CHAPTER 9: IMPLEMENTATION & ADMINISTRATION

9.1 Specific Plan Authority and Adoption

Specific plans must comply with California Government Code Sections §65450 through §65457. These provisions require that a Specific Plan be consistent with the adopted General Plan for the jurisdiction in which the specific plan area is located. In turn, all subsequent development proposals, such as tentative subdivision maps, site plans, improvement plans, and all public works projects, must be consistent with the adopted specific plan.

Pursuant to California Government Code Section §65453, a specific plan may be adopted by resolution or by ordinance. Past City practice has been to adopt a specific plan and certify the FEIR concurrently through a resolution. This practice is consistent with direction from State law where a plan adopted by resolution is primarily implemented by separately adopted ordinances and programs, which is the case with the Froom Ranch Specific Plan that mirrors existing zoning with minor adjustments to limited property development standards. In situations where the Froom Ranch Specific Plan conflicts with the requirements of the San Luis Obispo Municipal Code, the Froom Ranch Specific Plan provisions shall take precedence. Where the Froom Ranch Specific Plan is silent on a topic, the Municipal Code requirements remain in force.

9.2 Environmental Review

The Froom Ranch Specific Plan addresses land uses, densities, and types of development proposed, as well as the streets and infrastructure anticipated to serve the area. It provides a detailed description of the project that was evaluated in the Final Environmental Impact Report (FEIR) for the Froom Ranch Specific Plan. Under the California Environmental Quality Act (CEQA), the FEIR has assessed the potential direct and indirect environmental effects associated with the land use program described in this specific plan.

Although the FEIR analysis is included in a separate document, the environmental review process has been an integral component of the planning process from the very beginning to ensure that the Specific Plan respects natural site constraints and minimizes environmental impacts. The FEIR addresses the development of the Froom Ranch Specific Plan Area as a single project which is projected to be developed in increments over a period of several years. This approach enables the City to comprehensively evaluate the cumulative impacts of the Specific Plan and consider alternatives and mitigation measures prior to adoption of the Specific Plan.

Development within the Specific Plan area shall comply with all conditions of approval and mitigation measures identified in the certified Specific Plan FEIR (Froom Ranch Specific Plan FEIR SCH No. ### and any subsequent CEQA document (e.g., Mitigated Negative Declaration, Subsequent EIR, or Supplemental EIR). The Specific Plan FEIR is intended to expedite the processing of future projects that are consistent with the Specific Plan. If, when considering
subsequent development proposals, the City determines that the proposed development will not result in new effects or require additional mitigation, the City can approve the project without additional environmental review (California Government Code Section 65457 and CEQA Guidelines Section 15182). In addition, if there are significant changes proposed to the approved Specific Plan that the City concludes may result in new impacts, any additional environmental review need focus only on those specific areas or topics affected by the change.

9.3 Annexation

The Froom Ranch Area, is currently under County of San Luis Obispo (County) jurisdiction, but is located immediately southwest of the City of San Luis Obispo (City) limits. The site is designated in the City’s Land Use Element (LUE) as a Specific Plan Area, which is subject to preparation of a Specific Plan to accommodate development proposals and address pertinent issues (identified as SP-3 on LUE Figure 10). The General Plan requires that a Specific Plan for the Froom Ranch Area be adopted prior to annexation of the Plan Area to the City. The northeastern portion of the Specific Plan Area is located within the City’s Urban Reserve Line, and the entire site is within the Land Use & Conservation Element (LUCE) Sphere of Influence.

Along with the processing of the FEIR and other City Planning entitlements, the City Council will adopt a resolution to initiate annexation of the Froom Ranch Area Specific Plan property to the City. Following City Council action on project entitlements including adoption of the Specific Plan and certification of the FEIR, the project will be submitted to the Local Agency Formation Commission (LAFCO) for the formal annexation review process. LAFCO works with the City and County of San Luis Obispo to negotiate tax sharing and to ensure that a proper plan of services is in place to guide orderly development of the annexed property.

9.4 Development Review Process

9.4.1 Zoning Boundaries and Subdivisions

The Froom Ranch Area will be zoned consistent with the land uses identified by Figure 2-1, the Land Use/Zoning Map. The “SP” overlay will be added to the City zone category applied to each property. City zoning designations will take effect upon annexation. The designated residential zone boundaries may be adjusted slightly to reflect subdivision maps as they are approved if the Community Development Director makes a finding that the adjustment is consistent with the intent of the Specific Plan.

The precise location of streets, utilities, and boundaries of development sites will be determined upon approval of tentative subdivision maps. Along with the review of the final map before recording, subdivision improvement plans will be reviewed and approved, which show compliance with the Specific Plan, the Environmental Impact Report, and any associated project conditions of approval.
9.4.2 Architectural Review

Commercial, multifamily residential and single-family tract construction will undergo architectural review per City requirements. For projects subject to architectural review, the Community Development Director may authorize application of the "minor or incidental" procedure to those projects meeting this Specific Plan’s design guidelines and standards.

9.4.3 Building Permits

The City building permit process of plan-check, inspection, and occupancy release will typically be the final and most detailed step in City review of private site development. Impact fees are due at the time building permits are issued.

9.5 Phasing

Figure 9-1 identifies the areas anticipated to make up the Froom Ranch Specific Plan development phases. These phases address goals to accommodate orderly development and provision of services. They represent a reasonable approach to extending services and infrastructure throughout the Froom Ranch Area. In some cases, property owners may wish to develop in an earlier phase than identified in Figure 9.1. This may be permitted provided the necessary infrastructure to serve the proposed development is already in place, or if the project can construct the required infrastructure prior to development.
LEGEND

PHASE 1
LOVR improvements, public utility connections, on-site public streets, Froom Creek restoration, and drainage basin.

PHASE 2
Lower residential units of Life Plan Community (LPC), LPC Health center, and LPC common area buildings.

PHASE 2
Emergency Access Road

PHASE 3
Madonna Froom commercial and residential areas, public trailhead park & historic buildings, and upper residential area of the Life Plan Community.

NOTE: Phasing is conceptual, and phase order of implementation may vary.

Figure 9-1 Phasing Plan
9.6 Construction and Maintenance of Required Improvements

Public facilities required to serve Froom Ranch Area development will be funded as discussed in Chapter 8. Property in the Froom Ranch Area that is annexed into the City will receive the same public services as other neighborhoods in the City, including police, fire, and street maintenance, as described in Chapter 7. Facilities such as utility lines, park components, and stormwater facilities will be constructed by the developers of the area, and dedicated to the City upon completion and inspection. Once public facilities are constructed and the dedication is accepted by the City, future maintenance will be managed by the responsible City department. Local streets, infrastructure, and utilities within the proposed Life Plan Community portion of the Specific Plan Area are private and will be privately maintained.

9.7 Amendment to the Specific Plan

It is the intent of the Froom Ranch Specific Plan (FRSP) to present a comprehensive set of standards and guidelines for the development of the Specific Plan area. These standards and guidelines promote a high-quality development that allows for creativity and flexibility in the design process. However, changes in market conditions or developer interests may result in the need for amendments to the FRSP. Over time, various sections of this Specific Plan may need to be revised to respond to changing technical, environmental, and economic conditions.

This section addresses the process for amending the FRSP, acknowledging that there are a range of potential amendments, from minor interpretations that could be handled by a Director approval, to more complex requests that impact the density and land use in a more substantial way that require approval by the City Council. Amendments to the Specific Plan may be initiated by a developer, an individual, or by the City, and are not limited to a certain number per year.

9.7.1 Interpretations

Interpretations are judgments that evaluate whether a specific project feature or minor change is consistent with the intent and goals of the Specific Plan. These are generally limited to details where the features of the plan appear to conflict with other features in the plan, with adopted City policy, or with the requirements of other agencies. Interpretations may be necessary during discretionary development application (such as subdivision map) or ministerial development applications (such as building permits).

9.7.2 Adjustments

Adjustments are minor changes to specific features of the FRSP that do not significantly alter the development type and still meet the intent of the Plan. The FRSP allows for refinement of Plan features if any change is clearly consistent with the relevant goals, policies, programs and standards. The City anticipates that street and pedestrian path locations may be slightly
modified through approval of subdivision maps, and zoning boundaries may also be modified to match new property lines created through the subdivision process.

The Community Development Director is responsible for interpretations and adjustments made relative to FRSP policies and standards to insure consistency in implementation as development progresses. In making such an interpretation, the Community Development Director will consult with any other affected City departments. Decisions involving City facilities may be within the authority of the Public Works Director or the Utilities Director, who likewise would make the interpretation after consulting with any other affected departments.

Interpretations and adjustments made by the Community Development Director are subject to appeal. The Director may also refer a matter to an advisory body such as the Architectural Review Commission or Planning Commission if deemed warranted.

9.7.3 Amendments

Amendments are changes to features of the plan involving difference in development type or capacity (including public facilities). Amendments typically involve a question of consistency with the original intent of the FRSP or with the General Plan. Amendments require a hearing and recommendation by the Planning Commission, with final action to be taken by the City Council.

Examples of Changes Requiring Amendments:

1) Eliminating or reclassifying major streets;
2) Increasing the number of street intersections on Los Osos Valley Road;
3) Eliminating any segment of the bicycle-pedestrian circulation system (unless replaced with a new segment providing equally convenient access);
4) Changing the proposed cross-section design of streets so that one or more components are eliminated (such as sidewalks, parking, landscaped parkway, or bikeways);
5) Changing zoning on a parcel as indicated in the Specific Plan;
6) Significantly altering residential densities from the proposed range; or
7) Significantly altering the regional stormwater detention basin design or its capacity.