

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 8/7/2012	(3) CONTACT/PHONE Brian Pedrotti, Planner III / 805-788-2788	
(4) SUBJECT Continued hearing to consider a request by DANA (Dana Adobe Nipomo Amigos) for a Land Use Ordinance Amendment to amend the South County Area Plan Planning Area Standards relating to the Dana Adobe site within and immediately adjacent to the community of Nipomo - LRP2011-00001. Supervisorial District 4.			
(5) RECOMMENDED ACTION That the Board of Supervisors: 1. Hold the public hearing on the amendment recommended for approval by the Planning Commission as set forth in the attached Exhibits and staff reports. 2. Take final action on the amendment heard today (LRP2011-00001) by adopting and instructing the Chairperson to sign the attached ordinance.			
(6) FUNDING SOURCE(S) Current Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT { } Consent { } Presentation {X} Hearing (Time Est. _120 minutes_) { } Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS { } Resolutions { } Contracts {X} Ordinances { } N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: { } 4/5th's Vote Required {X} N/A	
(14) LOCATION MAP No	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY {X} N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW Reviewed by Leslie Brown			
(18) SUPERVISOR DISTRICT(S) District 4			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Brian Pedrotti, Planner III

VIA: Kami Griffin, Assistant Director of Planning and Building

DATE: 8/7/2012

SUBJECT: Continued hearing to consider a request by DANA (Dana Adobe Nipomo Amigos) for a Land Use Ordinance Amendment to amend the South County Area Plan Planning Area Standards relating to the Dana Adobe site within and immediately adjacent to the community of Nipomo - LRP2011-00001. Supervisorial District 4.

RECOMMENDATION

That the Board of Supervisors:

1. Hold the public hearing on the amendment recommended for approval by the Planning Commission as set forth in the attached Exhibits and staff reports.
2. Take final action on the amendment heard today (LRP2011-00001) by adopting and instructing the Chairperson to sign the attached ordinance.

DISCUSSION

Background

At the meeting of July 17, 2012, your Board held a public hearing for the DANA Land Use Ordinance Amendment (LRP2011-00001). Following extensive public comment, your Board continued the item to August 7, 2012, with the following direction for staff and interested parties:

- Review the mitigation measures in the Mitigated Negative Declaration and provide changes if necessary.
- Review the language of the proposed Land Use Ordinance Amendment Planning Area Standards and provide changes if necessary.
- When proposing any changes, attempt to stay within the parameters of the existing Mitigated Negative Declaration as much as possible to avoid recirculation of the document.

Summary of Meeting

On July 25, 2012, Supervisor Teixeira, the County Environmental Coordinator, County Planning staff, and County Counsel met with representatives of the Dana Adobe Nipomo Amigos, Fred Collins of the Northern Chumash Tribal Council, Mona Olivas Tucker and Lei Lynn Olivas Odom of the Northern Chumash yak tit^y u tit^y u, and Gino Altamirano of the Coastal Band of Chumash Nation. The group discussed a number of items, including:

- The necessity and desire for Phase II archeological studies.
- Revisions to the proposed ordinance language.
- Revisions to the mitigation language in the Mitigated Negative Declaration.
- The value of a Chumash Advisory Council for the Dana Adobe.
- Insurance and conflict of interest questions.
- The concept of inclusivity for all representative Native American groups.
- The need for an additional meeting before the continued public hearing date.

No agreement was reached at this initial meeting. An additional meeting will be held before the continued hearing. At the time of preparation of this staff report, a date for that meeting has not been set. Any information from that meeting will be presented to the Board of Supervisors at this continued hearing.

Today's Hearing

Staff has included the original recommendation and ordinance language in the event that the Board wishes to act today. Staff may also orally present additional information at the Board meeting on August 7, 2012 depending on the outcome of the second meeting which will be held before the continued hearing date, but after the due date of this staff report.

OTHER AGENCY INVOLVEMENT/IMPACT

The amendment was referred to all applicable responsible agencies and were reviewed and approved by the Planning Commission. In addition, County Counsel reviewed and approved the ordinance as to form and content.

FINANCIAL CONSIDERATIONS

Proposed general plan amendments that are submitted by individual applicants are processed through an application fee deposit. On February 28, 2012, the Board of Supervisors approved a fee waiver for the project for a total of \$22,609.

RESULTS

Approval of the amendment will allow the applicant to process a Conditional Use Permit application for the site to include a visitor's center, outdoor amphitheater, Chumash Village with exhibits and interpretive features, and associated support features. Denial of the application will mean that the owner would not be able to process the Conditional Use Permit, as the proposed use is dependent on the construction of a Highway 101 interchange with Southland Street, a project that is not feasible due to a lack of funding and commitment from necessary agencies.

ATTACHMENTS

1. Exhibit LRP2011-00001:B (Ordinance Amendment for Adoption)