

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

_____ day _____, 2016

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. 2016 - _____

RESOLUTION TO AMEND THE SAN LUIS OBISPO COUNTY GENERAL PLAN - LAND USE AND CIRCULATION ELEMENT, THE CONSERVATION AND OPEN SPACE ELEMENT, THE SHANDON-CARRIZO SUBAREA OF THE NORTH COUNTY AREA PLAN, TITLE 18 OF THE COUNTY CODE – THE PUBLIC FACILITIES FEE ORDINANCE, TITLE 22 OF THE COUNTY CODE – THE LAND USE ORDINANCE, AND APPROVAL OF 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 and Circulation Element of the San Luis Obispo General Plan was adopted by the Board of Supervisors on September 22, 1980; 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, the Conservation and Open Space Element of the San Luis Obispo General Plan was adopted by the Board of Supervisors on May 20, 2010 and is a proper element of the General Plan; and

WHEREAS, state law, public necessity, convenience and general welfare requires that general and specific plans 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 San Luis Obispo County General Plan, Land Use and Circulation Element; the Conservation and Open Space Element, the Shandon-Carrizo subarea of the North County Area Plan, Title 18 Of The County Code – The Public Facilities Fee Ordinance, Title 22 Of The County Code – The Land Use Ordinance, 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 thirteenth day of September, 2016, that the San Luis Obispo County General Plan, Land Use and Circulation Element; the Conservation and Open Space Element, the Shandon-Carrizo subarea of the North County Area Plan, Title 18 Of The County Code – The Public Facilities Fee Ordinance, Title 22 Of The County Code – The Land Use Ordinance; be amended as follows:

1. Amend the San Luis Obispo County General Plan, Land Use and Circulation Element, Official Maps, by changing the designation for the parcels shown on Exhibit LRP2014-00022:B, attached hereto and incorporated herein as though fully set forth. [This document was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]
2. Amend the San Luis Obispo County General Plan, Land Use and Circulation Element, Official Maps, by changing the designation for the parcels shown on Exhibit LRP2015-00011:1 (Clarke), attached hereto and incorporated herein as though fully set forth. [This document was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]
3. Amend the San Luis Obispo County General Plan, Land Use and Circulation Element, Official Maps, by changing the designation for the parcels shown on Exhibit LRP2015-00011:2 (Attig), attached hereto and incorporated herein as though fully set forth. [This document 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. Amend the San Luis Obispo County General Plan, Land Use and Circulation Element, Official Maps, by changing the designation for the parcels shown on Exhibit LRP2015-00011:3 (Keller), attached hereto and incorporated herein as though fully set forth. [This document 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. Amend the San Luis Obispo County General Plan, Land Use and Circulation Element, Official Maps, by changing the designation for the parcels shown on Exhibit LRP2015-00011:4 (Attyeh Foundation), attached hereto and incorporated herein as though fully set forth. [This document was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]
6. Amend the San Luis Obispo County General Plan, Land Use and Circulation Element, Official Maps, by changing the designation for the parcels shown on Exhibit LRP2015-00011:5 (Procter), 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.
7. Adopt, enact and instruct the Chairperson of the Board of Supervisors to sign "An Ordinance Amending the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code, Section 22.94.090(C)" as such amendment appears on Exhibit LRP2014-00022:C, which is attached hereto and incorporated herein as though fully set forth. [This document was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]
8. Adopt, enact and instruct the Chairperson of the Board of Supervisors to sign "An Ordinance Amending the San Luis Obispo Public Facility Fee Ordinance, Title 18 of the County Code, Section 18.03.020 (10)" as such amendment appears on Exhibit LRP2016-00001:A, which is attached hereto and incorporated herein as though fully set forth. [This document was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]
9. 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, which is attached hereto and incorporated herein as though fully set forth.

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

1. Regarding the amendments that were processed on the basis of General Rule Exemptions (Jeffers – LRP2014-00022, County of San Luis Obispo – LRP 2015-00011, County of San Luis Obispo – LRP2016-0001), 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 LRP2015-00011:5 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 the local coastal program is intended to be carried out in a manner fully in conformity with the Coastal Act.

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 _____, 2016.

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.

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

ATTEST

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: 

Assistant County Counsel

Dated: August 30, 2016