

APPENDIX B - PART II: APPLICABLE COASTAL PLANS AND POLICIES

- Coastal Plan Policies
- Estero Area Plan
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1. COASTAL PLAN POLICIES - LOCAL COASTAL PROGRAM

The Coastal Plan Policies were adopted in 1988, and amended in 1995. The California Coastal Act of 1976 mandates that local governments prepare a land use plan and schedule of implementing actions to carry out the policies of the Coastal Act. The Coastal Plan Policies represents the county’s commitment to implement the Coastal Act through both general plan policies and identification of detailed land use recommendations.

Table B.2-1: Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Shoreline Access Policy 1	Public prescriptive rights may exist in certain areas of the county. Development shall not interfere with the public's right of access to the sea where acquired through historic use or legislative authorization. These rights shall be protected through public acquisition measures or through permit conditions which incorporate access measures into new development.	Potentially Consistent: Refer to General Response 4.
Shoreline Access Policy 2	Maximum public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development. Exceptions may occur where: <ol style="list-style-type: none"> (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; (2) adequate access exists nearby; or (3) agriculture would be adversely affected. Such access can be lateral and/or vertical. Lateral access is defined as those accessways that provide for public access and use along the shoreline. Vertical access is defined as those accessways which extend to the shore, or perpendicular to the shore in order to provide access from the first public road to the shoreline. 	Potentially Consistent: Refer to General Response 4.



Table B.2-1: Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Shoreline Access Policy 8	Maximum access shall be provided in a manner which minimizes conflicts with adjacent uses. Where a proposed project would increase the burdens on access to the shoreline at the present time or in the future, additional access areas may be required to balance the impact of heavier use resulting from the construction of the proposed project.	Potentially Consistent: Refer to General Response 4.
Shoreline Access Policy 10	The acquisition of rights for access and view purposes and other uses by the public should be consistent with the protection of the property and use rights of property owners. Access routes should be selected and designed so as to minimize the public impact on private property.	Potentially Consistent: Refer to General Responses 4 and 13.
Sensitive Habitats Policy 1	New development within or adjacent to locations of environmentally sensitive habitats (within 100 feet unless sites further removed would significantly disrupt the habitat) shall not significantly disrupt the resource. Within an existing resource, only those uses dependent on such resources shall be allowed within the area.	Potentially Consistent: Refer to General Response 17 and 21.
Sensitive Habitats Policy 2	As a condition of permit approval, the applicant is required to demonstrate that there will be no significant impact on sensitive habitats and that proposed development or activities will be consistent with the biological continuance of the habitat. This shall include an evaluation of the site prepared by a qualified professional which provides: a) the maximum feasible mitigation measures (where appropriate), and b) a program for monitoring and evaluating the effectiveness of mitigation measures where appropriate.	Potentially Consistent: Refer to General Response 17 and 21.
Sensitive Habitats Policy 3	The county or Coastal Commission should require the restoration of damaged habitats as a condition of approval when feasible. Detailed wetlands restoration criteria are discussed in Policy 11.	Potentially Consistent: Refer to General Response 4 and 21.



Table B.2-1: Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Sensitive Habitats Policy 4	No divisions of parcels having environmentally sensitive habitats within them shall be permitted unless it can be found that the buildable area(s) are entirely outside the minimum standard setback required for that habitat (100 feet for wetlands, 50 feet for urban streams, 100 feet for rural streams). These building areas (building envelopes) shall be recorded on the subdivision or parcel map.	Potentially Consistent: Refer to General Response 4, 17 and 21.
Sensitive Habitats Policy 5	The county shall continue programs and policies that support greenbelt and open space areas on the urban fringe of coastal communities. In conjunction with the development of Habitat Conservation Plans (HCP's), certain greenbelt areas may be suitable as habitat mitigation banks to help offset impacts from development in adjacent urban areas. Other areas may be best utilized for open space, agriculture, or public recreation. Mitigation banking shall be further evaluated as a potential implementation mechanism.	Potentially Consistent: Refer to General Response 4 and 13.
Wetlands Policy 7	Coastal wetlands are recognized as environmentally sensitive habitat areas. The natural ecological functioning and productivity of wetlands and estuaries shall be protected, preserved and where feasible, restored.	Potentially Consistent: Refer to General Response 4, 17 and 21.
Wetlands Policy 10	San Luis Obispo County shall continue to encourage the use of open space easements or Williamson Act contracts to ensure preservation of coastal wetlands. The county will develop guidelines to facilitate use of open space easements to include requirements for length of dedication (i.e., perpetuity or 10 years), appropriate management responsibility, etc.	Potentially Consistent: Refer to General Response 16 and 22.
Wetlands Policy 12	The State Department of Fish and Game shall review all applications for development in or adjacent to coastal wetlands and recommend appropriate mitigation measures where needed, which should be incorporated in the project design.	Potentially Consistent: Refer to General Response 17.



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Section	Ordinance	Discussion
Wetlands Policy 16	Development adjacent to coastal wetlands shall be sited and designed to prevent significant impacts to wetlands through noise, sediment or other disturbances. Development shall be located as far away from the wetland as feasible, consistent with other habitat values on the site.	Potentially Consistent: Refer to General Response 15 and 20.
Wetlands Policy 17	In new development, a buffer strip shall be required and maintained in natural condition along the periphery of all wetlands. This shall be a minimum of 100 feet in width measured from the upland extent of the wetland unless a more detailed requirement for a greater or lesser amount is included in the LUE or the LUO would allow for adjustment to recognize the constraints which the minimum buffer would impose upon existing subdivided lots.	Potentially Consistent: Refer to General Response 4, 17, and 21.
Wetlands Policy 18	For buffers less than 100 feet as established consistent with Policy 15 mitigation measures to ensure wetland protection shall be required, and shall include (where applicable) vegetative screening, landscaping with native vegetation, drainage controls and other such measures.	Potentially Consistent: Refer to General Response 4, 17, and 21.
Wetlands Policy 19	Open space easements or offers to dedicate the wetland shall be a condition of major structural development (including single-family residence) for all property larger than one acre which contain wetlands habitat.	Potentially Consistent: Refer to General Response 4, 17, and 21.
Coastal Streams Policy 20	Coastal streams and adjoining riparian vegetation are environmentally sensitive habitat areas and the natural hydrological system and ecological function of coastal streams shall be protected and preserved.	Potentially Consistent: Refer to General Response 4, 17, and 21.



Table B.2-1: Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Coastal Streams Policy 21	Development adjacent to or within the watershed (that portion within the coastal zone) shall be sited and designed to prevent impacts which would significantly degrade the coastal habitat and shall be compatible with the continuance of such habitat areas. This shall include evaluation of erosion and runoff concerns.	Potentially Consistent: Refer to General Response 20 and 21.
Coastal Streams Policy 22	Significant streambed alterations require the issuance of a California Department of Fish and Game 1601-1603 agreement. The Department should provide guidelines on what constitutes significant streambed alterations so that the county and applicants are aware of what is considered a "significant" streambed alteration. In addition, streambed alterations may also require a permit from the U.S. Army Corp of Engineers.	Potentially Consistent: Refer to General Response 17.
Coastal Streams Policy 23	The State Water Resources Control Board and the county shall ensure that the beneficial use of coastal stream waters is protected, for projects over which it has jurisdiction. For projects which do not fall under the review of the State Water Resources Control Board, the county (in its review of public works and stream alterations) shall ensure that the quantity and quality surface water discharge from streams and rivers shall be maintained at levels necessary to sustain the functional capacity of streams, wetland, estuaries and lakes.	Potentially Consistent: Refer to General Response 17, 19-21.



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Section	Ordinance	Discussion
Coastal Streams Policy 26	Cutting or alteration of naturally occurring vegetation that protects riparian habitat is not permitted except for permitted streambed alterations (defined in Policy 23) and where no feasible alternative exists or an issue of public safety exists. This policy does not apply to agricultural use of land where expanding vegetation is encroaching on established agricultural uses. Minor incidental public works project may also be permitted where no feasible alternative exists including but not limited to utility lines, pipelines, driveways and roads. Riparian vegetation shall not be removed to increase agricultural acreage unless it is demonstrated that no impairment of the functional capacity of the habitat will occur. Where permitted, such actions must not cause significant stream bank erosion, have a detrimental effect on water quality or quantity, or impair the wildlife habitat values of the area. This must be in accordance with the necessary permits required by Sections 1601 and 1603 of the California Fish and Game Code.	Potentially Consistent: Refer to General Response 4, 17, and 21.
Coastal Streams Policy 28	In rural areas (outside the USL) a buffer setback zone of 100 feet shall be established between any new development (including new agricultural development) and the upland edge of riparian habitats.	Potentially Consistent: Refer to General Response 4, 17, and 21
Coastal Streams Policy 29	Designated plant and wildlife habitats are environmentally sensitive habitat areas and emphasis for protection should be placed on the entire ecological community. Only uses dependent on the resource shall be permitted within the identified sensitive habitat portion of the site.	Potentially Consistent: Refer to General Response 4, 17, and 21
Terrestrial Habitats Policy 30	Native trees and plant cover shall be protected wherever possible. Native plants shall be used where vegetation is removed.	Potentially Consistent: Refer to General Response 4, 17, and 21.
Terrestrial Habitats Policy 33	San Luis Obispo County, or the appropriate public agency, shall ensure that the design of trails in and adjoining sensitive habitat areas shall minimize adverse impact on these areas.	Potentially Consistent: Refer to General Response 4, 17, 19, and 21.



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Section	Ordinance	Discussion
Terrestrial Habitats Policy 35	Vegetation which is rare or endangered or serves as cover for endangered wildlife shall be protected against any significant disruption of habitat value. All development shall be designed to disturb the minimum amount possible of wildlife or plant habitat.	Potentially Consistent: Refer to General Response 4, 17, and 21.
Terrestrial Habitats Policy 36	Disturbance or destruction of any dune vegetation shall be limited to those projects which are dependent upon such resources where no feasible alternatives exist and then shall be limited to the smallest area possible. Development activities and uses within dune vegetation shall protect the dune resources and shall be limited to resource dependent, scientific, educational and passive recreational uses. Coastal dependent uses may be permitted if it can be shown that no alternative location is feasible, such development is sited and designed to minimize impacts to dune habitat and adverse environmental impacts are mitigated to the maximum extent feasible.	Potentially Consistent: Refer to General Response 4, 17, and 21.



Table B.2-1: Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Agriculture Policy 1	Prime agricultural land shall be maintained, in or available for, agricultural production unless: 1) agricultural use is already severely limited by conflicts with urban uses; or 2) adequate public services are available to serve the expanded urban uses, and the conversion would preserve prime agricultural land or would complete a logical and viable neighborhood, thus contributing to the establishment of a stable urban/rural boundary; and 3) development on converted agricultural land will not diminish the productivity of adjacent prime agricultural land. Other lands (non-prime) suitable for agriculture shall be maintained in or available for agricultural production unless: 1) continued or renewed agricultural use is not feasible; or 2) conversion would preserve prime agricultural land or concentrate urban development within or contiguous to existing urban areas which have adequate public services to serve additional development; and 3) the permitted conversion will not adversely affect surrounding agricultural uses. All prime agricultural lands and other (non-prime) lands suitable for agriculture are designated in the land use element as Agriculture unless agricultural use is already limited by conflicts with urban uses.	Consistent: The proposed amendments include restrictions on development within prime agricultural land.
Agriculture Policy 2	Land division in agricultural areas shall not limit existing or potential agricultural capability. Divisions shall adhere to the minimum parcel sizes set forth in the Coastal Zone Land Use Ordinance.	Consistent: The proposed amendments include restrictions on development within prime agricultural land and requirements for agricultural buffers.
Agriculture Policy 3	In agriculturally designated areas, all non-agricultural development which is proposed to supplement the agricultural use permitted in areas designated as agriculture shall be compatible with preserving a maximum amount of agricultural use. When continued agricultural use is not feasible without some supplemental use, priority shall be given to commercial recreation and low intensity visitor-serving uses allowed in Policy 1.	Potentially Consistent: Refer to General Response 16 and 22.



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Section	Ordinance	Discussion
Agriculture Policy 4	A single-family residence and any accessory agricultural buildings necessary to agricultural use shall, where possible, be located on other than prime agricultural soils and shall incorporate whatever mitigation measures are necessary to reduce negative impacts on adjacent agricultural uses.	Potentially Consistent: Refer to General Response 4. The proposed amendments include restrictions on development within prime agricultural land.
Agriculture Policy 5	To minimize conflicts between agricultural and urban land uses, the urban service line shall be designated the urban-rural boundary. Land divisions or development requiring new service extensions beyond this boundary shall not be approved.	Potentially Consistent: Refer to General Response 19.
Agriculture Policy 6	To minimize conflicts between agricultural and urban land uses, the urban service line shall be designated the urban-rural boundary. Land divisions or development requiring new service extensions beyond this boundary shall not be approved.	Consistent: Agricultural cluster subdivisions are not proposed within urban areas or with urban service areas. The proposed ordinance does not allow for the creation of community water or sewage disposal systems..
Agriculture Policy 7	Water extractions consistent with habitat protection requirements shall give highest priority to pre- serving available supplies for existing or expanded agricultural uses.	Potentially Consistent: Refer to General Response 19.
Agriculture Policy 12	Consistent with other applicable LCP access policies which provide for access dedications, the county shall require at the time a Coastal Development permit is processed, the establishment of vertical and/or lateral access to the beach for which no established vertical or lateral access exists. Improvements and management of accessways shall be provided in agricultural areas adequate to avoid adverse impacts on, and protect the productivity of, adjacent agricultural soils.	Potentially Consistent: Refer to General Response 4.
Public Works Policy 1	New development (including divisions of land) shall demonstrate that adequate public or private service capacities are available to serve the proposed development. Priority shall be given to infilling within existing subdivided areas.	Potentially Consistent: Refer to General Responses 4, 8 and 19.



Table B.2-1: Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Public Works Policy 6	The county will implement the Resource Management System to consider where the necessary resources exist or can be readily developed to support new land uses. Permitted public service expansions shall ensure the protection of coastal natural resources including the bio- logical productivity of coastal waters. In the interim, where they are identified public service limitations, uses having priority under the Coastal Act shall not be precluded by the provision of those limited services to non-priority uses.	Potentially Consistent: Refer to General Responses 4, 8 and 19.
Public Works Policy 10	During the periodic update of the Local Coastal Program, including area plan updates, the County and California Coastal Commission should require new or expanded urban development to be located within the Urban Services Line (USL) of coastal communities. The USL defines areas where the capital improvement program and community plans should schedule extensions of public services and utilities needed for urban development. Proposals to increase urban density or intensity of urban land uses outside of the USL should be discouraged. Other nonregulatory methods to encourage infilling of development within communities may include greenbelt programs, transfer of development credits programs, agricultural conservation easements, and open space initiatives.	Consistent: The proposed ordinance amendments do not propose agricultural clusters within Urban Service Lines. The proposed ordinance amendments do not proposed urban density outside of the Urban Service Lines. The proposed ordinance amendments require preservation of 95% of the site in permanent agricultural easement.
Coastal Watersheds Policy 1	The long-term integrity of groundwater basins within the coastal zone shall be protected. The safe yield of the groundwater basin, including return and retained water, shall not be exceeded except as part of a conjunctive use or resource management program which assures that the biological productivity of aquatic habitats are not significantly adversely impacted.	Potentially Consistent: Refer to General Response 19.



Table B.2-1: Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Coastal Watersheds Policy 2	Extractions, impoundments and other water resource developments shall obtain all necessary county and/or state permits. All pertinent information on these uses (including water conservation opportunities and impacts on in-stream beneficial uses) will be incorporated into the data base for the Resource Management System and shall be supplemented by all available private and public water resources studies available. Groundwater levels and surface flows shall be maintained to ensure that the quality of coastal waters, wetlands and streams is sufficient to provide for optimum populations of marine organisms, and for the protection of human health. (Public works projects are discussed separately.)	Potentially Consistent: Refer to General Response 17 and 19.
Coastal Watersheds Policy 3	In basins where extractions are approaching groundwater limitations, the county shall require applicants to install monitoring devices and participate in water monitoring management programs.	Potentially Consistent: Refer to General Response 19.
Coastal Watersheds Policy 4	Agriculture shall be given priority over other land uses to ensure that existing and potential agricultural viability is preserved, consistent with protection of aquatic habitats.	Potentially Consistent: Refer to General Response 19.
Coastal Watersheds Policy 8	Land clearing and grading shall be avoided during the rainy season if there is a potential for serious erosion and sedimentation problems. All slope and erosion control measures should be in place before the start of the rainy season. Soil exposure should be kept to the smallest area and the shortest feasible period.	Potentially Consistent: Refer to General Response 20.
Visual and Scenic Resources Policy 1	Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved protected, and in visually degraded areas restored where feasible.	Potentially Consistent: Refer to General Response 4 and 13.



Table B.2-1: Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Visual and Scenic Resources Policy 2	Permitted development shall be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors. In particular, new development should utilize slope created "pockets" to shield development and minimize visual intrusion.	Potentially Consistent: Refer to General Response 13.
Visual and Scenic Resources Policy 4	New development shall be sited to minimize its visibility from public view corridors. Structures shall be designed (height, bulk, style) to be subordinate to, and blend with, the rural character of the area. New development which cannot be sited outside of public view corridors is to be screened utilizing native vegetation; however, such vegetation, when mature, must also be selected and sited in such a manner as to not obstruct major public views. New land divisions whose only building site would be on a highly visible slope or ridgetop shall be prohibited.	Potentially Consistent: Refer to General Response 13.
Visual and Scenic Resources Policy 5	Grading, earthmoving, major vegetation removal and other landform alterations within public view corridors are to be minimized. Where feasible, contours of the finished surface are to blend with adjacent natural terrain to achieve a consistent grade and natural appearance.	Potentially Consistent: Refer to General Response 13 and 14.
Visual and Scenic Resources Policy 7	The location and design of new development shall minimize the need for tree removal. When trees must be removed to accommodate new development or because they are determined to be a safety hazard, the site is to be replanted with similar species or other species which are reflective of the community character.	Potentially Consistent: Refer to General Response 14 and 17.
Visual and Scenic Resources Policy 8	Where feasible, utility lines within public view corridors should be placed underground whenever their aboveground placement would inhibit or detract from ocean views. In all other cases, where feasible, they shall be placed in such a manner as to minimize their visibility from the road.	Potentially Consistent: Refer to General Response 13.



Table B.2-1: Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Hazards Policy 1	All new development proposed within areas subject to natural hazards from geologic or flood conditions (including beach erosion) shall be located and designed to minimize risks to human life and property. Along the shoreline new development (with the exception of coastal-dependent uses or public recreation facilities) shall be designed so that shoreline protective devices (such as seawalls, cliff retaining walls, revetments, breakwaters, groins) that would substantially alter landforms or natural shoreline processes, will not be needed for the life of the structure. Construction of permanent structures on the beach shall be prohibited except for facilities necessary for public health and safety such as lifeguard towers.	Potentially Consistent: Refer to General Response 7.
Hazards Policy 3	The county shall require a detailed review of development proposed within the geologic study area and flood hazard combining designations as indicated on the Land Use Element maps for the coastal zone. The review shall be performed by a qualified registered and/or certified engineering geologist and shall be adequately detailed to provide recommendations and conclusions consistent with this plan. Residential, commercial and industrial development shall be prohibited within the 100 year floodplain (1% chance of inundation in any year) as delineated in the Flood Hazard combining designation except for those areas within an urban reserve line.	Potentially Consistent: Refer to General Response 7.



Table B.2-1: Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Hazards Policy 6	New development or expansion of existing uses on blufftops shall be designed and set back adequately to assure stability and structural integrity and to withstand bluff erosion and wave action for a period of 75 years without construction of shoreline protection structures which would require substantial alterations to the natural landforms along bluffs and cliffs. A site stability evaluation report shall be prepared and submitted by a certified engineering geologist based upon an on-site evaluation that indicates that the bluff setback is adequate to allow for bluff erosion over the 75 year period. Specific standards for the content of geologic reports are contained in the Coastal Zone Land Use Ordinance.	Potentially Consistent: Refer to General Response 4, 7 and 20.
Archaeological Resources Policy 1	The county shall provide for the protection of both known and potential archaeological resources. All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored at the time of a development proposal to avoid development on important archaeological sites. Where these measures are not feasible and development will adversely affect identified archaeological or paleontological resources, adequate mitigation shall be required.	Potentially Consistent: Refer to General Response 5.
Archaeological Resources Policy 2	Activities other than development, which could damage or destroy archaeological sites, including off-road vehicle use on or adjacent to known sites and unauthorized collecting of artifacts, shall be prohibited.	Potentially Consistent: Refer to General Response 5.
Archaeological Resources Policy 4	Development shall require a preliminary site survey by a qualified archaeologist knowledgeable in Chumash culture prior to a determination of the potential environmental impacts of the project.	Potentially Consistent: Refer to General Response 5.
Archaeological Resources Policy 5	Where substantial archaeological resources are found as a result of a preliminary site survey before construction, the county shall require a mitigation plan to protect the site.	Potentially Consistent: Refer to General Response 5.



Table B.2-1: Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Archaeological Resources Policy 6	Where substantial archaeological resources are discovered during construction of new development, or through non-permit related activities (such as repair and maintenance of public works projects) all activities shall cease until a qualified archaeologist knowledgeable in the Chumash culture can determine the significance of the resource and submit alternative mitigation measures.	Potentially Consistent: Refer to General Response 5.
Air Quality Policy 1	The county will provide adequate administration and enforcement of air quality programs and regulations to be consistent with the county's Air Pollution Control District and the State Air Resources Control Board.	Consistent: Refer to General Response 2.

2. ESTERO AREA PLAN

The Estero Area Plan was adopted in 1988, and revised in 2002 and 2008. The Estero Planning Area encompasses the central coastal area of San Luis Obispo County from Point Estero on the north to Point Buchon on the south, and from the coast inland to Los Padres National Forest. This report describes county land use policies for the coastal zone portion of the Estero Planning Area, including regulations that are also adopted as part of the Land Use Ordinances and Local Coastal Program.

Table B.2-2: Estero Area Plan

Section	Ordinance	Discussion
Water Supply Policies	Monitor water demand through the Resource Management System to assure that new development can be supported by available water supplies without depleting groundwater supplies and/or degrading water quality.	Potentially Consistent: Refer to General Response 19.



Table B.2-2: Estero Area Plan

Section	Ordinance	Discussion
Development within Resource Capacities	Adequate public or private resource capacities shall be available to serve proposed development. Within urban areas, adequate water supply and sewage disposal capacities shall be available to serve both existing and potential development within the community before approval of new land divisions using those services. Land divisions requiring urban service extensions beyond the USL/URL shall be prohibited.	Potentially Consistent: Refer to General Response 8 and 19.
Rural Land Use Policies	Maintain agriculture and the rural character of the area.	Consistent: The proposed amendments will maintain 95% of the site in agriculture and individual projects will be evaluated to assure consistency with the surrounding area.
	Protect agriculture, open space and sensitive resources.	Potentially Consistent: Refer to General Response 16.
	Maintain existing land use categories and agricultural uses in rural areas.	Consistent: The proposed ordinance amendments do not propose changing land use categories to categories other than Agriculture.
	Avoid "leapfrog" development.	
Protect ground water supplies for agriculture. Reject proposed general plan amendments that increase density or expand urban areas if resulting development would adversely affect ground water supplies, quality or recharge capability needed for agricultural uses.	Potentially Consistent: Refer to General Response 19.	
Rural Land Use Policies – Agriculture	Provide incentives for landowners to maintain land in productive agricultural use; require affirmative agricultural easements where appropriate.	Potentially Consistent: Refer to General Response 16 and 22.



Table B.2-2: Estero Area Plan

Section	Ordinance	Discussion
	Maintain existing Agriculture land use categories in order to protect agricultural resources; do not convert agricultural land to other land use categories or revise planning area standards so as to enable more intensive non-agricultural development; assure that residential development is necessary to or maintains Agricultural land uses to the maximum extent feasible.	Consistent: The proposed ordinance amendments do not propose changing the land use category to any land use category other than Agriculture and the 95% agricultural parcel requirement and agricultural buffers maintain agricultural uses to the maximum extent feasible.
	Support creation of a greenbelt adjacent to the urban reserve line to clearly define the urban edge of Los Osos, prevent urban sprawl, discourage conversion of agricultural land, and protect unique and sensitive habitat, including wildlife corridors.	Consistent: Where a greenbelt is established, agricultural cluster development would not be allowed.
	Protect scenic views, especially those of the hillsides and ridges of the Irish Hills as seen from Los Osos Valley Road without interfering with agricultural production.	Potentially Consistent: Refer to General Response 13 and 14.
	Protect scenic vistas of the Morros.	Potentially Consistent: Refer to General Response 13 and 14.
	Protect the Chorro, Morro and Little Morro Valleys for continued agricultural use, retaining the larger parcels for cropland and grazing uses while allowing plant and animal specialties on smaller parcels.	Consistent: The requirement for 95% of the site maintained in 95% agriculture will allow for continued agricultural use.
	Prevent urban development outside the Morro Bay city limits, and direct future growth onto developable, non-prime lands within the city.	Consistent: The proposed ordinance amendments do not allow for urban development.
	Protect open space and sensitive resources on the coastal terrace to the south of Cayucos.	Potentially Consistent: Refer to General Response 4 and 14.



Table B.2-2: Estero Area Plan

Section	Ordinance	Discussion
Planning Area Standard III-A-1	Clustered or Concentrated Development. Wherever standards in this chapter call for clustering or concentrating development to protect identified sensitive features, land divisions, Minor Use Permits and Development Plans shall comply with the following [refer to standard].	Consistent: Proposed amendments require that proposed parcels have a contiguous clustered design.
Planning Area Standard III-A-2	Cluster or concentrate development on the least sensitive portions of the site in order to protect and sustain environmentally sensitive areas.	Consistent: Proposed amendments require that proposed parcels have a contiguous clustered design. Refer to General Response 4, 14, 17, and 21.
	All development within 100 feet of the preceding sensitive features shall comply with the applicable standards for ESH in the Coastal Plan Policies and in Chapter 23.07 of the Coastal Zone Land Use Ordinance, except as otherwise specified in this plan.	Potentially Consistent: Refer to General Response 21.
	Development shall not significantly disrupt or cause significant adverse environmental impacts to the preceding sensitive features, and shall not diminish the long-term sustainability of the biological resources.	Potentially Consistent: Refer to General Response 14.
	Development on all proposed building sites shall result in no adverse impacts to environmentally and other sensitive areas, including avoidance of the required setbacks, buffers and fuel modification zones, as verified by the required biological report. Land divisions, lot-line adjustments, and development shall be designed so that fuelbreaks and vegetation or fuel modification areas that are needed to reduce fire hazards do not disrupt or cause adverse impacts to the sensitive features listed in preceding paragraph a. Fuelbreaks and vegetation or fuel modification areas shall be located on the development side of required setbacks from sensitive features, and shall be in addition to the required setbacks, as shown in Figure 7-1.	Potentially Consistent: Refer to General Response 7, 14 and 17.



Table B.2-2: Estero Area Plan

Section	Ordinance	Discussion
Standard III-B-1	Overriding Land Division Requirements. New land divisions shall be prohibited unless all of the following criteria are satisfied:	
	Development on all proposed building sites results in no adverse impacts to environmentally and other sensitive areas (including as defined in preceding standard A2) including avoidance of the required setbacks, buffers and fuel modification zones, as verified by the required biological report.	Potentially Consistent: Refer to General Response 7, 14 and 17.
	Building sites shall not be located on slopes or ridgetops so that structures are silhouetted against the sky as viewed from public roads, public beaches, the ocean, or the Morro Bay estuary.	Potentially Consistent: Refer to General Response 13.
	Development Potential. The residential densities for new land divisions and development specified in this plan and in the Local Coastal Program are a maximum, and shall be reduced as needed to protect the environmentally sensitive areas as defined in preceding Section III-A of the Areawide Standards.	Potentially Consistent: Refer to General Response 4.
Standard III-H	At the time of application for any land division, land use permit or coastal development permit, the applicant shall provide details on any proposed exterior lighting, if applicable. Except as necessary to support agricultural operations, all lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark-colored.	Potentially Consistent: Refer to General Response 4 and 13.
Standard III-J	New development using water from the Los Osos Groundwater Basin (see Figure 7-7) shall be required to offset water use within the Los Osos Groundwater Basin and shall not result in a net increase in water use.	Potentially Consistent: Refer to General Response 19.



Table B.2-2: Estero Area Plan

Section	Ordinance	Discussion
Standard IV-B	The Irish Hills Scenic Backdrop Critical Viewshed and the Los Osos Valley Road Scenic Corridor (see Figure 7-8) are established with the primary purpose of protecting the following: important views of scenic backdrops, background vistas and foreground areas from Los Osos Valley Road; important plant and animal habitats; and watershed resources. All applicable standards in the Coastal Zone Land Use Ordinance apply within this area (e.g., those in Chapter 23.04).	Potentially Consistent: Refer to General Response 4, 13, 17, and 21.
Standard IV-C	The Highway 1 - Cayucos Critical Viewshed (see Figure 7-9) is established to protect views of this scenic coastal area. All applicable standards in the Coastal Zone Land Use Ordinance apply within this area (e.g., those in Chapter 23.04). Development not exempt pursuant to CZLUO 23.04.210(a) shall be considered a conditional use.	Potentially Consistent: Refer to General Response 4 and 13.
Standard IV-D	Highway 1 and Los Osos Valley Road as shown on Figure 7-8 in the rural portions of the Planning Area are Scenic Corridors. All applicable standards in the Coastal Zone Land Use Ordinance apply (e.g., those in Chapter 23.04).	Potentially Consistent: Refer to General Response 4 and 13.
Combining Designations Standard B-1	Morros Area SRA and Critical Viewshed. The Morros Area SRA and Critical Viewshed is established with the primary purpose of protecting the following: important views from Highway 1, Los Osos Valley Road, Turri Road, and South Bay Blvd.; natural landmarks and scenic backdrops; locations of important plant and animal habitats; and watershed resources.	Potentially Consistent: Refer to General Response 4 and 13.



Table B.2-2: Estero Area Plan

Section	Ordinance	Discussion
<p>Combining Designations Standard B-2</p>	<p>Coastal Terrace SRA and Critical Viewshed West of Cayucos The Coastal Terrace SRA and Critical Viewshed west of Cayucos is established on the coastal terrace south of Highway One that extends from the Cayucos urban reserve line westward to the planning area boundary. The purpose of this SRA and Critical Viewshed is to protect views of this scenic coastal area as seen from Highway 1, public beaches and the ocean, and to protect sensitive plants. The following standard applies within the portion of this area shown in Figure 7-10, in addition to all other applicable standards in the Coastal Zone Land Use Ordinance (e.g., those in Chapter 23.04).</p>	<p>Potentially Consistent: Refer to General Response 4 and 13.</p>
<p>Areawide: Energy Development Location</p>	<p>New development shall be sited to avoid areas with high constraints or sensitivity for erosion potential, such as areas of alluvium near stream channels, areas underlain by the Franciscan Formation with slopes greater than 20 percent or areas of existing landslides.</p>	<p>Potentially Consistent: Within the Coastal Zone an additional level of approval (Minor Use Permit) is required to develop on slopes in excess of 20 percent. All development is subject to an erosion and sedimentation control plan, and exceptions to erosion control requirements will not be granted in areas where the NRCS rates the soil as being highly erodible.</p>



3. NORTH COAST AREA PLAN

The North Coast Area Plan was first adopted in 1988, and most recently updated in 2007. The North Coast Planning Area extends from the Monterey/San Luis Obispo County Line on the north, to Point Estero on the south, and inland to the Coastal Zone boundary below the main ridge of the Santa Lucia range. The goals, together with parts of the Land Use Element and Local Coastal Program, provide the direction for the North Coast Area Plan as well as the basic plan for the area for the next twenty years.

Table B.2-3: North Coast Area Plan

Section	Ordinance	Discussion
Areawide Standard A-2	Driveways - New Land Divisions. New land divisions are to include, where possible, design provisions for combining driveways and private access roads serving proposed parcels wherever terrain and adequate sight distance on the public road allow.	Potentially Consistent: Proposed amendments will be referred to County Public Works and reviewed for compliance with this standard.
Areawide Standard A-4	Road Design and Construction - New Land Divisions. Road alignments proposed in new land division applications are to be designed and constructed to minimize terrain disturbance consistent with safety and construction cost. Altered slopes are to be replanted with indigenous plants, or protected by other appropriate erosion control measures.	Potentially Consistent: Refer to General Response 4 and 7.
Areawide Standard A-5	Application Contents - Land Divisions. Land division applications in areas visible from the public road must identify potential building site envelopes. These building sites shall be in developable locations least visible from the public road.	Potentially Consistent: Refer to General Response 13 and 21.
Areawide Standard A-6	Site Selection. Primary site selection for new development shall be locations not visible from Highway 1.	Potentially Consistent: Refer to General Response 13.
Areawide Standard A-7	Building Height. Unless a different maximum height is required by the standards for a specific area, structures on the west side of the highway shall be limited to 22 feet.	Potentially Consistent: Refer to General Response 13.



Table B.2-3: North Coast Area Plan

Section	Ordinance	Discussion
Combining Designation Standard 10	Site Planning - Development Plan Projects. Projects requiring Development Plan approval are to concentrate proposed uses in the least sensitive portions of properties. Native vegetation is to be retained as much as possible.	Potentially Consistent: Refer to General Response 13, 17, and 21.
Combining Designation Standard 13	Clustering. Clustering shall be required for new subdivisions or large scale development projects within forested areas. Where feasible, new development shall be restricted to slopes less than 20%.	Consistent: Proposed amendments require that proposed parcels have a contiguous clustered design.
Combining Designation Standard 15	Limitation On Use. No development is permitted unless it is agriculturally related, for water diversion projects, coastal accessways, or water wells and impoundments.	Consistent: This limitation only applies within the Arroyo de la Cruz SRA. Agricultural cluster locations are prohibited in SRA.

4. COASTAL ZONE LAND USE ORDINANCE (TITLE 23)

The Coastal Zone Land Use Ordinance was adopted in 1988, and revised in 2001. The regulations set forth in this ordinance have been adopted to guide and manage the future growth of the county in accordance with the County General Plan and the Local Coastal Program and to regulate land use to encourage the orderly development and beneficial use of county lands. In addition, this ordinance seeks to provide appropriate development standards to minimize adverse effects on the public, protect and enhance the significant natural, historic, archaeological and scenic resources within the county, and to assist the public in identifying and understanding regulations affecting the development and use of land.

Table B.2-4: Coastal Zone Land Use Ordinance (Title 23 of the County Code)

Section	Ordinance	Discussion
23.04.050: Non-Agricultural uses in the Agriculture Land Use Category	a. Siting of structures. A single-family dwelling and any agricultural accessory buildings supporting the agricultural use shall, where feasible, be located on other than prime soils and shall incorporate mitigation measures necessary to reduce negative impacts on adjacent agricultural uses.	Potentially Consistent. Refer to General Response 4. The proposed amendments include restrictions on development within prime agricultural land.



Table B.2-4: Coastal Zone Land Use Ordinance (Title 23 of the County Code)

Section	Ordinance	Discussion
23.05.064: Tree Removal Standards	e. Preservation of trees and natural vegetation. New development shall incorporate design techniques and methods that minimize the need for tree removal.	Potentially Consistent: Refer to General Response 17.
23.05.140: Archeological Resources Discovery	<p>In the event archeological resources and unearthed or discovered during any construction activities, the following standards apply:</p> <p>a. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.</p> <p>b. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.</p>	Potentially Consistent: Refer to General Response 5.
23.07.022: Limitation on Use	Developments within areas covered by land use plans adopted by the San Luis Obispo County Airport Land Use Commission are limited to those identified in the plans as “compatible” and “conditionally approvable.” Projects conditionally approvable may be granted a permit only when in conformity with all conditions of the applicable airport land use plan or implementing rules adopted pursuant thereto.	Potentially Consistent: Refer to General Response 4 and 7.



Table B.2-4: Coastal Zone Land Use Ordinance (Title 23 of the County Code)

Section	Ordinance	Discussion
23.07.066: Construction Standards	<p>New Structures or an increase of 65 percent in the square footage of any existing structures (including manufactured homes) or other construction activities within a Flood Hazard Area combining designation are subject to the following:</p> <p>(6) All building or structures shall be located landward of mean high tide.</p>	<p>Potentially Consistent: Refer to General Response 7.</p>
23.07.104: Archaeologically Sensitive Areas	<p>d. Required finding. A land use or construction permit may be approved for a project within an archaeologically sensitive area only where the applicable approval body first finds that the project design and development incorporates adequate measures to ensure protection of significant archaeological resources.</p>	<p>Potentially Consistent: Refer to General Response 5.</p>



Table B.2-4: Coastal Zone Land Use Ordinance (Title 23 of the County Code)

Section	Ordinance	Discussion
<p>23.07.164: SRA Permit and Processing Requirements</p>	<p>b. Application content. Land use permit applications for projects within a Sensitive Resource Area shall include a description of measures proposed to protect the resource identified by the Land Use Element (Part II) area plan.</p> <p>e. Required findings. Any land use permit application within a Sensitive Resource Area shall be approved only where the Review Authority can make the following required findings:</p> <ol style="list-style-type: none"> (1) The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design. (2) Natural features and topography have been considered in the design and siting of all proposed physical improvements. (3) Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource. (4) The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff. 	<p>Potentially Consistent: Refer to General Response 4, 20 and 21.</p>
<p>23.07.166: Minimum Site Design and Development Standards</p>	<p>e. Where an SRA is applied because of specified species of trees, plants or other vegetation, such species shall not be disturbed by construction activities or subsequent operation of the use, except where authorized by Development Plan approval.</p>	<p>Potentially Consistent: Refer to General Response 4 and 21.</p>



Table B.2-4: Coastal Zone Land Use Ordinance (Title 23 of the County Code)

Section	Ordinance	Discussion
<p>23.07.170: Environmentally Sensitive Habitats</p>	<p>b. Required Findings. Approval of a land use permit for a project within or adjacent to an Environmentally Sensitive Habitat shall not occur unless the applicable review body first finds that:</p> <ul style="list-style-type: none"> (1) There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat. (2) The proposed use will not significantly disrupt the habitat. <p>d. Development standards for environmentally sensitive habitats.</p> <ul style="list-style-type: none"> (1) New development within or adjacent to the habitat shall not significantly disrupt the resource. (2) New development within the habitat shall be limited to those uses that are dependent upon the resource. (3) Where feasible, damaged habitats shall be restored as a condition of development approval. 	<p>Potentially Consistent: Refer to General Response 4 and 21.</p>



Table B.2-4: Coastal Zone Land Use Ordinance (Title 23 of the County Code)

Section	Ordinance	Discussion
<p>23.07.172: Wetlands</p>	<p>Development proposed within or adjacent to (within 100 feet of the upland extent of a wetland area shown on the Environmentally Sensitive Habitat Maps shall satisfy the requirements of this section to enable issuance of a land use or construction permit. These provisions are intended to maintain the natural ecological functioning and productivity of wetlands and estuaries and where feasible, to support restoration of degraded wetlands.</p> <p>a. Location of development. Development shall be located as far away from the wetland as feasible, provided that other habitat values on the site are not thereby more adversely affected.</p> <p>d. Wetland setbacks. New development shall be located a minimum of 100 feet from the upland extent of all wetlands, except as provided by subsection d (2). If the biological report required by Section 23.07.170 (Application Content) determines that such setback will provide an insufficient buffer from the wetland area, and the applicable approval body cannot make the finding required by Section 23.07.170b, then a greater setback may be required.</p> <p>(2) Wetland setback adjustment. The minimum wetland setback may be adjusted through Minor Use Permit approval (but in no case shall be less than 25 feet), provided that the following findings can be made:</p> <ul style="list-style-type: none"> (i) The site would be physically unusable for the principal permitted use unless the setback is reduced. (ii) The reduction is the minimum that would enable a principal permitted use to be established on the site after all practical design modifications have been considered. 	<p>Potentially Consistent: Refer to General Response 4 and 21.</p>



Table B.2-4: Coastal Zone Land Use Ordinance (Title 23 of the County Code)

Section	Ordinance	Discussion
<p>23.07.174: Streams and Riparian Vegetation</p>	<p>(iii) That the adjustment would not allow the proposed development to locate closer to the wetland than allowed by using the stringline setback method pursuant to Section 23.04.118a of this title.</p> <p>Coastal streams and adjacent riparian areas are environmentally sensitive habitats. The provisions of this section are intended to preserve and protect the natural hydrological system and ecological functions of coastal streams.</p> <ul style="list-style-type: none"> a. Development adjacent to a coastal stream. Development adjacent to a coastal stream shall be sited and designed to protect the habitat and shall be compatible with the continuance of such habitat. d. Riparian setbacks. New development shall be setback from the upland edge of riparian vegetation a minimum of 50 feet within urban areas (inside the USL) and 100 feet in rural areas (outside the USL), except as provided in subsection b. of this section. 	<p>Potentially Consistent: Refer to General Response 4 and 21.</p>
<p>23.07.176: Terrestrial Habitat Protection</p>	<p>The provisions of this section are intended to preserve and protect rare and endangered species of terrestrial plants and animals by preserving their habitats. Emphasis for protection is on the entire ecological community rather than only the identified plant or animal.</p> <ul style="list-style-type: none"> a. Protection of vegetation. Vegetation that is rare or endangered, or that serves as habitat for rare or endangered species shall be protected. Development shall be sited to minimize disruption of habitat. 	<p>Potentially Consistent: Refer to General Response 4 and 21.</p>



Table B.2-4: Coastal Zone Land Use Ordinance (Title 23 of the County Code)

Section	Ordinance	Discussion
<p>23.08.167 Residential Uses in the Agriculture Category</p>	<p>Agriculture land use category, including primary housing and farm support quarters are allowed accessory uses on the same site as an agricultural use, subject to the standards of this section. Such dwellings may include mobilehomes, subject also to the standards in Section 23.08.163 (Individual Mobile homes).</p> <p>a. Limitation on dwelling location – prime soils. Primary family housing and farm support quarters shall not be located on prime agricultural soils unless there is no other building site on the ownership that is all of the following:</p> <ul style="list-style-type: none"> (1) On other than prime soils; (2) Less than 20 percent in slope; and (3) Not within a designated Flood Hazard Combining Designation. 	<p>Potentially Consistent: Refer to General Response 4, 16 and 22. The proposed amendments include restrictions on development within prime agricultural land.</p>

