

PLANNING COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, December 10, 2015

PRESENT: Commissioners Ken Topping, Jim Harrison, Eric Meyer and Jim Irving

ABSENT: Don Campbell

RESOLUTION NO. 2015-025

RESOLUTION RECOMMENDING ADOPTION
OF AMENDMENTS TO THE SAN LUIS OBISPO GENERAL PLAN, SAN LUIS OBISPO
SUB AREA OF THE SAN LUIS OBISPO AREA PLAN OF THE LAND USE AND
CIRCULATION ELEMENT AND TITLE 22 – THE LAND USE ORDINANCE (SAN LUIS
OBISPO SUBAREA OF THE SAN LUIS OBISPO AREA PLAN)

WHEREAS, State Law requires that a General Plan be adopted; and

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

WHEREAS, public necessity, convenience and general welfare requires that the
elements of a General Plan be amended from time to time; and

WHEREAS, the Planning Commission of the County of San Luis Obispo held a
public hearing on December 10, 2015, to consider the San Luis Obispo County General Plan
amendment; and

WHEREAS, the Planning Commission, at the conclusion of the public hearing,
recommended approval to the Board of Supervisors of the amendments to the San Luis
Obispo County General Plan, San Luis Obispo Sub Area of the San Luis Obispo Area Plan
of the Land Use and Circulation Element and Title 22 – The Land Use Ordinance (San
Luis Obispo Subarea of the San Luis Obispo Area Plan);

NOW, THEREFORE, BE IT RESOLVED that the San Luis Obispo County
Planning Commission recommends to the Board of Supervisors of the County of San Luis

Obispo, State of California, that the Amendments to the San Luis Obispo County General Plan, San Luis Obispo Sub Area of the San Luis Obispo Area Plan of the Land Use and Circulation Element and Title 22 – The Land Use Ordinance (San Luis Obispo Subarea of the San Luis Obispo Area Plan) be adopted as follows:

1. Adopt the Amendments to the San Luis Obispo County General Plan, San Luis Obispo Sub Area of the San Luis Obispo Area Plan of the Land Use and Circulation Element and Title 22 – The Land Use Ordinance (San Luis Obispo Subarea of the San Luis Obispo Area Plan) and the exhibits listed below, and which is expressly referred to and incorporated herein as though fully set forth.
 - a. Exhibit LRP2010-00006:A - Findings,
 - b. Exhibit LRP2010-00006:B - Proposed Land Use Category Map Changes, and
 - c. Exhibit LRP2010-00006:C – Proposed Land Use Ordinance Changes.

On motion of Commissioner Meyer, seconded by Commissioner Harrison, and on the following roll call vote, to wit:

AYES: Commissioners Topping, Harrison, Meyer, and Irving

NOES: None

ABSENT: Commissioner Campbell

the foregoing resolution is hereby adopted.

 /s/ Ken Topping
Chairperson of the Planning Commission

ATTEST:

 /s/ Ramona Hedges
Secretary, Planning Commission

EXHIBIT A
LRP 2010-00006:A

FINDINGS FOR COUNTY OF SAN LUIS OBISPO
GENERAL PLAN AMENDMENT LRP2010-00006 (Vanderheyden)

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 22, 2015 for this project. Mitigation measures are proposed to address biological resources, geology and soils, public services/utilities, recreation, transportation/circulation, and land use.

Land Use Ordinance/Land Use Element

- B. The proposed amendment is consistent with the Land Use Element and other adopted elements of the general plan because all proposed uses, as limited by the planning area standards, are allowed under Table 2-2 for the Residential Rural land use category. In addition, the proposed amendment is consistent with the Land Use Element because there will be no net increase in development potential and based on water availability limitations and a corresponding deed restriction on agricultural uses, the site is suited to low density rural residential development and not commercially viable for agriculture.
- C. The proposed amendment is consistent with the Land Use Element and other adopted elements of the general plan because the change is consistent with the general goals of the Land Use Element.
- D. The proposed amendment is consistent with the guidelines for amendments to the Land Use Element as follows:
- a. The proposal will not alter the rural character of the area.
 - b. The proposal is be compatible with the surrounding rural and agricultural uses.
- E. The proposed amendment will protect the public health, safety and welfare of the area residents by allowing for development that is compatible with the existing development of the surrounding area and the county's general plan because it will not result in a net increase in development potential and based on water availability limitations and a corresponding deed restriction on agricultural uses, the site is suited to low density rural residential development and not commercially viable for agriculture.

EXHIBIT B
LRP2010-00006:B

PROPOSED LAND USE CATEGORY MAP CHANGE LRP2010-00006 (Vanderheyden)

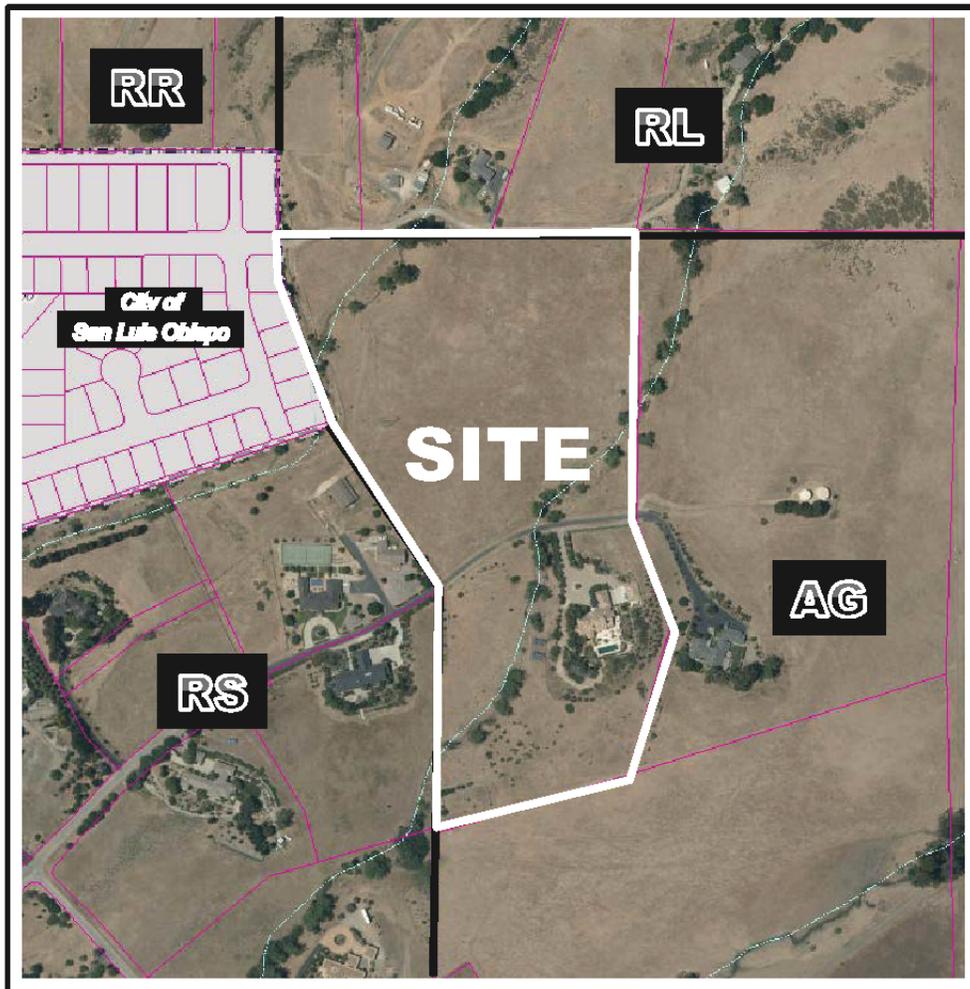


EXHIBIT LRP2010-00006:B
SITE: APN 076-531-009
INITIATING A PRECISE LAND USE
DESIGNATION AS SHOWN ON
OFFICIAL LAND USE CATEGORY MAP
ON FILE IN THE DEPT. OF PLANNING
AND BUILDING
CHANGE FROM AG TO RR

**VANDERHEYDEN
GENERAL PLAN
AMENDMENT**

EXHIBIT C

LRP2010-00006:C - PROPOSED LAND USE ORDINANCE CHANGES

Chapter 22.96 – San Luis Obispo Planning Area Section 22.96.050 – Land Use Category Standards

E. **Residential Rural (RR).** The following standards apply within the Residential Rural land use category.

10. **Tiburon Way.** The following standard applies to the site as shown in Figure 96-16.

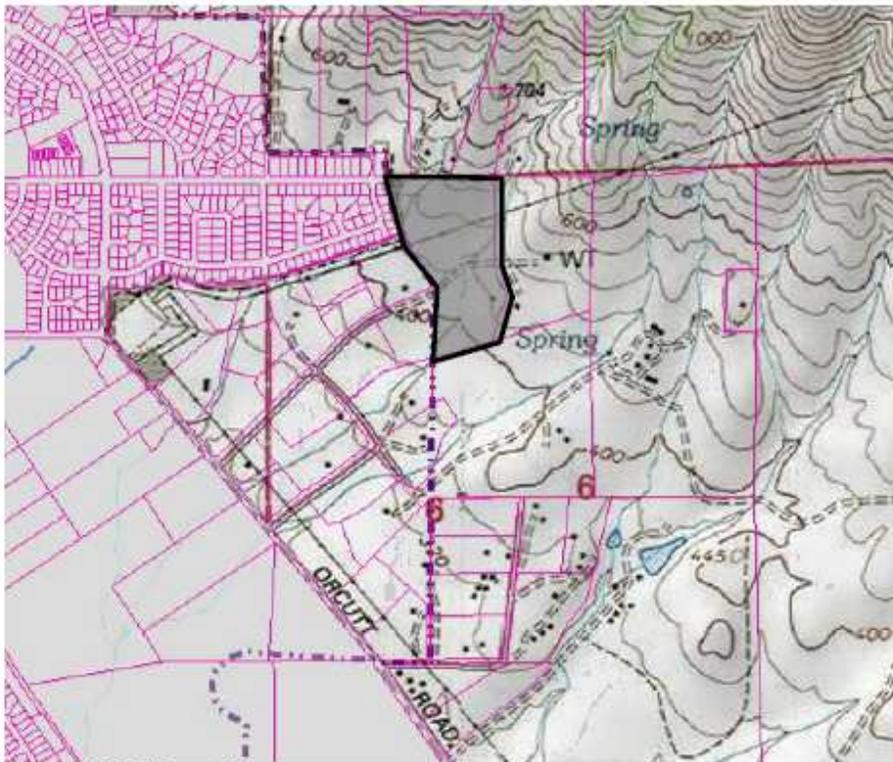


Figure 96-16: Tiburon Way

a. **Land division and Land use applications.** Subdivision and/or residential development shall comply with the following requirements:

(1) **Biological Report Required.** At the time of application of any land division or development of the project site, the applicant shall assess the impact of the proposed land division or development on native species and habitat diversity, including special-status species (e.g. Pismo clarkia), sensitive natural communities, wetlands, and important wildlife nursery areas and movement corridors. A Biological Report will be required to be submitted for a subdivision and/or any development on the property to be reviewed and approved by the Planning Department. Recommendations outlined in the report shall be applied to the proposed project.