



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE November 13, 2015	CONTACT/PHONE Brian Pedrotti, Project Manager (805) 788-2788	APPLICANT County of San Luis Obispo	FILE NO. DRC2014-00156
LOCAL EFFECTIVE DATE November 27, 2015			
SUBJECT Request by SAN LUIS OBISPO COUNTY for a Minor Use Permit (DRC2014-00156) for the Jim Miller Community Park in Olde Towne Nipomo. The new park includes a gazebo, a war veteran's memorial, a Dorothea Lange-era memorial, Pacific Coast Railroad memorial, and walking paths. The proposed 1.05 acre park is within the Public Facilities land use category and is located at the southeast corner of West Tefft Street and Carrillo Street, in the community of Nipomo. The site is in the South County Inland sub-area of the South County planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2014-00156 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption]			
LAND USE CATEGORY Public Facilities	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 090-142-007	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Sec. 22.98.070 – South County Sub-Area Standards. Circulation, Nipomo Mesa Water Conservation Area Sec. 22.108.040 – Nipomo Community Urban Area Standards, communitywide. Connection to sewer.			
LAND USE ORDINANCE STANDARDS: Section 22.30.340 – Outdoor Sports and Recreational Facilities <i>Does the project conform to the Land Use Ordinance Standards: Yes (see discussion)</i>			
EXISTING USES: NCSD lift station, undeveloped			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Public Facilities / undeveloped <i>East:</i> Commercial Retail and Office-Professional / retail commercial and NCSD offices <i>South:</i> Office-Professional / undeveloped <i>West:</i> Commercial Retail and Residential Multi-Family / retail nursery and multi-family residences			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on November 27, 2015, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Cal Fire, Nipomo Community Services District, Air Pollution Control District, South County Advisory Council, General Services (Parks), HEAL SLO, Bicycle Advisory Council	
TOPOGRAPHY: Nearly level	VEGETATION: Grasses, ornamental trees
PROPOSED SERVICES: Water supply: Community water (NCSD) Sewage Disposal: Community sewer (NCSD) Fire Protection: Cal Fire	ACCEPTANCE DATE: September 29, 2015

DISCUSSION

PROPOSED PROJECT

The applicant, Olde Towne Nipomo Association, is requesting a Minor Use Permit for the Jim Miller Community Park in Olde Towne Nipomo. The new park includes a gazebo, a war veteran’s memorial, a Dorothea Lange-era memorial, Pacific Coast Railroad memorial, and walking paths. The property is owned by the County of San Luis Obispo, and the applicant is proposing to lease the site from County General Services.

PROJECT ANALYSIS

Ordinance Compliance – Conditional Use Permit:

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	None	1.05 acres
Setbacks Front Side Rear	25 feet 3 feet 3 feet	Approx. 135 feet Approx. 25 feet Approx.60 feet
Height	35 feet	Approx. 12 feet (gazebo)
<u>Parking</u> Community Park	Not indicated	19 existing park and ride spaces

Parking

No parking requirement is provided in Title 22 Section 22.18.050 for public park facilities. However, the proposed park has amenities that would provide a low parking turnover rate and will not generate significant parking needs. The existing 19 SLOCOG park and ride spaces are anticipated to adequately address parking needs for the park.

Landscaping

Due to the nature of the use as a community park, landscaping will be installed throughout the development. The applicant has submitted a conceptual landscaping plan which includes a mix of trees, turf, and an orchard grove. The project is subject to the water conservation measures required in the Nipomo Mesa Water Conservation Area, which limits the amount of both turf and irrigated landscaping. A final landscaping plan for the project will be required at the time of construction permits.

Based on the nature of the use, the applicant has requested an adjustment to the requirements of the Nipomo Mesa Water Conservation Area limits on irrigated landscaping, which limits projects to a maximum of 1,500 square feet. The applicant has proposed approximately ½ acre of irrigated landscaping, which would exceed this requirement. The Planning Director may approve exceptions to this requirement in order to allow a larger amount of irrigated landscaped and/or turf area needed for uses that typically require larger irrigated landscape areas (i.e. community parks). The applicant must demonstrate the need for the additional irrigated landscaped area based on the characteristics of the use and the site. The proposed use of a community park requires some open areas of irrigated landscaping as well as turf. The applicant has attempted to limit the amount of turf as much as possible, and has proposed very low water use and drought-tolerant plant species for the landscaping plan. For these reasons, staff supports the proposed adjustment.

PLANNING AREA STANDARDS

The following sections discuss the planning area standards that apply to this project.

Section 22.98.070 Areawide Standards

22.98.070.C – Circulation Planning:

1. Traffic noise mitigation required in the form of setbacks/open space, site layout, earthen berms, or structural measures, in that order of priority.

Response: As proposed, the project meets these standards. The main activity areas are setback from Tefft Street at least 120 feet, and the gazebo is setback approximately 250 feet. In addition, an existing NCSD lift station will help block traffic noise.

22.98.070.F – Nipomo Mesa Water Conservation Area.

Response: See discussion above under Landscaping. As proposed and conditioned, this standard has been met.

Section 22.108.040 Nipomo Community Standards

22.108.040.A – Community-wide standards:

1. Connection to community sewers.

Response: As proposed, the project meets these standards. Community sewer is anticipated through the Nipomo Community Services District.

LAND USE ORDINANCE STANDARDS

Section 22.30.340 – Outdoor Sports and Recreation Facilities

This section of the ordinance describes specific siting and design standards for proposed public park facilities. Most of the setback requirements do not apply to the proposed park, as they only apply to specific amenities, most of which are not proposed with the park. The gazebo is considered an accessory structure to the main use of a park, and is required to be 3 feet from property lines. The gazebo setback exceeds this requirement as it is approximately 25 feet from the closest property line.

OTHER ISSUES

Street Improvements

County Public Works has identified a number of street improvements that would be required as part of standard development of the site, including widening of Dana Street and extension of Dana Street between Sparks Street and Carrillo Street. This improvement will likely be costly due to the need to cross a shallow Phillips 66 pipeline that traverses Dana Street. The applicant has indicated that the park is a community asset and is dependent on various community fundraising efforts, and that this improvement will be a substantial economic burden on the project. Staff concurs and has included an alternative street improvement plan that includes a “knuckle” for Dana Street with a pedestrian pathway, but does not connect the street. The applicant will need to complete this improvement prior to occupancy of the final phase of work, or within the phased 10-year life of the project.

COMMUNITY ADVISORY GROUP COMMENTS

The project was referred to the South County Advisory Council (SCAC). The SCAC discussed and supported the project at their regularly scheduled meeting on September 28, 2015.

AGENCY REVIEW

Public Works – Various conditions including street improvements and dedication, drainage and erosion control measures.

Air Pollution Control District – See attached letter dated 9/1/15. Includes recommendations for dust control, developmental burning, diesel idling.

Cal Fire – No significant fire/life safety concerns.

Nipomo Community Services District – No response received.

General Services (Parks) – No response received.

HEAL SLO - No response received.

Bicycle Advisory Council - No response received.

LEGAL LOT STATUS

The lot was legally created by a deed at a time when that was a legal method of creating lots.

Staff report prepared by Brian Pedrotti, Project Planner, and reviewed by Airlin Singewald, Senior Planner.