

Appendix

EXCERPTS FROM FRAMEWORK FOR PLANNING OF THE LAND USE ELEMENT (INLAND PORTION) - RESOURCE MANAGEMENT SYSTEM

Levels of Severity for Monitored Resources

The Resource Management System uses three levels of alert (called levels of severity) to identify potential and progressively more immediate resource deficiencies. The alerts are intended to occur while sufficient time is available for avoiding or correcting a shortage before a crisis develops. The management framework is designed to deal with neighborhood-level problems, such as a needed collector street, communitywide problems, such as the need for public sewers, as well as an areawide problem such as an overdraft of a groundwater basin. Threshold population levels or dates corresponding to the three levels of severity have been defined in each area plan for the basic resources of each area and community. A summary of the current estimated levels of severity are listed in Appendix D.

Level of Severity III occurs when resource use exceeds the capacity of the resource. For instance, when a groundwater basin is overdrafted or a road segment is operating beyond its design capacity, those particular resources operate at Level III. Criteria for Levels I and II precede the threshold for Level III by providing lead times necessary for avoiding or correcting particular resource deficiencies. The criteria for each level are not absolute, as particular community conditions or circumstances may logically support alternative criteria. Instead, they offer general guidelines for determining when resource management measures should be enacted. The criteria are described in a later section of this chapter entitled "Resource Issues and Alert Criteria for Levels of Severity" and are summarized in Table F (Amended 1990, Ord. 2443).

When resource monitoring indicates a threshold population may have been reached for a level of severity, the Planning Department notifies the Board of Supervisors with an advisory memo. Implementation of a public works project or management techniques would then occur only after public hearings on the validity of resource information being used, preparation of a resource capacity study, and action by the board, including the adoption of ordinances if necessary to address specific community resource problems.

The following sections describe in more detail the procedures for considering and reporting each of the three levels of severity:

Level I:	Resource capacity problem
Level II:	Diminishing resource capacity
Level III:	Resource capacity met or exceeded

Level I: Resource Capacity Problem

Level of Severity I is the earliest indication that a potential resource capacity problem exists or is anticipated. Its threshold is intended to be early enough to provide time to avoid a resource crisis with minimum impact on the development process. Level I occurs at the point where resource use will reach capacity in approximately the time required to expand capacity (including planning, funding and construction of a project where appropriate). Critical time periods for Level I problems for each resource are summarized in Table F (Amended 1990, Ord. 2443).

Under normal circumstances, community development is intended to continue through a Level I condition without any restrictions being enacted. Projects should still be evaluated without the Level I determination affecting them, unless otherwise directed by the Board of Supervisors.

Level I Procedure

When available data suggest a resource problem exists or is anticipated, the following procedure is to be used:

- 1.** Staff forwards an advisory memorandum to the Board of Supervisors (with copies to the Planning Commission for their information). The memorandum identifies the capacity problem and enables the Board to review the data upon which the staff recommendation is based.
- 2.** If the Board agrees that a potential resource problem exists, it initiates preparation of a resource capacity study, if necessary. The Board may also wish to initiate through an ordinance any conservation measures deemed necessary to partially relieve existing burdens on the affected resource (Amended 1990, Ord. 2443).
- 3.** Preparation of a resource capacity study, if necessary, should be undertaken by the county department or outside agency providing the particular service or resource being considered, in cooperation with the county and any other affected agencies (such as public or private water companies, sewer districts, community service districts, school districts and incorporated cities). A resource capacity study should (Amended 1990, Ord. 2443):
 - a.** Determine the capacity of the resource being studied;
 - b.** Identify thresholds for Level II and III deficiencies;

- c. Identify alternate measures for avoiding a predicted resource deficiency and evaluate the feasibility (and possible funding methods) of each measure;
 - d. Provide an estimated timetable for funding and completion of a public works project to correct the resource deficiency;
 - e. Recommend techniques for growth management to be used if needed to extend capacities.
4. Upon completion, a resource capacity study is forwarded to the Planning Commission for public hearing. The commission reviews study data and recommends to the Board of Supervisors as to its adequacy. Commission review should be completed and reported to the Board of Supervisors within a maximum of 40 days from when the study is placed on the commission agenda.
 5. Upon receipt of the Planning Commission recommendation, the Board of Supervisors holds a public hearing to review the resource capacity study, consider public testimony and determine whether the study should be certified. The board should certify that the study adequately assesses the affected resource as a basis for policy decisions. The data in the certified resource capacity study is then incorporated into the general plan as new resource data at the next available time for processing general plan amendments.

Level I Action Requirements

When the board finds that a Level of Severity I exists, the following shall occur (Amended 1990, Ord. 2443).

1. Prior to the annual budget process, the Department of Planning and Building shall review the Capital Improvement Program (CIP) of the affected agency, city or county department for the necessary project to avoid worsening the level of severity and forward recommendations to the County Administrative Office (CAO) and the County Auditor (Amended 1990, Ord. 2443).
2. If sufficient progress is not made toward funding the necessary project within one year from the finding of a Level of Severity I, the CAO in coordination with the County Auditor shall recommend to the Board of Supervisors that they adopt an appropriate action from the following (Amended 1990, Ord. 2443):
 - a. Restrictions or conditions on budget allocations to an affected department, if applicable, that shift priorities to the project (Amended 1990, Ord. 2443).
 - b. Restrictions on funding, such as discretionary loans, to affected districts if applicable (Amended 1990, Ord. 2443).
 - c. Restriction on approvals of capital projects for the affected agency (Amended 1990, Ord.

2443).

- d.** In the case of special districts, recommend to LAFCo denial of any annexations that increase demand for the affected resource (Amended 1990, Ord. 2443).
- e.** A Level of Severity II, if the project cannot be constructed before resource capacity is exceeded (Amended 1990, Ord. 2443).
- f.** The board will impose conservation measures within the service area (Amended 1990, Ord. 2443).
- g.** Other actions as necessary (Amended 1990, Ord. 2443).

Level II: Diminishing Resource Capacity

A Level of Severity II occurs when the current rate of resource use will deplete the resource before its capacity can be increased. When this condition occurs, the rate of resource depletion must be decreased to avoid exceeding the resource capacity. This may be accomplished through conservation or other growth management techniques (Amended 1990, Ord. 2443).

If a funding decision cannot be made, for a variety of reasons, the Board of Supervisors may choose to implement development restrictions to increase the lead time for avoiding the deficiency. When the Board of Supervisors finds that a resource deficiency has been corrected, any ordinance that enacted development restrictions should be repealed or allowed to expire. Applications would then be processed and reviewed as normal.

Level II Procedure

At this level staff advises the Board of Supervisors and the Planning Commission when the capacity of a particular resource is diminishing past the point of merely being a potential problem. The basis for this recommendation may come from completion of a previously ordered resource capacity study, monitoring program, or information developed for the Land Use Element update.

- 1.** The Department of Planning and Building forwards an advisory memo to the Board of Supervisors. Upon review of the Level II advisory memorandum, the board evaluates the validity of the data upon which the recommendation is based, and forwards the memo to the Planning Commission for a public hearing on the recommendation. The Board may also initiate a resource capacity study if more complete information is needed (Amended 1990, Ord. 2443).
- 2.** If the advisory memo is sent to the Planning Commission for a public hearing, it recommends an appropriate course of action to the Board of Supervisors. Commission review must be completed and reported to the board within a maximum of 40 days from the time the matter is placed on the commission agenda.

3. Upon receipt of the Planning Commission recommendation, the Board of Supervisors holds a public hearing to consider relevant resource data, public testimony, and to determine whether Level II exists.

If the board determines that Level II does not exist, staff is directed to either continue monitoring the resource and report back to the board; terminate monitoring; or take other action the board finds appropriate.

Level II Action Requirements

When the board finds that a Level of Severity II exists, it shall adopt land use policies that respond to a delay in funding for a necessary project, including but not limited to, the following (Amended 1990, Ord. 2443):

1. Manage the rate of resource depletion within the affected community or area to extend the availability of the resource until such time as the project will provide additional resource capacity (Amended 1990, Ord. 2443).
2. Initiate appropriate financing mechanisms to recover the project cost including, but not limited to, capital improvement bonds, assessment districts, developer fees, etc. (Amended 1990, Ord. 2443).
3. Use RMS information to evaluate the appropriate scale and timing of discretionary projects within the remaining resource capacity to determine whether they should be approved (Amended 1990, Ord. 2443).
4. Enact restrictions on further land development in the area that is affected by the resource problem (Amended 1990, Ord. 2443).
5. Enact adjustments to land use categories so that they will accommodate no more than the population which can be served by the remaining available resource, or redirect growth to communities or areas that have available resource capacity (Amended 1990, Ord. 2443).
6. Impose stringent conservation measures within the service area (Amended 1990, Ord. 2443).

Level III: Unavoidable Resource Deficiency

This is the most critical level of concern. Level III occurs when the capacity (maximum safe yield) of a resource has been met or exceeded. At Level III, there is a deficiency of sufficient magnitude that drastic actions may be needed to protect public health and safety. While the intention of the RMS is to avoid reaching Level III entirely through a prior series of advisory memos, it is still possible that such a situation may occur (Amended 1990, Ord. 2443).

Level III Procedure

The procedure for a Level III alert is as follows:

- 1.** An advisory memo is sent to the Board of Supervisors for consideration and referral to the Planning Commission as in the Level II procedure. The board should adopt appropriate interim actions to avoid panic or speculation on the outcome of the RMS procedure (Amended 1990, Ord. 2443).
- 2.** The Planning Commission holds a public hearing on the advisory memo. As at Level II, the commission has a maximum of 40 days to hold the public hearing and report to the board.
- 3.** After receiving the Planning Commission report, the board holds a public hearing to consider relevant resource data, public testimony, and to determine whether Level III exists.

If Level III is found not to exist, the board may direct staff to: maintain Level II procedures; modify Level II findings, or take whatever other action is deemed necessary by the board.

Level III Action Requirements

If Level III is found to exist, the board shall make formal findings to that effect, citing the basis for the findings, and shall (Amended 1990, Ord. 2443):

- 1.** Institute appropriate measures (including capital programs) to correct the critical resource deficiency, or at least restore Level II so that severe restrictions will be unnecessary. In many cases, other agencies or districts will control decisions about necessary measures. The Board of Supervisors shall only seek cooperative assistance for a certain time period, beyond which measures may be considered to enact county ordinances or standards affecting resource usage such as development restrictions.
- 2.** Adopt growth management or other urgency measures to initiate whatever restrictions are necessary to minimize or halt further resource depletion. Any such restrictions shall be reduced or removed only after a public hearing where the Board of Supervisors determines that Level III no longer exists and any dangers to public health or safety have been eliminated.
- 3.** A moratorium on land development or other appropriate measures shall be enacted in the area that is affected by the resource problem until such time that the project provides additional resource capacity to support such development (Amended 1990, Ord. 2443; 1995, Ord. 2740).

Resource Management System Coordination

Resource inventories and resource capacity studies should clearly describe short and long-term capital improvement programs of affected agencies, to indicate feasible projects that can be funded realistically within critical time periods. The studies also should be coordinated with the urban service and urban

reserve lines in the Land Use Element.

Resource capacity studies are to be forwarded to the Local Agency Formation Commission (LAFCO) for its use when considering requests for expansion of spheres of influence and spheres of service, or when considering proposed annexations to any incorporated cities. Because LAFCO definitions of "sphere of service" and "sphere of influence" correspond to the LUE definitions of urban service line and urban reserve line, respectively, such coordination is necessary to support orderly urban expansion.

Coordination between service agencies and the LUE is actually mandated by the Government Code (Section 65401) requirement that agencies involved in evaluating, planning or constructing major public works annually provide the county with a list of their proposed projects. The county must then prepare "...a coordinated program of proposed public works for the ensuing fiscal year." The coordinated program is then submitted to the county Planning Commission for review and a report "...as to conformity with the adopted general plan or part thereof." Participation of relevant service agencies and companies in the Resource Management System is encouraged to coordinate solutions to resource problems, particularly through the capital improvement program process, also described in Chapter 8.

Population Projections, November, 2005 San Luis Obispo County								
Community	Population in Households (Population in group quarters not included)							
	1990	2000	2005	2007	2010	2011	2012	2014
San Luis Obispo	40478	42188	42657	43527	44833	45290	45747	46661
Atascadero	22876	24884	25944	26473	27267	27545	27823	28379
Paso Robles	18529	23223	27577	28869	30807	31382	31957	33107
Arroyo Grande	14215	15550	16327	16660	17160	17325	17510	17860
Los Osos	14369	14343	14160	14228	14330	14365	14400	14470
Grover Beach	11615	12924	13102	13380	13797	13881	13965	14133
Morro Bay	9379	10152	10313	10491	10759	10852	10945	11131
Nipomo	7097	12587	14536	15236	16286	16678	17070	17854
Pismo Beach	7625	8523	8617	8823	9133	9242	9351	9569
Oceano	6127	7251	7446	7598	7826	7890	7954	8082
Cambria	5377	6210	6495	6542	6613	6680	6747	6881
Templeton	2795	5972	7225	7525	7977	8143	8309	8641
Cayucos	2946	2929	3067	3111	3176	3199	3222	3268
San Miguel	1123	1427	1715	1947	2295	2416	2537	2779
Santa Margarita	1066	1224	1325	1349	1384	1401	1418	1452

Assumptions:

- Los Osos: Sewer not completed;
- Nipomo: Growth rate will moderate per Growth Management Ordinance;
- Cambria: Moratorium will remain through 2010;
- Templeton: Growth rate will moderate slightly;
- San Miguel: Growth rate will increase;
- Others: Growth rate will remain the same as in the 1990-2004 period.