



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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 10/29/2024	(3) CONTACT/PHONE Mason Denning, Planner (805) 781-1298 Eric Hughes, Principal Environmental Specialist (805) 781-1591	
(4) SUBJECT Hearing to consider a request by David Crye for a General Plan Amendment (LRP2023-00002) to (a) amend the Coastal Land Use Element and Local Coastal Program (Estero Area Plan) of the San Luis Obispo County General Plan to change the land use category on two parcels, totaling approximately 0.68 acres (APNs 064-095-015 and 064-095-020) from Commercial Service (CS) to Residential Multi-Family (RMF) and (b) add a new Planning Area Standard for the portion of the project site located on Birch Avenue (APN 064-095-020). The project site is located at 250 Ash Avenue and between 211 and 259 Birch Avenue, approximately 200 feet northwest of Cayucos Drive, within the community of Cayucos. The site is in the Estero Planning Area. Also to be considered is the determination that the project is exempt from environmental review under the California Environmental Quality Act (CEQA). (Planning and Building)			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Adopt a Resolution approving the General Plan Amendment to change the land use category of two parcels totaling approximately 0.68 acres, from CS to RMF ; 2. Amend the Cayucos Urban Area Standards in the Estero Area Plan to include a Planning Area Standard for the Birch Avenue parcel (APN 064-095-020) to establish minimum density and height measurement standards; and 3. Approve a General Rule Exemption pursuant to CEQA Guidelines Section 15061(b)(3).			
(6) FUNDING SOURCE(S) Applicant Funded / Real Time Billing Agreement	(7) CURRENT YEAR FINANCIAL IMPACT \$0	(8) ANNUAL FINANCIAL IMPACT \$0	(9) BUDGETED? No
(10) AGENDA PLACEMENT ☐ Consent ☐ Presentation ☒ Hearing (Time Est. 20 mins) ☐ Board Business (Time Est._____)			
(11) EXECUTED DOCUMENTS ☒ Resolutions ☐ Contracts ☐ Ordinances ☐ N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: ☐ 4/5th's Vote Required ☒ N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY BOS Authorization – July 18, 2023, PC Recommendation – August 22, 2024.	

(17) ADMINISTRATIVE OFFICE REVIEW

Bill Lucia

(18) SUPERVISOR DISTRICT(S)



COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Planning and Building
Mason Denning, Planner

VIA: Eric Hughes, Principal Environmental Specialist

DATE: October 29, 2024

SUBJECT: Hearing to consider a request by David Crye for a General Plan Amendment (LRP2023-00002) to (a) amend the Coastal Land Use Element and Local Coastal Program (Estero Area Plan) of the San Luis Obispo County General Plan to change the land use category on two parcels, totaling approximately 0.68 acres (APNs 064-095-015 and 064-095-020) from Commercial Service (CS) to Residential Multi-Family (RMF) and (b) add a new Planning Area Standard for the portion of the project site located on Birch Avenue (APN 064-095-020). The project site is located at 250 Ash Avenue and between 211 and 259 Birch Avenue, approximately 200 feet northwest of Cayucos Drive, within the community of Cayucos. The site is in the Estero Planning Area. Also to be considered is the determination that the project is exempt from environmental review under the California Environmental Quality Act (CEQA). (Planning and Building)

RECOMMENDATION

It is recommended that the Board:

1. Adopt a Resolution approving the General Plan Amendment to change the land use category of two parcels totaling approximately 0.68 acres, from CS to RMF ;
2. Amend the Cayucos Urban Area Standards in the Estero Area Plan to include a Planning Area Standard for the Birch Avenue parcel (APN 064-095-020) to establish minimum density and height measurement standards; and
3. Approve a General Rule Exemption pursuant to CEQA Guidelines Section 15061(b)(3).

DISCUSSION

Background

On July 18, 2023, the Board of Supervisors (Board) authorized County staff to process a request by David Crye (Applicant) to amend the General Plan and modify the land use category of two parcels from Commercial Service (CS) to Residential Multi-Family (RMF). The General Plan Amendment (GPA) would enable infill

residential development, allowing both single- and multi-family dwellings as principal uses and would be consistent with surrounding development. The Board further directed staff to collaborate with the Applicant to develop the site at a higher density and realize the full dwelling potential of the project site.

On August 22, 2024, the Planning Commission (Commission) considered the GPA with a Local Coastal Program (Estero Area Plan) amendment to the Cayucos Urban Area Standards that requires a minimum residential density of at least 15 units per acre (approximately five units for this project) and establishes height measurement standards for the Birch Avenue Parcel (APN 064-095-020). The Commission recommended the Board approve the amendments finding the proposed project consistent with the General Plan, Estero Area Plan, and other relevant sections of the Land Use Element (LUE) and Local Coastal Program (LCP).



Figure 1: Surrounding land use category map in relation to the project site.

Project Site

The project site consists of two parcels with four legal lots (Figure 1 / Figure 2):

- One 0.34-acre parcel designated Commercial Service (CS) – APN 064-095-015 – 250 Ash Avenue

- One 0.34-acre parcel designated Commercial Service (CS) – APN 064-095-020 – Birch Avenue Parcel

The project site is located west of Highway 101 near the northwestern edge of the Cayucos Central Business District within the Cayucos Urban Reserve Line, in the Estero Planning Area, and is subject to the Cayucos Urban Area Standards. The parcel addressed as 250 Ash Avenue (APN 064-095-015) has an existing storage building onsite (Permit #87016 / D900215P) and was previously graded and base material spread. The Birch Avenue unaddressed parcel (APN 064-095-020) is currently vacant with vegetation consisting of grasslands and coastal brush vegetation.

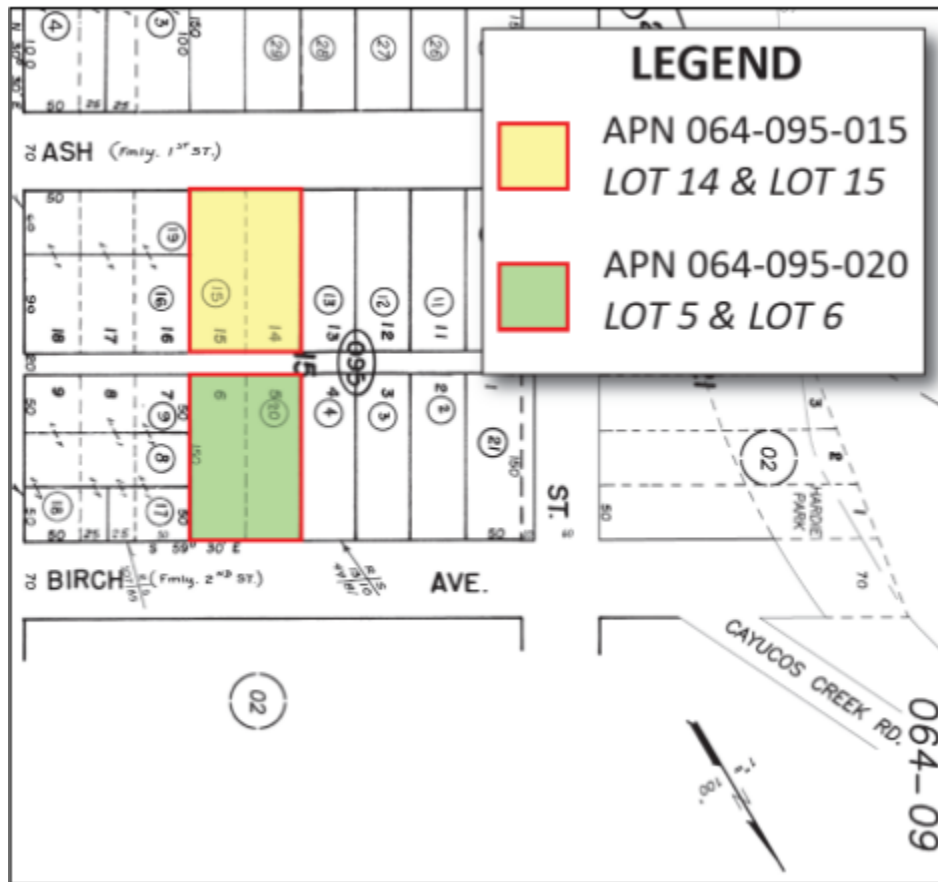


Figure 2: Assessor's Parcel Map.

The project site is generally surrounded by the following land use designations and existing uses (Figure 1):

- North:
 - Land Use Designation: Public Facilities
 - Existing Use: Cayucos Elementary School
- South:
 - Land Use Designation: Residential Multi-Family
 - Existing Use: Primarily Single-Family Residences
- East:
 - Land Use Designation: Office Professional
 - Existing Use: Primarily Single-Family Residences

- West:
 - Land Use Designation: Recreation
 - Existing Use: Hardie Park

ANALYSIS

For a more detailed discussion of the proposed GP and Land Use Ordinance (LUO) amendments, see the discussion considered by the Planning Commission on August 22, 2024 (Attachment 4).

Proposed General Plan Amendment

The proposed GPA to amend the land use category of the combined 0.68-acre project site from CS to RMF is consistent with existing policies and standards in the General Plan, including the goals and policies of the Estero Area Plan, the Coastal Zone Framework for Planning, and the Guidelines for Amendments to the Coastal LUO and LUE Planning Area Standards. Additionally, the project is also consistent with the intended purpose and intended character of the RMF land use category.

This GPA aligns with the San Luis Obispo Countywide Regional Compact (Regional Compact), a 2020 collaborative agreement between the County and all seven (7) cities to implement regional goals to meet underlying housing and infrastructure needs. Specifically, this GPA adheres to the goals outlined in the Regional Compact by providing additional housing supply, additional opportunity for residents to live and work in the same community, increasing the availability of housing development of all types, and accelerating housing production by achieving efficient planning for housing. The requested Land Use change to RMF would increase the amount of housing permitted at the site, aligning with the goals of the 2020-2028 County of San Luis Obispo Housing Element (Housing Element). The GPA would adhere to several policies within the Housing Element through support of new residential development within an existing urbanized area, and preserving existing supply of land that allows multi-family dwellings and discourages the development of such land at lower residential densities, or solely with nonresidential land uses.

The RMF land use designation is reasonable for the project site as it is consistent with the surrounding development by allowing both single-family and multi-family dwelling units. The Coastal Zone Framework for Planning identifies the purpose of the RMF land use category as to provide areas for residential development with a wide range of densities and housing types, including single-family dwellings and multi-family dwellings, and to locate higher residential densities near commercial areas and community services and facilities. If approved, the GPA would allow the applicant to develop single- and multi-family dwellings as a primary use on the site, principally permitted within the RMF land use designation per the Coastal Zone Framework for Planning (Coastal Table O – Coastal Allowable Use Table) subject to the permit requirement identified in Section 23.03 (Table 3-A). The land use change from CS to RMF may preclude the future growth of commercial services in the northwestern end of the CBD, however, the surrounding uses for this area are primarily residential. The parcels are located within a CS land use category pocket, whereas the majority of commercial uses in Cayucos are along the main corridor of the CBD, along Ocean Avenue.

Cayucos Land Use Policy H.1, within the Estero Area Plan, was established to ensure that the type and design of proposed development is compatible with Cayucos Elementary School and adjacent land use categories. This policy also requires future development to be compatible with existing and future residential development, compatible with the elementary school, and consistent with the safety of school children. The proposed GPA is

consistent with this policy as Cayucos Elementary School is primarily surrounded by the RMF land use designation with single- and multi-family land uses on three (3) sides.

The Board directed and Planning Commission recommended the new planning area standard (discussed below) requiring future development of the Birch Avenue parcel (APN 064-095-020) to comply with a minimum density requirement of 15 units/acre (approximately 5 units). The parcels are located within the Cayucos Urban Reserve Line (URL), within the urban service line and are programmed for full urban service. The area of the proposed GPA is immediately adjacent to parcels that are similar in size and development potential, as described in the Coastal Zone Framework for Planning and the project will contribute to the housing supply in the community of Cayucos. The proposed GPA is limited to the project site and would not affect allowable uses on adjacent parcels within any land use category immediately surrounding the project site. Lastly, future development within parcels 064-095-015 and 064-095-020 would require the necessary County land use and construction permits, including adherence to County development standards for allowable uses, density, building height limits, setbacks, open space provisions, parking requirements, and architectural and visual guidelines.



Figure 3: Surrounding land use category map in relation to the project site.

Proposed Planning Area Standard

The project was authorized for processing by the Board of Supervisors on July 28, 2023, by a vote of 5-0, with direction given to staff to discuss a range of residential unit densities and best use of the site with the applicant. Staff coordinated with the applicant to draft a Planning Area Standard for the Estero Area plan under the RMF section within the Cayucos Urban Area Standards that allows for a higher rate of density through establishment of a minimum required density (15 units per acre) and height measurement standards for the unaddressed Birch Avenue parcel.

This new Planning Area Standard would ensure that a minimum density is required for future development on the Birch Avenue parcel, precluding the application of the intensity standards that are established within County Code Section 23.04.084 – Multi-Family Dwellings. Additionally, the proposed height standard allows future development to be measured from the centerline of Birch Avenue, rather than natural grade, will help future development to meet density standards and remain architecturally compatible with the community character and architectural style within the community of Cayucos. The recommended Planning Area Standard is provided below, and within Attachment 2:

RESIDENTIAL MULTI-FAMILY:

The following standards apply only to lands within the Residential Multi-Family land use category.

Refer also to Section III, Areawide Standards, for additional development and design standards, and to Section V, Cayucos Urban Area Communitywide standards for residential design guidelines outside of Community Small-Scale Design Neighborhoods.

A. Density.

Maximum residential density for new projects, except for senior citizen housing (see the following standard), affordable housing in accordance with the Coastal Zone Land Use Ordinance development on the 10-acre parcel north of the Locarno Tract (see the standards in Section E, North of Locarno Tract) and the development on the Birch Avenue Parcel (see standards in Section F, Birch Avenue Parcel) shall be as follows:

F. Birch Avenue Parcel (APN 064-095-020) The following standards apply to the approximately 0.34-acre parcel located on Birch Avenue.

Future development shall be a multi-family residential project, including apartments or for-sale condominiums with a minimum density of 15 units per acre (approx. 5 units). Proposed development on this site shall not be subject to the intensity standards set forth in Section 23.04.084 – Multi-Family Dwellings. Development proposals shall maximize the total unit count beyond the 5-unit minimum to the extent possible while maintaining compliance with maximum height restrictions, parking standards, and neighborhood character. Maximum height for future development on this property shall be measured from the centerline of Birch Avenue.

Planning Commission Recommendation

On August 22, 2024, the Planning Commission held a hearing to review the requested General Plan and Coastal LUO Amendments. No public comment was received, and after deliberating, the Planning Commission voted 3-0 to recommend that the Board of Supervisors approve the Applicant's request based on the findings in Exhibit A of the Resolution in Attachment 2. Please note, that the findings have been revised and are included within Attachment 1.

Environmental Determination

Also to be considered is the environmental determination that the project qualifies for the General Rule Exemption under CEQA, pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 (Attachment 6).

The project qualifies for the General Rule Exemption, pursuant to CEQA Guidelines Section 15061(b)(3), because the project involves a General Plan Amendment and Estero Area Plan Amendment, and future land uses would be subject to discretionary review under CEQA. The project will not result in a direct or reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15060(c)(2)).

OTHER AGENCY INVOLVEMENT/IMPACT

The amendment was referred to all applicable and responsible agencies and was reviewed and recommended for approval by the Planning Commission. Specific referral responses and additional information may be found within Attachment 6.

In addition, County Counsel has reviewed the Resolution and ordinance as to form and content.

FINANCIAL CONSIDERATIONS

The Applicant has paid a deposit and entered into a Real-Time Billing Agreement, which allows for the recovery of the actual cost of processing the GPA application. There is no direct General Fund impact in analysis and consideration of this item.

RESULTS

If adopted, the amendments to the Coastal Zone Land Use Element (LUE)/Local Coastal Program (LCP) would change the land use category of parcels 064-095-015 and 064-095-020 from CS to RMF and add a new planning area standard to the Cayucos Urban Area Standards within the Estero Area Plan establishing minimum residential density of at least 15 units per acre (approximately five units for this project) and establish height measurement standards for the Birch Avenue parcel (APN 064-095-020). Future development is subject to the land use and building permit requirements of the County's Coastal LUO, and subject to environmental review pursuant to CEQA.

The Coastal Zone amendments will also require California Coastal Commission approval. After final Board action, the Department will submit the amendment to the Coastal Commission. If the Coastal Commission approves

and certifies the amendment, it will take effect immediately. If the Coastal Commission approves the amendments with suggested modifications, the Department will return to the Board for consideration and approval of the Coastal Commission's suggested modifications.

If the Board does not approve the Resolution, parcels 064-095-015 and 064-095-020 can still be developed in accordance with existing land uses and development types that are currently allowed in the LUE and LCP.

ATTACHMENTS

- 1 Attachment 1 – PowerPoint Presentation
- 2 Attachment 2 – Resolution for Land Use Category Amendment
- 3 Attachment 3 – Proposed Planning Area Standard
- 4 Attachment 4 – Existing Planning Area Standard
- 5 Attachment 5 – Planning Commission Staff Report (August 22, 2024)
- 6 Attachment 6 – Planning Commission Recommendation
- 7 Attachment 7 – Referral Responses
- 8 Attachment 8 – CEQA Notice of Exemption
- 9 Attachment 9 – Graphics