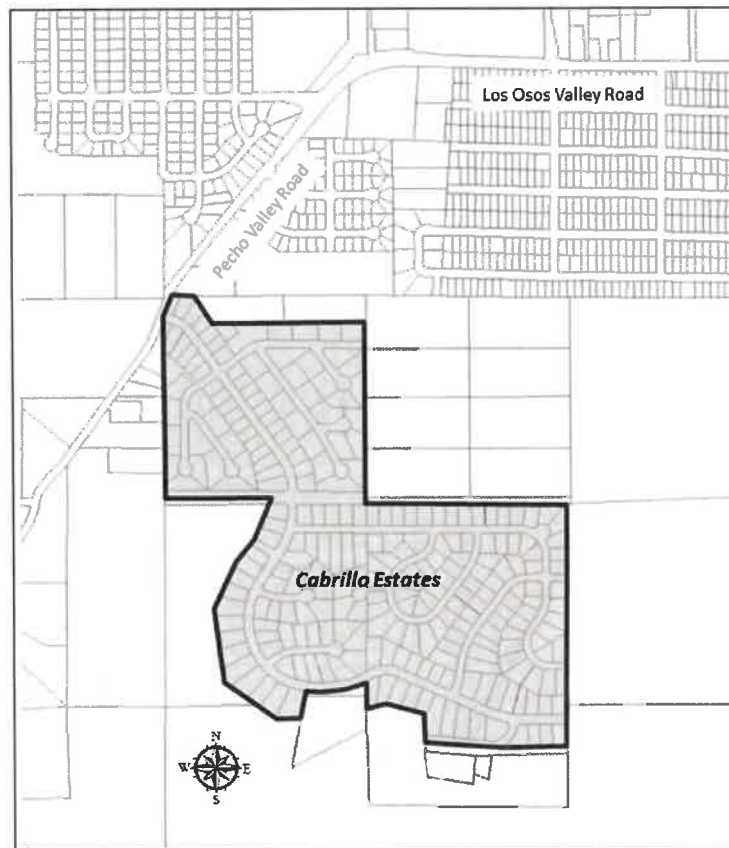
Figure 7-29: Baywood Park Area



~~7. Southwestern Hillside – Cabrillo Estates. The following standards apply only to Cabrillo Estates (see Figure 7-30):~~

- ~~a. Land Divisions. The minimum parcel size for new land divisions shall be 20,000 square feet, unless a larger parcel size is otherwise required by Section 23.04.028 of the Coastal Zone Land Use Ordinance.~~
- ~~b. Architectural Control Committee. Prior to issuance of building permits the applicant shall provide the Department of Planning and Building certification that the Architectural Control Committee (ACC) for Cabrillo Estates has reviewed pertinent plans. The ACC shall have thirty (30) days to make a recommendation. The review authority is not bound by any decision of the committee and may grant permits and approvals under these provisions.~~

Figure 7-30: Cabrillo Estates



c. ~~Limitation on Use.~~ Uses shall be limited to: single-family dwellings, mobilehomes, residential accessory uses, temporary dwellings, home occupations, schools-preschool to secondary (limited to day care centers), and water wells and impoundments.

d. ~~Setbacks.~~ Minimum setbacks are as shown in Table 7-2.

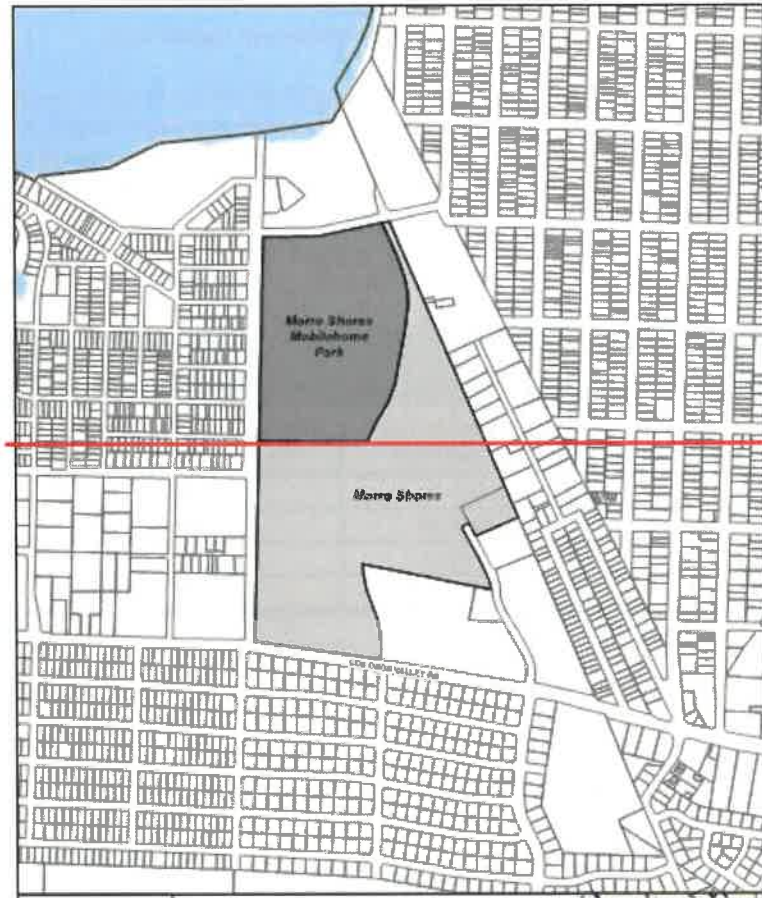
e. ~~Height Limitation.~~ The maximum height of all structures shall be 15 feet above the highest point of the lot as measured from the highest point of the roof, not to exceed 28 feet at all points as measured continuously through the building footprint from existing grade (prior to the proposed development) to the highest point of the roof.

Table 7-2: Minimum Setbacks—Cabrillo Estates		
Setback Location	Setbacks for Dwellings	Setbacks for Detached Accessory Structures
Front	25 feet	25 feet
Rear	20 feet	8 feet
Side	5 feet	3 feet
Corner Side	10 feet	10 feet

8. ~~Morro Shores (see Figure 7-31), Expansion of Mobilehome Park.~~ Expansion of existing mobilehome park development shall incorporate conditions so that roofing

materials (non-glare) reduce visibility from upland areas and landscaping screens structures.

Figure 7-31: Morro Shores Area



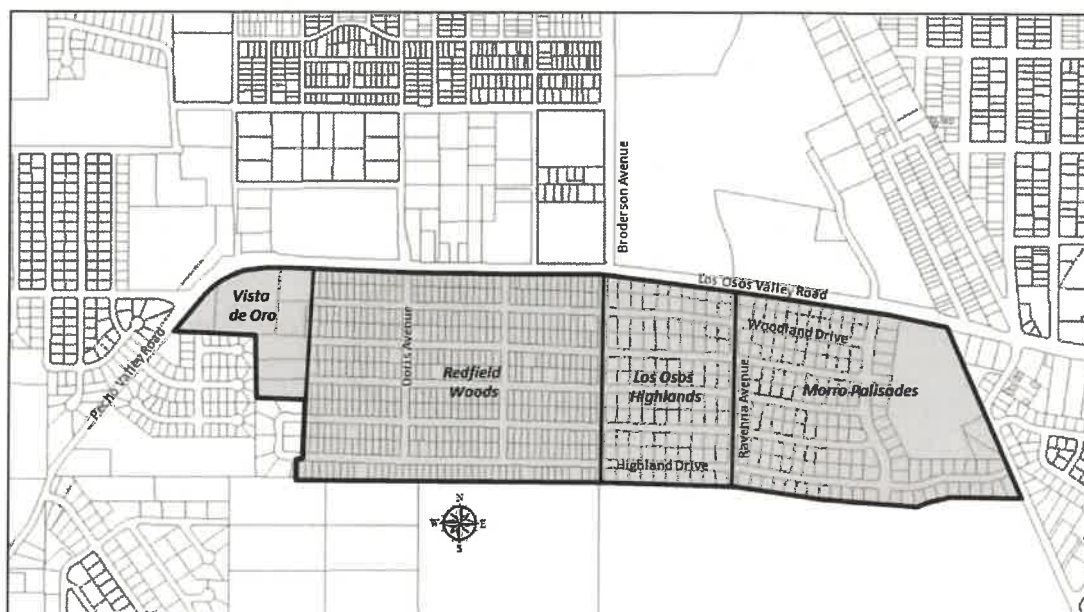
9.—**Morro Shores Mixed-Use Area (RMF, RSF, CS)** (see Figure 7-31). The standards for this area are listed in Subsection j.

10. ~~Redfield Woods, Los Osos Highlands (Tract 84) and Morro Palisades (Tract 122) Areas (Figure 7-32). Minimum setbacks for new structures are as shown in Table 7-3.~~

Table 7-3: Minimum Setbacks – Redwood Fields; Los Osos Highlands (Tract 84); Morro Palisades (Tract 122)				
	Front	Rear	Side	Corner Side
Tract No. 84	20 feet	10 feet	10 feet	15 feet
Tract No. 122	20 feet	10 feet	5 feet	15 feet
Redfield Woods	20 feet	5 feet	5 feet	5 feet

11. ~~Land Divisions, Vista de Oro Area. For the Vista de Oro area shown in Figure 7-32, the minimum parcel size for new land divisions shall be one acre.~~

Figure 7-32: Highlands Neighborhoods



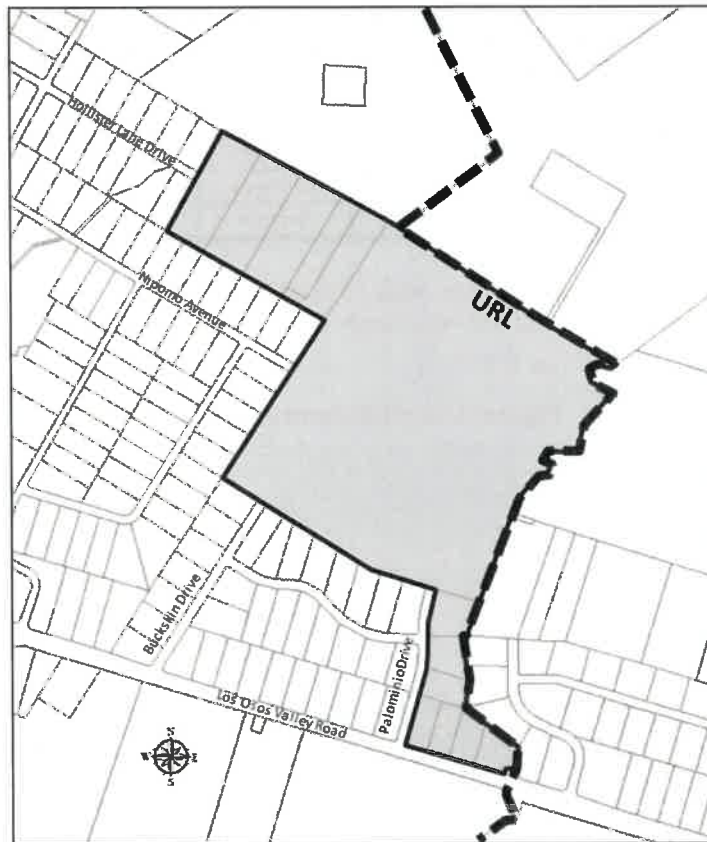
~~L—Residential Suburban (RS)~~

~~The following standards apply only to lands within the Residential Suburban land use category in the specified areas:~~

1. ~~Land Divisions. The maximum number of parcels shall be one per five acres of gross site area.~~

2. ~~Los Osos Creek/Eto Lake Corridor.~~ The following standards apply to all parcels adjacent to Eto Lake and Los Osos Creek and its riparian vegetation, as shown in Figure 7-33.

Figure 7-33: RS—Los Osos Creek/Eto Lake Corridor



a. ~~Clustered Development.~~ Minimize site disturbance and concentrate or cluster development in accordance with Section 7.3.E.

b. ~~Setbacks:~~

- (i) ~~All Areas Except Existing Parcels Adjacent to Palomino Drive.~~ New development shall be set back at least 100 feet from the following sensitive features: wetland vegetation, the upland extent of riparian vegetation, and significant areas of habitat that support rare, endangered or threatened species as defined in the Resource Protection standards in Section E of the Communitywide Standards.
- (ii) ~~Existing Parcels Adjacent to Palomino Drive.~~ New development shall be set back at least 50 feet from the sensitive features described above in Subsection b (i).
- (iii) ~~Adjustments.~~ The preceding setbacks may be adjusted as follows:

~~(a) — Riparian and Wetland Setbacks. As provided in Chapter 23.07 of the Coastal Zone Land Use Ordinance.~~

~~(b) — Setback from Habitat that Supports Rare, Endangered or Threatened Species. As provided in Chapter 23.05 of the Coastal Zone Land Use Ordinance in the standards for grading adjacent to Environmentally Sensitive Habitats.~~

~~3. — West of Pecho Area. The following standards apply to the areas shown in Figure 7-34 that are in the Residential Suburban land use category.~~

~~a. — Access — Pecho Valley Road. Where alternative access is available, lots fronting on Pecho Valley Road shall not use Pecho Valley Road for access.~~

~~b. — West of Pecho Valley Road, South of Monarch Grove:~~

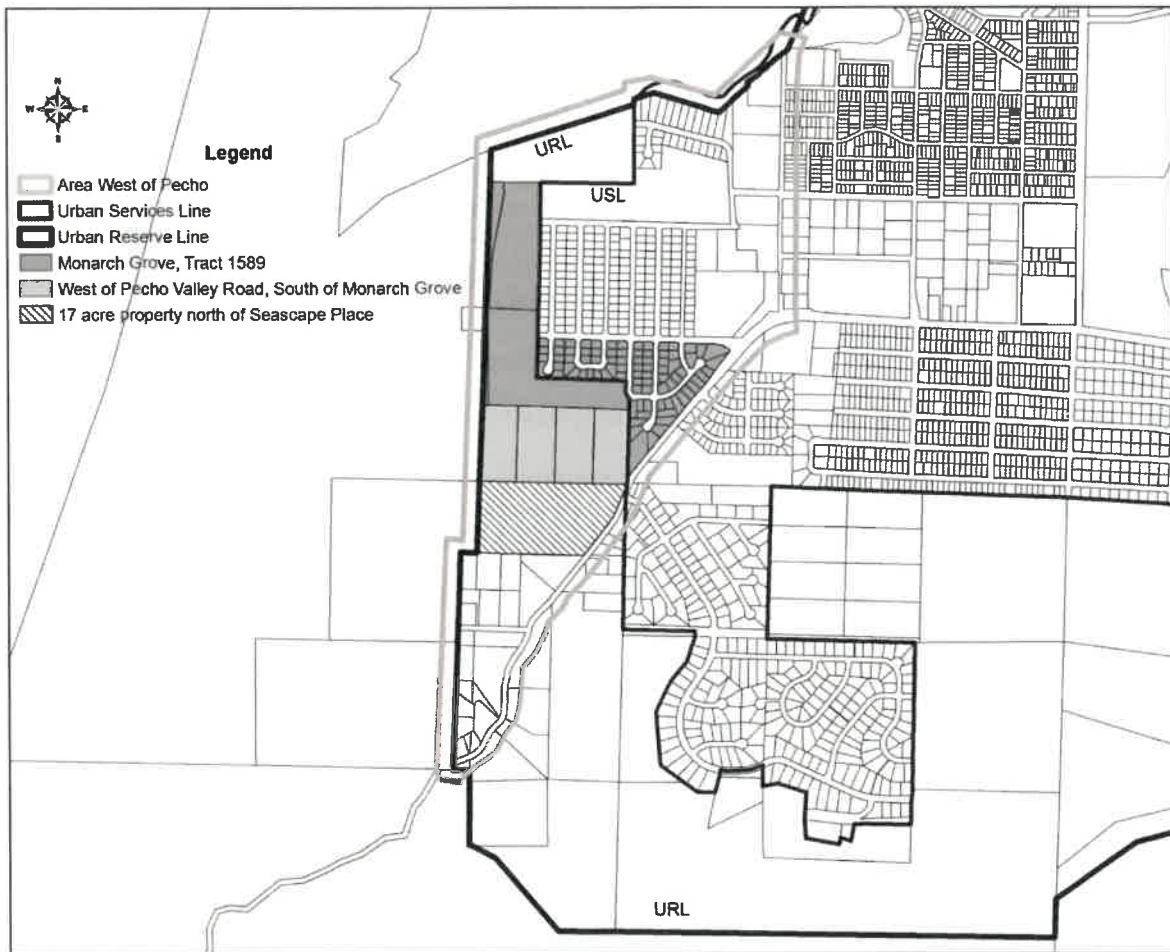
~~(i) — Building Height. Maximum building height shall be 22 feet.~~

~~(ii) — Limitation on Use. This standard applies only to the area west of Pecho Valley Road and south of Monarch Grove (Tract 1589), not including the 17-acre property north of Seascaple Place (see subsequent standards for that area). All special uses (identified as "S" uses in Coastal Table O, Part I of the Land Use Element) are prohibited except for: animal raising and keeping, home occupations, mobilehomes, residential accessory uses, accessory dwelling units, temporary dwellings, pipelines and transmission lines, coastal accessways, water wells and impoundments, and public utility facilities.~~

~~c. — 17-acre Property North of Seascaple Place:~~

~~(i) — Limitation on Use. This standard applies to the 17-acre property fronting on Pecho Valley Road as shown in Figure 7-34. Allowable uses are limited to single family dwellings, coastal accessways, residential accessory uses, home occupations, mobilehome, and water wells and impoundments.~~

Figure 7-34: West of Pecho Area



4. Southwestern Hillside. The following standards apply to the Southwestern Hillside as shown in Figure 7-35 in the subareas specified:

- (i) Building Design, All Areas.** In the entire Southwestern Hillside as shown in Figure 7-35, all buildings shall have 1) low profiles that architecturally follow and adapt to the natural slope and 2) subdued colors that blend with the natural environment.
- (ii) Access, East of Pecho Valley Road.** This standard applies only to parcels that front on the east side of Pecho Valley Road within Subarea C, as shown in Figure 7-35. Where alternative access is available, lots fronting on Pecho Valley Road shall not use Pecho Valley Road for access.

Figure 7-35: Southwestern Hillside: Subareas



- (iii) ~~Land Divisions, Cabrillo Estates (Subarea A). New land divisions shall require a road to be offered for dedication and improved to the western property line to enable access to the adjacent property to the west in Subarea B, as shown in Figure 7-35.~~
- (iv) ~~Clustered Development Subarea B. At least 60 percent of the site shall be permanently protected as open space for habitat.~~

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Appendix D: Status of Public Facilities

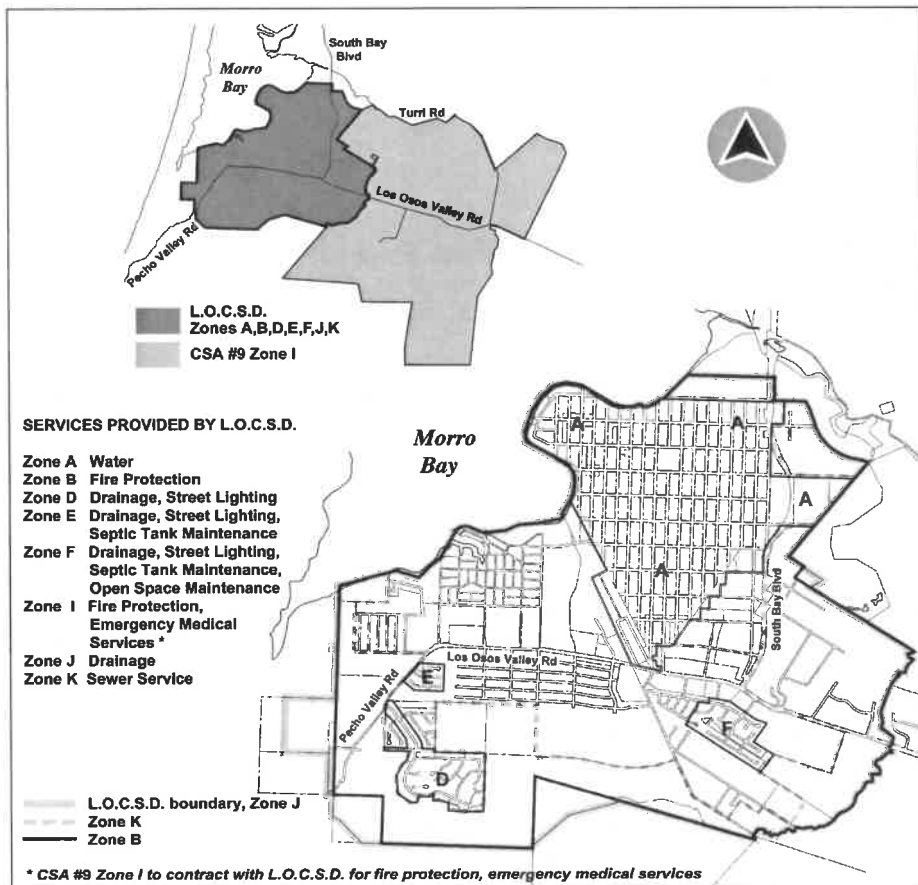
D.1 Introduction

To monitor the relationship between resources and demand levels, the county has developed the Resource Management System (RMS). The RMS monitors water supply, sewage disposal, schools, roads, air quality and parks, using three "levels of severity" to inform decision makers of current and potential deficiencies.

The status of resources monitored by the Resource Management System (RMS) is frequently updated as new information becomes available. Detailed resource information is included in the most recent edition of the Biennial Resource Summary Report. RMS procedures are fully discussed in Framework for Planning, Coastal Zone, Chapter 3.

Services in Los Osos are provided primarily through the Los Osos Community Services District (LOCSD). Within the boundaries of the LOCSD, some services are provided to the entire district and others to smaller specific zones of benefit. The LOCSD zones of benefit are shown in Figure D-1, below. Water service is also provided by Golden State Water Company and S & T Mutual Water Company in areas of the community not served by LOCSD. Some properties in the URL are served by private, individual wells. Irrigated agriculture just outside the URL also use private wells that use the groundwater basin as their source. Service areas for water supply are shown in Figure D-2.

Figure D-1: Services Provided by Los Osos CSD

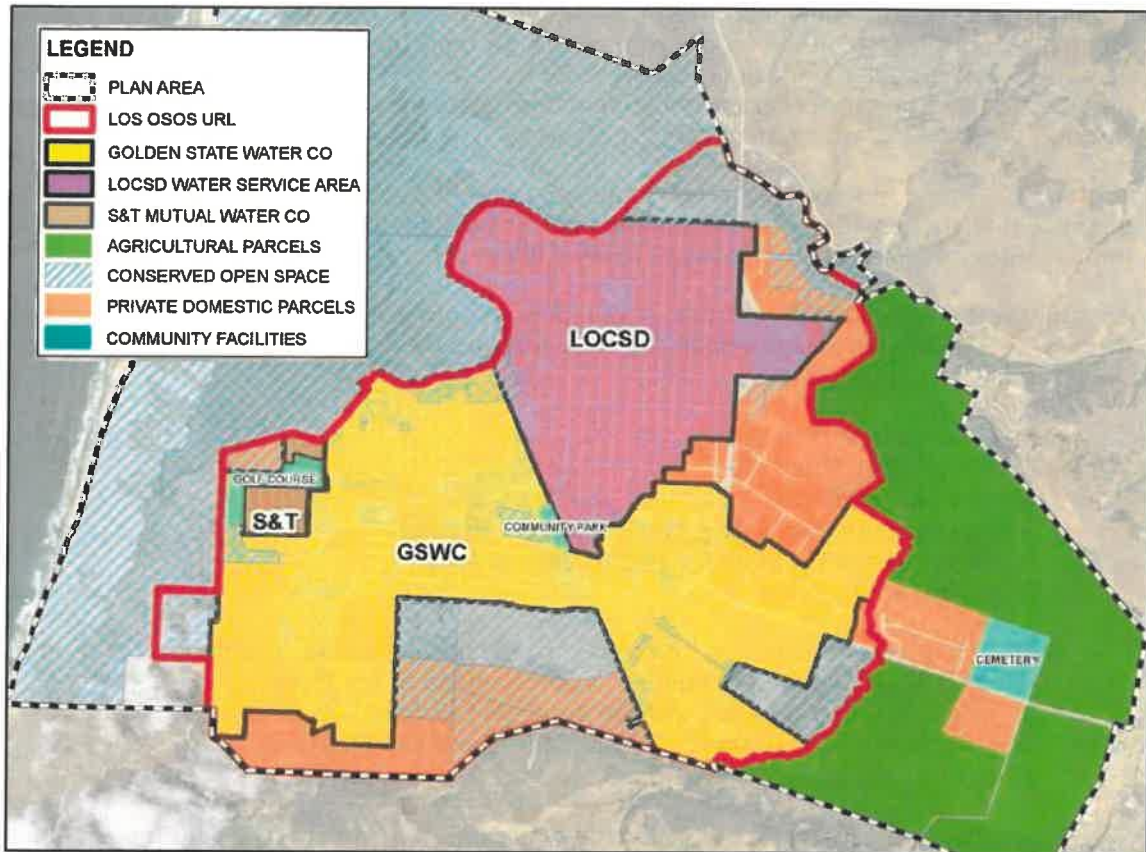


D.2 Water Supply

D.2.1. Background

The sole water source in the Los Osos area is groundwater from the Los Osos Groundwater Basin. The groundwater is withdrawn from the basin by private wells, for agricultural irrigation, and for municipal use by three principal water purveyors. The service districts for these municipal purveyors are shown in Figure D-2.

Figure D-2: Los Osos Water Purveyors



The basin is made up of several aquifer layers underlying Los Osos and the surrounding area. The upper and lower aquifers are the main sources of municipal and domestic water supplies. Due to water quality degradation of the upper aquifer from septic systems (nitrates), the water purveyors have been pumping from the lower aquifer. Groundwater extractions have exceeded the sustainable yield of the lower aquifer in the western area; this has resulted in seawater intrusion.

D.2.2. Basin Plan

The Los Osos Groundwater Basin is under adjudication in the case of *Los Osos Community Services District v Golden State Water Company, et al.* The 2015 Updated Basin Plan for the Los Osos Groundwater Basin ("Basin Plan") was prepared by the three water purveyors, along with the County, as a part of the settlement of groundwater rights litigation, which was approved by the San Luis Obispo Superior Court in October 2015.

The Basin Plan calls for reduced pumping in the lower aquifer, a decrease in overall basin water demand, and an increase in water supplies in the upper aquifer and lower aquifer (in the central and eastern portions). In order to access these new water supplies, the water purveyors (with financial backing of the water consumers) will need to construct new infrastructure, for example, new groundwater production wells and distribution pipelines.

The Basin Plan analyzes the impacts of implementing various combinations of programs through use of a groundwater model for the multiple aquifers and recommended programs

for immediate implementation to increase the sustainable basin yield to accommodate the existing demand and halt and reverse seawater intrusion over time. The Basin Plan also identifies possible combinations of programs to be implemented to accommodate buildout demand. The annual monitoring reports prepared for the Basin Management Committee provide updates on the program implementation status and program modifications made through the Plan's adaptive management provision.

Table D-1 summarizes the eleven programs analyzed in the Basin Plan. The Plan includes an adaptive management provision that allows the Basin Management Committee charged with implementing the Basin Plan programs to modify the programs and develop new programs.

To support the community's existing population and possibly allow for marginal population growth, the Basin Plan recommends the following programs for immediate implementation under all future scenarios:

- **M** Groundwater Monitoring
- **E** Urban Water Efficiency
- **U** Urban Water Reuse
- **A** Infrastructure Program A (Shift to Upper Aquifer)
- **C** Infrastructure Program C (Shift to Central Area)
- **P** Wellhead Protection

The Basin Plan recommends a combination of the following programs for potential implementation to accommodate buildout water demand in Los Osos:

- **B** Infrastructure Program B (Nitrate Removal Facility)
- **D** Infrastructure Program D (Shift to Central and Eastern Areas)
- **G** Agricultural Water Reinvestment

The Basin Plan also analyzes the following programs but does not recommend them for implementation, based on the cost and water management principles identified in the Plan:

- **S** Supplemental Water
- **I** Imported Water

Table D-1: Strategies for Managing the Los Osos Groundwater Basin

Basin Plan Program and Purpose		Provides Data	Reduces Basin Water Demand	Shifts Pumping from Lower to Upper Aquifer	Shifts Lower Aquifer Pumping away from Western Area	Increases Perennial Yield	Promotes Water Quality	Basin Plan Reference
RECOMMENDED PROGRAMS FOR IMMEDIATE IMPLEMENTATION								
M	Groundwater Monitoring To collect and organize data to improve access, reporting, and data access efficiency	Y						Chap 7
	Urban Water Use Efficiency To increase efficiency in urban water use, thus ensuring that a sufficient amount of water remains in the basin to stabilize the freshwater-seawater interface.		Y					Chap 8
U	Urban Water Reinvestment To maximize use of basin resources by reinvesting used urban water in the hydrologic cycle.		Y			Y		Sec 9.2.7
A	Infrastructure Program A To increase groundwater production to the upper aquifer without construction of nitrate removal facilities.			Y		Y		Sec 10.2
C	Infrastructure Program C To allow the purveyors to shift lower aquifer groundwater production from the Western Area to the Central Area.				Y	Y		Sec 10.4
P	Wellhead Protection To prevent drinking water source contamination.						Y	Chap 13

Table D-1: Strategies for Managing the Los Osos Groundwater Basin

TABLE D-1: STRATEGIES FOR MANAGING THE LOS OSOS GROUNDWATER BASIN								
	Basin Plan Program and Purpose	Provides Data	Reduces Basin Water Demand	Shifts Pumping from Lower to Upper Aquifer	Shifts Lower Aquifer Pumping away from Western Area	Increases Perennial Yield	Promotes Water Quality	Basin Plan Reference
ADDITIONAL PROGRAMS THAT COULD BE IMPLEMENTED TO ACCOMMODATE BUILDOUT DEMAND								
G	Agricultural Water Reinvestment To maximize use of basin resources by reinvesting used urban water for agricultural purposes.		Y			Y		Sec 9.4
B	Infrastructure Program B To maximize use of the upper aquifer through construction of additional wells and a community nitrate removal facility.			Y		Y	Y	Sec 10.3
D	Infrastructure Program D To increase groundwater production in the Eastern Area.				Y	Y		Sec 10.5
S	Supplemental Water To increase the supply of potable groundwater through brackish water desalination.		Y				Y	Chap 11
I	Imported Water To import water to Los Osos from a non-basin source.		Y					Chap 12

The Basin Plan contains detailed discussions of these programs. The annual monitoring reports prepared for the Basin Management Committee provide updates on the program implementation status and program modifications made through the Plan's adaptive management provision. The goal and status of each program are summarized below, based on information from the 2016 - 2019 annual monitoring reports.

1. **Groundwater Monitoring [M].** The groundwater monitoring program is administered by the Los Osos Basin Management Committee. The program standardizes monitoring and reporting procedures for the community's three purveyors. The program allows continued monitoring of the two main problems facing the basin: nitrate contamination in the upper aquifer and seawater intrusion into the lower aquifer. The annual monitoring reports prepared for the program allow the Basin Management Committee to track the effectiveness of the implemented programs and make adjustments per the adaptive management provision.
2. **Urban Water Efficiency [E].** Under the water efficiency program, the County and purveyors have implemented regulations and rebate programs to promote efficient water use in Los Osos. The measures in this program are largely based on the California Urban Water Conservation Council's Best Management Practices. The measures are intended to reduce residential water demand, reduce commercial and institutional water demand, educate the public, and apply restrictions to new development. The County required existing uses to retrofit plumbing fixtures before connecting to the Los Osos Water Reclamation Facility ("LOWRF"), which became operational in 2016. As of April 2020, only 44 properties remained to be retrofitted and connected to the sewer. The Basin Plan seeks to reduce Los Osos's urban water demand to 1,450 acre-feet per year (AFY) for the current population and to 2,100 AFY for the community's buildout population. More efficient urban water use allows purveyors and well users to decrease the amount of groundwater extracted from the Basin to stabilize the freshwater-seawater interface.
3. **Water Reinvestment Programs [U & G].** The Water Reinvestment Program is part of the Los Osos Wastewater Project and it involves returning all water collected and treated by the wastewater project to the basin. This would be accomplished by direct percolation or reuse. The program is further divided into urban water [U] and agricultural irrigation [G]. In 2017, the urban water [U] portion came online and 452 AFY of recycled water from the LOWRF was reinvested to the Broderson (445 AFY) and Bayridge Estates (7 AFY) leach fields. The average wastewater flows were 200 AFY less than the anticipated volume of 780 AFY. In 2018, 505 AFY of recycled water was reinvested to the Broderson (486 AFY) and Bayridge Estates (20 AFY) leach fields. In 2019, 516 AFY of recycled water was reinvested to the Broderson (431 AFY) and Bayridge Estates (14 AFY) leach fields and 71 AFY to the Sea Pines Golf Course. The mounding at the leach fields is being monitored and is projected to take years to form; however, preliminary signs of a small mound were detected hydraulically downgradient of the Broderson leach field beginning in June 2017. As part of Basin Plan adaptive management, as of 2019, the Basin Management Committee had approved a contract for a Creek Discharge Program for recycled water from the LOWRF and approved funding for an urban storm water recovery project.
4. **Infrastructure Programs [A, B, C, & D].** The Basin Plan includes four infrastructure improvement programs that would be implemented and funded by the water purveyors. These programs are focused on two strategies: a) allow groundwater pumping to shift from the lower aquifer to the upper aquifer and b) shift lower aquifer production away from the Western Area, where seawater intrusion is most pronounced.

Program A has been funded and is being fully implemented. This program focuses on actions that can be taken to increase upper aquifer production as much as possible without necessitating a community nitrate removal facility. As of June 2020, one Upper Aquifer well on 8th Street remains to be complete, although it is fully funded and the design is complete.

Program B would entail construction of a community nitrate removal system in order to maximize use of the upper aquifer. As of June 2020, this program has not been initiated.

Program C includes a set of infrastructure projects that would allow the purveyors to shift lower aquifer production from the Western Area to the Central Area. As of June 2020, the first expansion well at Los Olivos was completed, and two additional expansion wells remain to be completed. The third expansion well may be deferred per the adaptive management process, based on the groundwater-pumping capacity of the second well.

Program D includes construction of additional wells in the Eastern Area of the lower aquifer. As of June 2020, this program has been deferred through adaptive management.

5. **Wellhead Protection [P].** The Wellhead Protection Program is designed to protect water quality by managing activities within a delineated source area or protection zone around drinking water wells.
6. **Other Programs [S & I].** The Basin Plan addresses two other programs that are not included in its recommendations based on cost-effectiveness and water management principles identified in the Plan. The Supplemental Water Program [S] would entail construction of a desalination facility to render brackish groundwater drinkable. The Imported Water Program [I] would import water from an outside source (e.g. State Water or Nacimiento Water) for urban use in Los Osos.

D.2.3. Projected Supply

Sustainable yield of a groundwater basin can be defined as the maximum quantity of water that can be annually withdrawn from a groundwater basin over a long period of time (during which water supply conditions approximate average conditions) without developing an overdraft condition. The Basin Plan estimates the sustainable yield for a “No Programs” scenario as 2,450 acre-feet per year (AFY). The programs recommended for immediate implementation are modeled to increase sustainable basin yield to 3,000 AFY. Depending upon which additional programs are implemented to accommodate buildout demand, the Basin Plan estimates the sustainable yield to rise as high as 3,500 AFY.. Basin Plan programs that would increase sustainable yield include the infrastructure programs (A, B, C, and D) and the reinvestment programs (U and G).

D.2.4. Historical Demand

The Basin Plan estimates historical groundwater production across the Basin for the various water users within the Basin from 1970 to 2013, including municipal purveyors, private domestic users, community facilities (County Park, Memorial Park, etc.), and agricultural users (outside the LOCP area). The Basin Plan includes a population outside of the LOCP area and estimates the existing population at 14,600. Groundwater extractions have exceeded been below the sustainable yield

of 2,450 760 AFY every year since 19792016. Table D-2 summarizes the estimated historical groundwater production between 2006 and 2018 per the January 2015 Basin Plan and the Los Osos Basin Plan Groundwater Monitoring Program 2019 Annual Monitoring Report.

Table D-2: Total Estimated Historical Groundwater Production (2006-2018)					
Year	Purveyors	Domestic	Community	Agricultural	Total
2006	2,000	200	150	750	3,100
2007	2,030	200	150	750	3,130
2008	1,910	200	140	750	3,000
2009	1,850	200	140	750	2,940
2010	1,620	200	140	750	2,710
2011	1,570	200	140	750	2,660
2012	1,520	200	140	750	2,610
2013	1,470	200	140	750	2,560
2014	1,240	220	140	800	2,400
2015	1,010	220	140	800	2,170
2016	1,000	220	140	800	2,160
2017	1,050	220	130	670	2,070
2018	1,020	220	120	670	2,030

Source: 2019 Annual Monitoring Report

D.2.5. Comparing Projected Supply and Demand

The Los Osos community relies on implementation of the Basin Plan programs to have enough of a sustainable water supply to meet the projected buildout demand. The Basin Management Committee implementing the Basin Plan relies on ongoing monitoring to assess the effectiveness of the Basin Plan programs and accuracy of the Basin Plan assumptions to inform adaptive management efforts. The annual monitoring reports prepared for the Basin Management Committee establish five metrics for monitoring the basin and the effectiveness of the implemented Basin Plan programs:

- Basin Yield Metric
 - Definition: annual groundwater production / annual sustainable yield * 100
 - Target Value: 80 or less
- Basin Development Metric
 - Definition: current estimated sustainable yield / 3,500 AFY * 100
 - Target Value: none
- Water Level Metric
 - Definition: average Spring groundwater elevation (feet above mean sea level) in Lower Aquifer monitoring wells
 - Target Value: 8 feet or more
- Chloride Metric
 - Definition: average concentration of chlorides in key Lower Aquifer wells
 - Target Value: 100 mg/L or lower
- Nitrate Metric
 - Definition: average concentration of nitrate in First Water key wells
 - Target Value: 10 mg/L or lower

~~Water-Related Standards for New Development. The water-related standards in Section 7.3 are based on the Basin Plan and account for the Basin Management Committee's ongoing monitoring and adaptive management.~~

- ~~Standards B1 and B2 require commitment from the water purveyor for service of new developments and determination of water capacity and service availability for all land divisions.~~
- ~~Standard D1 prohibits new development until the Board of Supervisors adopts a resolution certifying successful completion and implementation of the Basin Plan programs recommended for immediate implementation, as amended or adjusted through adaptive management.~~
- ~~Standard D2 requires a growth rate to be established for new dwelling units in the Los Osos Urban Area consistent with the available sustainable water supply based on the best available data, including the most recent annual monitoring reports prepared for the Basin Management Committee.~~
- ~~Standard D2 also requires the annual growth rate to be revised on an annual basis and updated as needed to reflect changes in Basin Plan program effectiveness, modifications to the programs per the Basin Plan's adaptive management provision, implementation of new Basin Plan programs, changes in water usage patterns, and updates in basin modeling.~~
- ~~The growth rate is to be codified in the Growth Management Ordinance (Title 26). Residential units exempt from the Growth Management Ordinance are exempt from Standards D1 and D2 (e.g., affordable housing and accessory dwelling units).~~

Marginal Increase in Demand & Projected Supply with Basin Plan Programs Recommended for Immediate Implementation (M+E+U+AC+P). The Basin Plan estimates that completion of the programs recommended for immediate implementation while maintaining the existing population scenario (estimated as 2,230 AFY demand in the Basin Plan) would result in a basin yield metric of 74, water level metric of 10, and chloride metric of 65, which would meet the target goals for these metrics. The Basin Plan assumes that the difference between water demand for the existing population scenario and 80% of the estimated sustainable basin yield may be used for marginal population growth and the corresponding marginal increase in water demand. The Basin Plan estimates that 80% of sustainable basin yield with the programs recommended for immediate implementation completed is 2,400 AFY.

Major development in the Los Osos community has generally been stalled due to the Regional Water Quality Control Board's cease and desist order for septic system discharges within the Prohibition Zone and a condition of the Coastal Development Permit for the wastewater treatment plant that restricts service to undeveloped parcels until the Los Osos Community Plan and Habitat Conservation Plan for Los Osos are adopted. Of the programs recommended for immediate implementation in the Basin Plan that target demand reduction, the Urban Water Use Efficiency Program (Program "E") and the Urban Water Reinvestment Program (Program "U") are essentially complete as of June 2020. The efficiency program has been more successful at reducing demand than anticipated, and agricultural demand has slightly decreased since 2015 (670 AFY instead of 750 AFY). Therefore, the existing demand as of 2020 is less than the estimated demand for the existing population scenario in the Basin Plan.

The 2019 estimated demand for the Basin Plan Area is 1,900 AFY, which is 330 AFY less than the 2,230 AFY estimated demand for the existing population scenario with Programs "U" and "E" complete and 500 AFY less than the 2,400 AFY, 80% of the estimated sustainable yield with Programs M+E+U+AC+P complete. The 500 AFY margin could allow for an increase in existing demand without implementation of additional Basin Plan programs, but the margin is estimated based on Basin Plan assumptions about the basin and program effectiveness that need to be verified with ongoing monitoring.

Buildout Demand and Supply. The Los Osos Community Plan proposes a total buildout population of 18,000, representing an increase of 4,094 people, or approximately 30%

increase over the existing population. This can be compared to the Basin Plan buildout population scenario of 19,850, with 97% of the population estimated to be within the URL (approximately 19,255). The Basin Plan reviewed the land use categories in the area as designated by the Estero Area Plan (EAP) at the time. In general, when compared to the EAP, the proposed Los Osos Community Plan envisions substantial decreases in land designated for residential and non-residential development, and corresponding increases in land designated for Open Space. The Basin Plan noted that existing residential usage represents almost 75 percent of all urban water use in Los Osos, which is generally made up of residential, commercial and institutional uses. The Basin Plan estimated that distribution of urban water uses would remain roughly the same. However, monitoring of community growth and water usage, and adjusting assumptions and projections for supply and demand of the groundwater basin, is strongly recommended throughout the Basin Plan. Program PS-1.1: Water – Allocations for new development ~~Standard D-2 in Section 7-3~~ is consistent with this recommendation.

The Basin Plan estimates that implementing Program B would increase sustainable basin yield by 350 AFY to 3,350 AFY and implementing Program D would increase sustainable basin yield by 150 AFY to 3,500 AFY. The Basin Plan estimates water demand for future buildout of the Basin Plan Area to be 2,880 AFY with Programs “E” and “U” complete, 2,400 AFY with the agricultural reinvestment program [G] and 2,130 AFY with supplemental water for the Basin Plan Area [S], although the Plan does not recommend supplemental water. The Basin Plan recommends that total annual groundwater extraction not exceed 80% of the estimated sustainable annual basin yield to account for uncertainties in the projected basin yield and demand over time, such as reduced basin yield due to climate change or an increase in agricultural water demand. 80% of 3,350 AFY is 2,680 AFY, which is enough to meet the 2,400 AFY estimated buildout demand for the Basin Plan Area with Programs “E”, “U”, and “G” complete. The estimated buildout water demand for the Los Osos Community Plan is less than the buildout demand for the Estero Area Plan (EAP) that was assessed in the Basin Plan, as described above, which adds an additional safety margin. The Basin Plan estimates values for the water level and chloride metrics as well as the basin yield metric for different program combinations based on the projected buildout demand. These values are shown in Table D-3 below. Implementing Programs “B” and “G” are estimated to meet the target goal for all three basin metrics. The Basin Management Committee will need to consider monitoring results as well as these estimates as they practice adaptive management.

Combination of Basin Plan Programs	New Program(s) to be Completed	Estimated Buildout Demand (AFY) ¹	Estimated Sustainable Basin Yield (AFY)	Projected Basin Metrics		
				Basin Yield ²	Water Level (feet above msl) ³ ²	Chloride (mg/L) ²
M+E+U+AC+P	-	2,880	3,000	96	NE	NE
M+E+U+ABC+P	B	2,880	3,350	86	NE	NE
M+E+UG+ABC+P	B + G	2,380	3,350	72	9	70
M+E+U+ABCD+P	B + D	2,880	3,500	82	8	85
M+E+UG+ABCD+P	B + D + G	2,380	3,500	68	10	60
Target Basin Metric:				<80	8+	<100

Notes

(1) Estimated buildout demand for the Basin Plan Area, based on the Estero Area Plan. The buildout demand for the Los Osos Community Plan is less than the Estero Area Plan.

(2) Source: Basin Plan, Table 46 *Most Likely Program Combinations*

(3) msl = mean sea level

NE = Not evaluated in the Basin Plan.

The Basin Management Committee may choose which combination of programs to implement, with modifications and potential additions through adaptive management based on monitoring results. The growth rate for new residential development shall be adjusted accordingly, per the requirements of [Program PS-1.1: Water – Allocations for New Development Standard D2 in Section 7.3](#), so residential growth shall depend on Basin Plan program implementation and adaptive management.

A 2013 study funded by the US EPA's Climate Ready Water Utilities Project determined that reduced precipitation would have the most significant effect on basin yield, compared to increased temperature and sea-level rise. The sea-level rise projections that CHG considered correspond with the 5% probability scenario appropriate for medium risk averse decisions per the 2018 California Ocean Protection Council (OPC) Sea-Level Rise Guidance. The study projected the basin yield may reduce to 2,325 AFY by 2050 due to climate change with basin infrastructure improvements in place. The planning horizon for the Los Osos Community Plan is 2040. If the programs needed to achieve buildout as identified in the Basin Plan are implemented by 2040, the climate change study estimates that keeping groundwater extraction within 80% of the estimated basin yield is enough buffer for the potential reduction in yield due to climate change.

Figure D-3: Comparison of Sustainable Yield and Demand

D.3 Sewage Disposal

The Los Osos Water Recycling Facility (LOWRF) community sewer/recycled water system became operational in 2016. This facility allowed the community to move off of individual septic systems in the majority of the urban area, reducing the nitrate loading on the basin, and also providing tertiary-treated effluent to offset basin uses and recharge the basin, which is projected to push back the seawater intrusion front over time. Nearly 100% of the community within the sewer service area are now connected to the community wastewater system. As of April 2020, only 44 properties within the sewer service area remained to be connected to the sewer. The LOWRF was designed to treat up to 1.2 million gallons per day (MGD). Flows to the LOWRF in 2019 averaged about 480,000 gallons per day, with daily peaks of up to 540,000 gallons per day, 45% of design capacity. The LOWRF is anticipated to be able to accommodate buildout within its service area.

Outside of the sewer service area, the community relies on individual septic systems for sewage disposal. The County of San Luis Obispo Department of Planning & Building's Onsite Wastewater Treatment Systems Local Agency Management Program (LAMP) establishes standards for new septic systems that may be permitted by the County. The LAMP is anticipated to be adopted by the Board of Supervisors in 2020 after review by the Regional Water Quality Control Board (RWQCB). The RWQCB retains permitting authority for the Bayview Heights and Martin Tracts at this time. The LAMP designates the Cabrillo Heights area as a severe nitrogen loading impact area subject to specific design criteria.

D.4 Schools

D.4.1. Current Capacity and Enrollment Trends

Los Osos is in the San Luis Coastal Unified School District. Residents attend two elementary schools (one elementary school has closed) and Los Osos Middle School, all located within the community, and Morro Bay High School. Typically, about 70 percent of students at the middle school and high school come from Los Osos. Elementary school enrollment has generally declined during the 1993-2014 period, and is currently about 72 percent of the capacity of the two remaining elementary schools. Los Osos Middle School enrollment was about 94 percent of capacity in the 2013-2014 school year, while Morro Bay High School's enrollment was slightly under capacity.

D.4.2. Projected Enrollment

The projections used in this plan for Los Osos are based on a simplified version of current student generation rates and assume that those rates will remain constant in the future. At buildout under this plan, assuming a residential occupancy rate of 100 percent, about 176 elementary students, 37 middle school students and 70 high school students would be added, as shown in Table D-4. With those numbers of additional students, the current capacities of the elementary school, middle school and the high school would not be exceeded (not including enrollment changes in the middle and high schools generated from outside of Los Osos).

Table D-4: Capacity and Enrollment, Schools Serving Los Osos			
School	Capacity	Enrollment 2013/2014	Projected Additional Enrollment from Los Osos @ Buildout
2 Elementary Schools (total)	1220	687	+176
Los Osos Middle School	650	560	+37
Morro Bay High School	1000	825	+70

D.5 Parks

Los Osos has only one community park, the 6.2-acre Los Osos Community Park. In addition, Los Osos residents have convenient access to Montana de Oro State Park, El Chorro Regional Park, and other "special" recreation facilities, including Sweet Springs Nature Preserve, Elfin Forest Natural Area, Morro Bay State Park and Golf Course, and Los Osos Oaks State Reserve. Public school facilities augment the community's recreation facilities.

The County's Parks and Recreation Element indicate that a reasonable goal for the amount of parkland needed is a minimum of three acres of parkland per 1,000 people. Using this guideline, new parkland is needed for the current population of Los Osos.. In particular, Los Osos needs more opportunities for "active" recreation, such as ball fields, children's play equipment, recreation programs, etc.

The County should work with the community to develop sufficient parkland (neighborhood and community parks and recreation facilities) to accommodate the needs of existing and future populations. Proposed programs to provide more parks for Los Osos are discussed in Chapter 2, Community Plan Policies.

D.6 Fire Protection

Fire protection and emergency medical services are provided by Cal Fire/County Fire through an agreement with the Los Osos Community Services District (LOCSD). Fire and emergency medical services are provided well beyond the Urban Reserve Line.

For most calls within Los Osos, Cal Fire response times vary from four to seven minutes. The response times are within the performance standards as outlined in the Cal Fire/San Luis Obispo County Strategic Plan.

D.7 Police Protection

Los Osos relies on the County Sheriff and the California Highway Patrol for police services. The Sheriff's coast station is located in Los Osos. The Highway Patrol office is located near the California Boulevard-Highway 101 interchange in San Luis Obispo. Response times for the Sheriff's office vary, based on allocated personnel, existing resources, time and day of week and prioritized calls for law enforcement services. In 2014, the average response time for Los Osos was about 16.6 minutes, according to the County Sheriff's Office.

D.8 Libraries

The Los Osos Library is located at 2075 Palisades Avenue. Measures of service for public libraries have typically been expressed as the number of books or the amount of library floor space per capita. A 1962 study, still regarded as valid by library administrators, contains a guide for estimating the need for library services, based on a survey of libraries from across the country (see Table D-5 below).

Table D-5: Formulas for Library Facilities by Community Size		
Community Size	Book Stock (Volumes per capita)	Total Square Feet per Capita
Under 10,000	3.5 to 5	0.7 to 0.8
10,000 to 35,000	2.75 to 3	0.6 to 0.65

Source: Adapted from *Practical Administration of Public Libraries*, Wheeler & Goldhov, 1962

Table D-6 summarizes the adequacy of the existing library in Los Osos based on the above guidelines, and indicates facility needs at build-out. It is clear that the existing facility is seriously inadequate. A new 7,000 square-foot library building is planned in Los Osos.

Table D-6: Recommended Library Facilities, Los Osos						
	Building Square Feet		Book Stock (# of Volumes)		Recommended at Buildout	
	2014 Actual	2014 Desirable	2014 Actual	2014 Desirable	Building Square Feet	Book Stock
Los Osos	3976	8700-9400	38345	38500-42000	11250-12188	51563-56250

Increasing use of computers will provide greatly expanded opportunities for people to gain access to digitized information. Libraries can improve their level of service by providing patrons with links to the information network, in addition to increasing the amount of shelf space for book storage.

D.9 Human Services

All government offices providing counseling, mental health, welfare, family planning and other human services are located in the City of San Luis Obispo.

D.10 Drainage

Several street intersections and other locations in Los Osos experience localized flooding. Areas where flooding frequently occurs are shown in Figure D-4. Other drainage concerns are runoff of sediment and pollutants into Morro Bay, which is causing adverse effects on the estuary and wetlands.

Drainage issues have been studied in the Preliminary Engineering Evaluation, Los Osos/Baywood Park Community Drainage Project, County Service Area No. 9J, completed in April 1998. The study attributes drainage problems to a combination of rising groundwater levels, the existence of natural sumps, the paving of open space and subsequent reduction of the area available for storm water infiltration, and disruption of natural surface drainage patterns by urban development. Recommended solutions include the construction of storm drains and retention basins. An assessment district for drainage purposes was approved by Los Osos voters in 1998 to maintain existing drainage facilities.

Figure D-4: Areas of Localized Flooding

