

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

\_\_\_\_\_ day \_\_\_\_\_, 2012

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. 2012 - \_\_\_\_\_

RESOLUTION TO AMEND THE FRAMEWORK FOR PLANNING, PART I OF THE LAND USE ELEMENT AND THE COASTAL FRAMEWORK FOR PLANNING, PART 1 OF THE LAND USE ELEMENT AND LOCAL COASTAL PLAN OF THE SAN LUIS OBISPO COUNTY GENERAL PLAN, THE LAND USE ORDINANCE, TITLE 22 OF THE COUNTY CODE, AND THE COASTAL ZONE LAND USE ORDINANCE, TITLE 23 OF THE COUNTY CODE AND TO APPROVE ENVIRONMENTAL DOCUMENTS

The following resolution is now hereby offered and read:

WHEREAS, state law requires that a general plan be adopted; and

WHEREAS, the Land Use Element of the San Luis Obispo County General Plan was adopted by the Board of Supervisors on September 22, 1980, and is a proper element of the General Plan; and

WHEREAS, on March 1, 1988, the San Luis Obispo County Board of Supervisors adopted the Local Coastal Program as amendments and additions to the Land Use Element of the San Luis Obispo County General Plan, specifically incorporating the Land Use Plan of the Local Coastal Program into the Land Use Element of the General Plan hereinafter referred to as the "Land Use Element and Local Coastal Plan", and to the San Luis Obispo County Code Titles 19, 21, and 23; and

WHEREAS, state law, public necessity, convenience and general welfare requires that the Land Use Ordinance be amended from time to time; and

WHEREAS, the Planning Commission of the County of San Luis Obispo after noticed public hearings did recommend amendments to the General Plan and the Land Use Ordinance, adopted resolutions or otherwise took action recommending said amendments.

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 18th day of December, 2012, that the County General Plan, the County Local Coastal Plan and the Land Use Ordinance - Titles 22 and 23 of the County Code be amended as follows:

1. Amend the San Luis Obispo County General Plan, the Framework for Planning, Part I of the Land Use Element, as such amendments appear on Exhibit LRP2006-00003:B, attached hereto and incorporated herein as though fully set forth. [This document does not apply to the Coastal Zone and was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

## Attachment A - Resolution

2. Amend the San Luis Obispo County General Plan, the Coastal Framework for Planning, Part I of the Land Use Element and Local Coastal Plan, as such amendments appear on Exhibit LRP2006-0000:C attached hereto and incorporated herein as though fully set forth, and pursuant to Public Resources Code, section 30514, authorize submittal to the California Coastal Commission for consideration and certification.

3. Adopt, enact and instruct the Chairperson of the Board of Supervisors to sign "An Ordinance amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance, Sections 22.30.070, 22.30.075, 22.06.030 and 22.80.030 relating to Agricultural Processing, Olive Oil Processing and Tasting, and the Retail Sales of Agricultural Products from Field and Farm Stands" which is attached hereto and incorporated herein as though fully set forth. [This document does not apply to the Coastal Zone and was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

4. Adopt, enact and instruct the Chairperson of the Board of Supervisors to sign "An Ordinance Amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance, Chapter 22.01, Chapter 22.10 and Chapter 22.12 relating to Inclusionary Housing" which is attached hereto and incorporated herein as though fully set forth. [This document does not apply to the Coastal Zone and was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

5. Adopt, enact and instruct the Chairperson of the Board of Supervisors to sign "An Ordinance Amending Title 23 of the San Luis Obispo County Code, the Coastal Zone Land Use Ordinance, Chapter 23.01 and Chapter 23.04 relating to inclusionary housing" which is attached hereto and incorporated herein as though fully set forth and pursuant to Public Resources Code, section 30514, authorize submittal to the California Coastal Commission for consideration and certification.

6. Adopt, enact and instruct the Chairperson of the Board of Supervisors to sign "An Ordinance Amending Specific Sections of the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code and the Coastal Zone Land Use Ordinance, Title 23 of the County Code" which is attached hereto and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED AND ORDERED that the environmental document for the above enacted amendments be approved as follows:

1. Regarding the amendment that was processed on the basis of a previously certified Final Environmental Impact Report (FEIR) by the Board of Supervisors on December 9, 2008, the Board of Supervisors reviewed and considered the previously adopted FEIR together with all comments received during the public review process prior to enacting the amendment. Based on the review of the previously certified FEIR, the Board finds that: the FEIR addressed potential impacts on all areas of the unincorporated County, mitigation measures were proposed to address these impacts, overriding considerations were determined necessary based on significant and unavoidable impacts associated with biological resources and water resources, and the proposed ordinance amendments will not result in any significant changes to the existing ordinance and therefore would be considered consistent with the certified FEIR prepared for this program.
2. Regarding the amendment that was processed on the basis of an Environment Impact Report Addendum (August 2012), the Board of Supervisors reviewed and considered the addendum and determined that the proposed changes to the project would not result in new significant impacts not previously identified. No substantial changes are proposed or have occurred with respect to the project that will require major revisions of the previously-certified Final Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant impacts. No new information will

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have a significant effect on the environment that was not discussed in the previously-certified Final Environmental Impact Report, or shows that significant effects previously examined will be substantially more severe. No mitigation measures or alternatives considerably different from those analyzed in the previously-certified Final Environmental Impact Report have been identified that would substantially reduce one or more significant effect of the environment, but are declined by the applicant

- 3. Regarding the amendment that was processed on the basis of a General Rule Exemption, the Board of Supervisors finds that the activity is covered by a general rule exemption (State CEQA Guidelines section 15061(b)(3)) from the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

BE IT FURTHER RESOLVED AND ORDERED that this resolution with respect to Exhibit LRP2006-0000:C and An Ordinance Amending Title 23 of the San Luis Obispo County Code, the Coastal Zone Land Use Ordinance, Chapter 23.01 and Chapter 23.04 relating to inclusionary housing shall become operative automatically, pursuant to 14 California Code of Regulations §13551(b)(1), upon the certification without any modifications or amendments to said amendments by the California Coastal Commission and upon acknowledgment by the San Luis Obispo County Board of Supervisors of receipt of the Commission’s resolution of certification pursuant to 14 California Code of Regulations §13544. In the event that the California Coastal Commission recommends modifications to said amendments, the amendments with modification shall be processed in accordance with Government Code § 65350 et seq., before final local government adoption of the amendments with the modifications suggested by Coastal Commission pursuant to 14 California Code of Regulations §13551(b)(2), or before the Board of Supervisors resubmits, pursuant to Public Resources Code Section 30512 and 30513, any additional amendments to satisfy the Commission's recommended changes.

BE IT FURTHER RESOLVED AND ORDERED that in accordance with Government Code Section 25131, after reading of the title of the ordinances, further reading of the ordinances in full is waived.

BE IT FURTHER RESOLVED AND ORDERED that this resolution shall be effective on the same date as Ordinances \_\_\_\_\_, said date being \_\_\_\_\_, 2012.

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

AYES: Supervisors

NOES:

ABSENT:

ABSTAINING:

The foregoing resolution is hereby adopted.

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Chairperson of the Board of Supervisors  
of the County of San Luis Obispo,  
State of California

Attachment A - Resolution

ATTEST

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County Clerk and Ex-Officio Clerk  
of the Board of Supervisors,  
County of San Luis Obispo,  
State of California

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL  
County Counsel

By:   
Deputy County Counsel

Dated: December 6, 2012