Based on the threat of COVID-19 as reflected in the Proclamations of Emergency issued by both the Governor of the State of California, the San Luis Obispo County Emergency Services Director and the City Council of the City of San Luis Obispo as well as the Governor’s Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic, the City of San Luis Obispo will be holding all public meetings via teleconference. There will be no physical location for the Public to view the meeting. Below are instructions on how to view the meeting remotely and how to leave public comment.

Additionally, members of the City Council are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

Using the most rapid means of communication available at this time, members of the public are encouraged to participate in Council meetings in the following ways:

1. **Remote Viewing** - Members of the public who wish to watch the meeting can view:
   - View the Webinar *(recommended for the best viewing quality)*:
     - Registration URL: [https://attendee.gotowebinar.com/register/3113198313997530891](https://attendee.gotowebinar.com/register/3113198313997530891)
     - Webinar ID: 191-406-203
     - Telephone Attendee: +1 (213) 929-4212, Audio Access Code: 596-177-069
   - Televised live on Charter Cable Channel 20
   - View a livestream of the meeting on the City’s YouTube channel: [http://youtube.slo.city](http://youtube.slo.city)

2. **Public Comment** - The City Council will still be accepting public comment. Public comment can be submitted in the following ways:
   - **Mail or Email Public Comment**
     - Received by 5:00 PM on the day of meeting - Can be submitted via email to emailcouncil@slocity.org or U.S. Mail to City Clerk at 990 Palm St. San Luis Obispo, CA 93401. All emails will be archived/distributed to councilmembers, however, submissions after 5:00 p.m. on the day of the meeting may not be archived/distributed until the following day. Emails will not be read aloud during the meeting.
   - **Verbal Public Comment**
     - In Advance of the Meeting - Call (805) 781-7164; state and spell your name, the agenda item number you are calling about and leave your comment. The verbal comments must be limited to 3 minutes. All voicemails will be forwarded to the Council Members and saved as Agenda Correspondence. Voicemails will not be played during the meeting.
     - During the meeting – Join the webinar (instructions above). Once the meeting has started, please put your name and the item # you would like to speak on in the questions box. During public comment for the item, your name will be called, and your mic will be unmuted. Contact the office of the City Clerk at cityclerk@slocity.org for more information.

All comments submitted will be placed into the administrative record of the meeting.
CALL TO ORDER: Mayor Heidi Harmon

ROLL CALL: Council Members Carlyn Christianson, Andy Pease, Erica A. Stewart, Vice Mayor Aaron Gomez and Mayor Heidi Harmon

Closed Session Webinar registration link: https://global.gotomeeting.com/join/361812317

You can also dial in using your phone:
United States: +1 (408) 650-3123
Access Code: 361-812-317

PUBLIC COMMENT ON CLOSED SESSION ITEMS ONLY

CLOSED SESSION

A. PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE
Pursuant to Government Code § 54957(b)(1)

ADJOURNMENT
Adjourn to the Regular Meeting of the City Council scheduled for Tuesday, August 21, 2020, at 6:00 p.m. via teleconference.
CALL TO ORDER: Mayor Heidi Harmon

ROLL CALL: Council Members Carlyn Christianson, Andy Pease, Erica A. Stewart, Vice Mayor Aaron Gomez and Mayor Heidi Harmon

APPOINTMENTS

1. APPOINTMENTS TO THE DIVERSITY, EQUITY, AND INCLUSION TASK FORCE (HARMON / STEWART – 60 MINUTES)

   Recommendation:

   As recommended by Diversity, Equity, Inclusion Steering Committee appoint up to 11 members to the Diversity, Equity, Inclusion Taskforce.

2. ADVISORY BODY APPOINTMENTS FOR UNSCHEDULED VACANCIES (PURRINGTON – 5 MINUTES)

   Recommendation:

   Confirm appointment of Joe Benson, as recommended by the Council Liaison Subcommittee, for the Administrative Review Board (ARB).

PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA
(Not to exceed 15 minutes total)

The Council welcomes your input. State law does not allow the Council to discuss or take action on issues not on the agenda, except that members of the Council or staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights (Gov. Code sec. 54954.2). Staff may be asked to follow up on such items.

CONSENT AGENDA

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon at one time. A member of the public may request the Council to pull an item for discussion. Pulled items shall be heard at the close of the Consent Agenda unless a majority of the Council chooses another time. The public may comment on any and all items on the Consent Agenda within the three-minute time limit.
3. **WAIVE READING IN FULL OF ALL RESOLUTIONS AND ORDINANCES**  
(PURRINGTON)

Recommendation:

Waive reading of all resolutions and ordinances as appropriate.

4. **MINUTES REVIEW - AUGUST 18, 2020 CITY COUNCIL MINUTES**  
(PURRINGTON)

Recommendation:

Approve the minutes of the City Council meeting held on August 18, 2020.

5. **SECOND READING AND ADOPTION OF ORDINANCE NO. 1687 (2020 SERIES)**  
REZONING PROPERTIES AT 1144 CHORRO STREET, 876, 890 MARSH, 895, 898, 973 HIGUERA STREETS FROM DOWNTOWN COMMERCIAL (C-D-H AND C-D) TO (C-D-H-PD AND C-D-PD) TO PROVIDE FOR A PLANNED DEVELOPMENT OVERLAY  
(CODRON / BELL)

Recommendation:

Adopt Ordinance No. 1687 (2020 Series) entitled, “An Ordinance of the City Council of the City of San Luis Obispo, California, Approving A Planned Development Overlay for seven properties within the Downtown Commercial Zone and amending the Zoning Regulations Map to change the zoning designation of the associated properties from C-D-H to C-D-H-PD and C- D to C-D-PD, respectfully, including a Mitigated Negative Declaration of Environmental Review, as represented in the staff report and attachments dated August 18, 2020 (1144 Chorro, 868 and 870 Monterey, 876 and 890 Marsh, 895, 898, 973 Higuera Streets: PDEV-0509-2019, & EID-0475-2019).”

6. **ADOPTION OF THE MODIFIED CULTURAL GRANTS-IN-AID PROGRAM**  
(HERMANN / CANO)

Recommendation:

1. As recommended by the Promotional Coordinating Committee, adopt the Modified Cultural Grants-In-Aid (GIA) Program for fiscal year 2020-21; and
2. Authorize the City Manager to execute various agreements and grant expenditures for Modified Cultural GIA Program not to exceed the 2020-21 program budget of $100,000 based on the recommendations by the PCC.
PUBLIC HEARING AND BUSINESS ITEMS

7. REVIEW OF THE 6TH CYCLE HOUSING ELEMENT UPDATE AND A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT
(CODRON / COREY / COHEN – 90 MINUTES)

Recommendation:

1. Adopt a Resolution entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, endorsing a Negative Declaration of Environmental Impact and amendments to the Housing Element of the General Plan as represented in the Council Agenda Report and attachments dated September 1, 2020 (GENP-0217-2020 & EID-0218-2020);” and
2. Direct staff to make updates to the Housing Element, consistent with feedback provided by the Planning Commission and the State’s Department of Housing and Community Development (HCD); and
3. Authorize staff to continue to work with HCD to ensure that the document fully complies with its guidelines; and
4. Direct staff to return to the City Council for final approval of the Housing Element, following HCD’s determination that it fully complies with State law and HCD guidelines.

8. REVIEW OF A COMMON INTEREST VESTING TENTATIVE TRACT MAP (VTTM NO. 3140) TO CREATE TEN RESIDENTIAL LOTS LOCATED WITHIN THE MILLS STREET HISTORIC DISTRICT AND ADOPT THE ASSOCIATED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (1137 PEACH ST, ARCH-0568-2019) (CODRON / VAN LEEUWEN – 45 MINUTES)

Recommendation:

9. **INTRODUCE AN ORDINANCE AMENDING CHAPTER 2.14, REVENUE ENHANCEMENT OVERSIGHT COMMISSION, OF THE MUNICIPAL CODE**

(HERMANN / BETZ – 20 MINUTES)

Recommendation:

2. Direct staff to return to the City Council for the second reading of the ordinance as part of the certification of results of the General Municipal Election of November 3, 2020.

**LIAISON REPORTS AND COMMUNICATIONS**

(Not to exceed 15 minutes)

Council Members report on conferences or other City activities. At this time, any Council Member or the City Manager may ask a question for clarification, make an announcement, or report briefly on his or her activities. In addition, subject to Council Policies and Procedures, they may provide a reference to staff or other resources for factual information, request staff to report back to the Council at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda. (Gov. Code Sec. 54954.2)

**ADJOURNMENT**

The next Regular City Council Meeting is scheduled for Tuesday, September 15, 2020 at 6:00 p.m., via teleconference.

**LISTENING ASSISTIVE DEVICES** are available for the hearing impaired--please see City Clerk.

The City of San Luis Obispo wishes to make all of its public meetings accessible to the public. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk’s Office at (805) 781-7100 at least 48 hours before the meeting, if possible. Telecommunications Device for the Deaf (805) 781-7410.

City Council regular meetings are televised live on Charter Channel 20. Agenda related writings or documents provided to the City Council are available for public inspection in the City Clerk’s Office located at 990 Palm Street, San Luis Obispo, California during normal business hours, and on the City’s website www.slocity.org. Persons with questions concerning any agenda item may call the City Clerk’s Office at (805) 781-7100.
FROM: Derek Johnson, City Manager  
Prepared By: Victoria Tonikian, Interim Executive Assistant to the City Manager / Fiscal Officer

SUBJECT: APPOINTMENTS TO THE DIVERSITY, EQUITY, AND INCLUSION TASK FORCE

RECOMMENDATION

As recommended by Diversity, Equity, Inclusion Steering Committee appoint up to 11 members to the Diversity, Equity, Inclusion Taskforce.

DISCUSSION

At the July 7, 2020 City Council meeting, Council approved the creation of a Diversity, Equity, and Inclusion Task Force (DEI-TF) as part of a wider effort to help make the city an inclusive and safe community for everyone. The Task Force will be led by Mayor Heidi Harmon and Council Member Erica A. Stewart and will be comprised of up to 11 members of the community.

The objectives of the DEI-TF are to (Full Objectives and Scope):

1. Support the work of DE&I Providers that support marginalized communities with directed funding for proven or promising impactful, sustainable projects.
3. Provide a recommendation on the role and function of the HRC in relation to DE&I efforts

As outlined in Attachment 1, the timeline selection and review of DEI-TF members is as follows:

2. July 8 – August 3, 2020 Task Force recruitment Discovery
3. August 11 – August 26, 2020 Interviews for Task Force members
4. August 27, 2020 – Applicants notified
5. September 1, 2020 – Member recommendations to City Council for approval

The application period was open from July 13 through August 3 and 95 applications were received. City Manager Derek Johnson, Mayor Heidi Harmon, Council Member Erica A. Stewart and our consultants have been reviewing the applications and hosting virtual interviews. Due to the tight timeline of the application review process, staff will provide agenda correspondence to the City Council prior to the September 1, 2020 City Council meeting with the recommendations for appointment to the DEI-TF.
Public Engagement
Public outreach was done on social media, print ad and direct contact during the application period which was open from July 13 through August 3.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act does not apply to the recommended action in this report, because the action does not constitute a “Project” under CEQA Guidelines Sec. 15378.

FISCAL IMPACT

Budgeted: N/A
Funding Identified: Budget Year: N/A

Fiscal Analysis:

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Total Budget Available</th>
<th>Current Funding Request</th>
<th>Remaining Balance</th>
<th>Annual Ongoing Cost</th>
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<tbody>
<tr>
<td>General Fund</td>
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<tr>
<td>State</td>
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<td>Other:</td>
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<td><strong>Total</strong></td>
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</table>

ALTERNATIVES

1. The City Council could choose to not make appointments to the Diversity, Equity, and Inclusion Task Force. This is not recommended as at the July 7, 2020 City Council meeting the City Council approved the creation of the Task Force.
2. The City Council could choose to make changes to the recommended appointments of the Diversity, Equity, Inclusion Steering Committee.
FROM: Greg Hermann, Deputy City Manager
Prepared By: Teresa Purrington, City Clerk
Kevin Christian, Deputy City Clerk

SUBJECT: ADVISORY BODY APPOINTMENTS FOR UNSCHEDULED VACANCIES

RECOMMENDATION

Confirm appointment of Joe Benson, as recommended by the Council Liaison Subcommittee, for the Administrative Review Board (ARB).

DISCUSSION

Due to a lack of candidates, recruitment for an unfilled vacancy has continued for the ARB since April 2019 (16 months). Our recent mid-year recruitment push for various advisory body vacancies was successful in generating multiple candidates for this position. Teleconference interviews with the candidates were held by the Council Liaison Sub-committee on August 13, 2020. The Council Liaison Sub-committee found Joe Benson to be the most qualified of the three candidates interviewed by his background experience and interview performance.

Policy Context
The Advisory Body Handbook, last adopted by City Council in February 2018, outlines the recruitment procedures, membership requirements, and term limits. Also contained in the Advisory Body Handbook are the bylaws for all advisory bodies, some of which include additional membership requirements. Additionally, the City Council Policies and Procedures Manual, last adopted in August 2019, describes the “Appointment Procedure” and “Process” for Advisory Body appointments. Recruitment and appointment recommendations were performed in conformance with all recruitment procedures, processes, and bylaws found in these resources.

Public Engagement
Recruitment for the ARB has been open continuously since the 2018 annual recruitment cycle, was advertised in print media, posted on the City website and social media, and has been listed and noticed as required by the “Maddy Act” (GC 54972, Local Appointments List) for both the 2018 and 2019 recruitment cycles.
CONCURRENCE

The Council Liaison Subcommittees concur with the recommendations.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act does not apply to the recommended actions in this report, because the action does not constitute a “Project” under CEQA Guidelines sec. 15378.

FISCAL IMPACT

Budgeted: Yes/No  
Funding Identified: Yes/No  
Budget Year: 2020-21

Fiscal Analysis:

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Current FY Cost</th>
<th>Annualized On-going Cost</th>
<th>Total Project Cost</th>
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<td>General Fund</td>
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There is no additional impact for appointment of Advisory Body members.

ALTERNATIVES

*Council could recommend changes to the recommended appointment or direct staff to re-open recruitment for additional candidates.* This is not recommended as recruitment for the ARB has resulted in few candidates, and the continued small membership size of the body could make definitive decisions unattainable.

AVAILABLE FOR REVIEW

All applications are available for public review, by request, in the Office of the City Clerk, which can be reached at (805) 781-7100 or cityclerk@slocity.org during normal business hours.
A Regular Meeting of the San Luis Obispo City Council was called to order on Tuesday August 18, 2020 at 6:00 p.m. by Mayor Harmon, with all Council Members teleconferencing.

ROLL CALL

Council Members
Present: Council Members Carlyn Christianson, Andy Pease, Erica A. Stewart, Vice Mayor Aaron Gomez, and Mayor Heidi Harmon.

Absent: None

City Staff
Present: Derek Johnson, City Manager; Christine Dietrick, City Attorney; and Teresa Purrington, City Clerk; were present at Roll Call.

A. RECEIVE AN UPDATE FROM THE EMERGENCY SERVICE DIRECTOR AND PROVIDE COVID-19 RELATED DIRECTION BASED ON CURRENT STATUS

Emergency Services Director Derek Johnson provided an in-depth staff report and responded to Council questions.

Public Comments:
Eric Vieum

---End of Public Comment---

ACTION: MOTION BY COUNCIL MEMBER PEASE, SECOND BY COUNCIL MEMBER CHRISTIANSON, CARRIED 5-0 to:

1. Receive an update from the Emergency Services Director related to COVID-19; and
2. Adopt Resolution No. 11149 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, affirming actions of the Emergency Services Director.”
APPOINTMENTS

1. ADVISORY BODY APPOINTMENTS FOR UNSCHEDULED VACANCIES

City Clerk Purrington presented the contents of the report.

Public Comment:
None

---End of Public Comment---

ACTION: MOTION BY COUNCIL MEMBER CHRISTIANSON, SECOND BY VICE CHAIR GOMEZ, CARRIED 5-0 to confirm appointments, as recommended by the Council Liaison Subcommittees, for the Tourism Business Improvement District Board (TBID), the Personnel Board (PB), and the Human Relations Commission (HRC).

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
Kris Roudebush

---End of Public Comment---

CONSENT AGENDA

Public Comment:
Item 4 – Kelsey Zazanis
Item 4 – Ryan Gelston

---End of Public Comment---

ACTION: MOTION BY COUNCIL MEMBER CHRISTIANSON, SECOND BY COUNCIL MEMBER STEWART, CARRIED 5-0 to approve Consent Calendar Items 2 thru 14.

2. WAIVE READING IN FULL OF ALL RESOLUTIONS AND ORDINANCES

CARRIED 5-0, to waive reading of all resolutions and ordinances as appropriate.

3. MINUTES REVIEW - JULY 21, 2020 CITY COUNCIL MINUTES

CARRIED 5-0, to approve the minutes of the City Council meeting held on July 21, 2020.

4. AMENDMENT TO THE CITY’S INVESTMENT POLICY AND MANAGEMENT PLAN

CARRIED 5-0,
1. As recommended by the Investment Oversight Committee, adopt an amendment to the City’s Investment Policy & Management Plan to incorporate an ESG Investing approach; and
2. Direct staff to amend the current investment advisory agreement with PFM Asset Management LLC to include ESG Investing and authorize the City Manager to execute the amended agreement; and
3. Adopt Resolution No. 11150 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, updating Position, Payment Disbursement, and Receipt Authority.”
5. **2020 STANDARD SPECIFICATIONS AND ENGINEERING STANDARDS UPDATE; STREET CLOSURES FOR SPECIAL EVENTS**

CARRIED 5-0,
1. Adopt Resolution No. 11151 (2020 Series) entitled “A Resolution of the Council of the City of San Luis Obispo approving revised Standard Specifications and Engineering Standards for Construction;” and
2. Authorize the City Engineer to release projects currently in design or approved by Council under the 2018 City Standard Specifications on a case by case basis; and
3. Adopt Resolution 11152 (2020 Series) entitled “A Resolution of the City Council of the City of San Luis Obispo, California, Authorizing the Public Works Director to Approve Temporary Closures of City Streets for Special Events, Construction Activities or Other Purposes.”

6. **APPROVE THE ACQUISITION OF PROPERTY ADJACENT TO LOS OSOS VALLEY ROAD FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION TO THE CITY OF SAN LUIS OBISPO**

CARRIED 5-0, adopt Resolution No. 11153 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, to approve the acquisition of property adjacent to Los Osos Valley Road from the California Department of Transportation (Caltrans) to the City of San Luis Obispo (City) based on the determination of General Plan conformance with an exemption from environmental review, as represented in the staff report and attachments dated August 18, 2020 (GENP-0251-2020).”

7. **2019-20 PAYMENT REDUCTION AND APPROVAL OF A TRANSIT AGREEMENT EXTENSION BETWEEN THE CITY OF SAN LUIS OBISPO AND CAL POLY**

CARRIED 5-0,
1. In response to changes in service usage under the terms of the 2019-20 Transit Agreement due to impacts of COVID-19 approve a reduction to Cal Poly’s payment for the 4th Quarter by $99,964; and
2. Adopt Resolution No. 11154 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, authorizing the City Manager to execute an extension of the 2011-2016 Transit Subsidy Agreement between the City of San Luis Obispo and Cal Poly.”

8. **AUTHORIZATION TO PURCHASE MULTI-SPACE PAY STATIONS FOR ON-STREET PARKING MANAGEMENT**

CARRIED 5-0,
1. Adopt Resolution No. 11155 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, authorizing the City Manager to execute a Sole Source Contract for purchase and installation of Multi-Space Pay Stations and a Sole Source Contract for operation and maintenance of Multi-Space Pay Stations with IPS Group, Incorporated” in an amount not to exceed the available project budget; and
2. Authorize the City Manager to execute a separate sole source contract with IPS Group for the operation and maintenance of the Multi-Space Pay Stations.
9. **AUTHORIZATION TO NEGOTIATE, EXECUTE, AND MODIFY AGREEMENTS FOR PARKING FUND LEASE SPACES**

CARRIED 5-0, to adopt Resolution No. 11156 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, authorizing the City Manager to negotiate, execute, and modify Commercial Lease Agreements for Parking Fund Lease Spaces” with tenants of property located at 860 Pacific Street Suites 101 through 105.

10. **AUTHORIZATION TO APPLY FOR FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) AND THE CALIFORNIA FIRE FOUNDATION WILDFIRE SAFETY & PREPAREDNESS GRANT**

CARRIED 5-0, to:
1. Authorize the Fire Department to apply for a grant to the Federal Assistance to Firefighters Grant (AFG) Program for the amount of $137,510 to send two EMT firefighters through Certified Paramedic Training; and
2. Authorize the Fire Department to apply for a grant to the California Fire Foundation Wildfire Safety & Preparedness Grant Program for the amount of $14,953.52 to purchase Personal Protective Equipment coats for wildland firefighting; and
3. Authorize the City Manager, or their designee, to execute the grant documents and approve the budget changes necessary to appropriate the grant amount upon notification that the grant has been awarded.

11. **UPDATED MITIGATION MEASURES FOR THE SAN LUIS RANCH SPECIFIC PLAN**

CARRIED 5-0, to:
1. Adopt Resolution No. 11157 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, modifying Mitigation Measures and Mitigation Monitoring and Reporting Plan and approving an addendum to the Final Supplemental EIR for the San Luis Ranch Project for property located at 1035 Madonna Road ("San Luis Ranch");” and
2. Approve an Addendum to the certified Final Supplemental Environmental Impact Report (FSEIR) to satisfy CEQA compliance for this action.

12. **SELECTION OF VOTING DELEGATE AND ALTERNATES – LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE**

CARRIED 5-0, to appoint Council Member Erica A. Stewart as the Voting Delegate and Council Member Andy Pease and Council Member Carlyn Christianson as Alternate Voting Delegates to vote on the City’s behalf at the Annual Business Meeting of the League of California Cities on Friday, October 9, 2020.

13. **AUTHORIZATION TO UPDATE THE CITY’S MASTER FEE SCHEDULE TO ADD A CHILDCARE FEE ASSOCIATED WITH PROVIDING CHILDCARE DURING SAN LUIS COASTAL UNIFIED SCHOOL DISTRICT’S (SLCUSD) PERIOD OF DISTANCE LEARNING**

CARRIED 5-0, to adopt Resolution No. 11158 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, adopting new fees and amending the 2020-21 Master Fee Schedule.”
14. **AUTHORIZATION TO AMEND THE CURRENT CONTRACT FOR CHANGE MANAGEMENT AND ECONOMIC RECOVERY TO INCLUDE PROJECT MANAGEMENT AND EXPERTISE RELATED TO DIVERSITY, EQUITY, AND INCLUSION**

CARRIED 5-0, to authorize the City Manager to execute a contract amendment in the amount of $76,025 with Catalyst Consulting to support facilitation and support services as it is related to the Diversity, Equity, and Inclusion Task Force (DEI-TF).

**PUBLIC HEARING ITEMS AND BUSINESS ITEMS**

15. **ADOPTION OF THE 2020 CLIMATE ACTION PLAN FOR COMMUNITY RECOVERY**

Community Development Director Michael Codron and Sustainability Manager Chris Read provided an in-depth staff report and responded to Council questions.

Public Comments:
Justin Bradshaw
Betsy Schwartz
Caitlin Lewis
Janine Rands
Barry Rands

---End of Public Comment---

**ACTION:** MOTION BY MAYOR HARMON, SECOND BY VICE MAYOR GOMEZ, CARRIED 5-0 to adopt Resolution No. 11159 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, approving the Climate Action Plan for Community Recovery and associated California Environmental Quality Act Greenhouse Gas Emission Thresholds and guidance including a Negative Declaration of Environmental Review (EID-0275-2020).”

Mayor Harmon announced that Item 17 would be heard next because Council Member Pease and Vice Mayor Gomez would be recusing themselves from Item 16.

17. **AMENDMENT TO GENERAL PLAN, LAND USE ELEMENT, AND WATER AND WASTEWATER MANAGEMENT ELEMENT**

Utilities Director Aaron Floyd and Utilities Project Manager Jennifer Metz provided an in-depth staff report and responded to Council questions.

Public Comments:
None

---End of Public Comment---
ACTION: MOTION BY COUNCIL MEMBER CHRISTIANSON, SECOND BY COUNCIL MEMBER PEASE, CARRIED 5-0 to adopt 11161 (2020 Series) Resolution entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, adopting amendments to the Land Use Element and Water and Wastewater Management Element of the General Plan (GENP-0188-2020) and accepting an addendum to the Land Use and Circulation Element (LUCE) Update EIR and Water and Wastewater Management Element Negative Declaration (Citywide, GENP-0188-2020).

Council Member Pease indicated she was going to recuse herself from the next item due to recent working relationship with the project architect. Vice Mayor Gomez indicated he was going to recuse himself from the next item due to the location of the project to his business. Council Member Pease and Vice Mayor Gomez left the meeting at 8:05 PM.

RECESS

Council recessed at 8:05 p.m. and reconvened at 8:15 p.m., with Council Members Christianson and Stewart and Mayor Harmon present.

16. INTRODUCE AN ORDINANCE REZONING SUBJECT PROPERTIES FROM C-D-H AND C-D TO C-D-H-PD AND C-D-PD TO PROVIDE A PLANNED DEVELOPMENT OVERLAY, AND DEVELOPMENT REVIEW OF A SIX-STORY MIXED-USE BUILDING CONSISTING OF APPROXIMATELY 30,000 SQUARE FEET OF COMMERCIAL/OFFICE SPACE AND 50 RESIDENTIAL DWELLING UNITS (1144 CHORRO)

Council Members Christianson and Stewart, and Mayor Harmon reported having no Ex-Parte Communications.

Community Development Director Michael Codron and Associate Planner Kyle Bell provided an in-depth staff report and responded to Council questions.

Mark Rawson, the applicant’s representative, presented a PowerPoint and responded to questions.

Public Comments:
Betsy Schwartz
Caitlin Lewis
Allan Cooper

---End of Public Comment---

ACTION: MOTION BY COUNCIL MEMBER CHRISTIANSON, SECOND BY COUNCIL MEMBER STEWART, CARRIED 3-0-2 (With Council Member Pease and Vice Mayor Gomez recused) to:

1. Introduce Ordinance No. 1687 (2020 Series) entitled, “An Ordinance of the City Council of the City of San Luis Obispo, California, approving a Planned Development Overlay for seven properties within the Downtown Commercial Zone and amending the Zoning Regulations Map to change the zoning designation of the associated properties from C-D-H to C-D-H-PD and C-D to C-D-PD, respectfully, including a Mitigated Negative Declaration of Environmental Review, as represented in the staff report and attachments dated August 18, 2020 (1144 Chorro, 868 and 870 Monterey, 876 and 890 Marsh, 895, 898, 973 Higuera Streets: PDEV-0509-2019, & EID-0475-2019);” and
2. Adopt Resolution No. 11160 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, approving development of a six-story mixed-use building consisting of approximately 30,000 square feet of Commercial/Office Space and 50 Residential Dwelling Units, within the Downtown Historic District. The Project includes a rezone to provide a Planned Development Overlay, permanent preservation of an off-site building located at 868 and 870 Monterey Street, a new driveway along Marsh Street, and a request to allow a maximum building height of 75 feet, where 50 feet is the standard in the Downtown Commercial Zone. The Project includes a Mitigated Negative Declaration of Environmental Impact as represented in the staff report and attachments dated July 8, 2020 (1144 Chorro, 868 and 870 Monterey, 876 and 890 Marsh, 895, 898, 973 Higuera Streets ARCH-1687-2018, PDEV-0509-2019, & EID-0475-2019);” and

3. Adopt an Initial Study/Mitigated Negative Declaration for the project.

With the following changes:

- **Added Finding #5 to the Ordinance:**
  - The additional density allowed on the development project site as part of the Planned Development rezoning is acceptable to the City Council in part due to the provision of the additional Community Benefits as outlined in the project description and required by the City’s Community Benefits policy. The additional height being allowed through the City Council’s action enables more housing units, all under 650 square feet, that also exceed the City’s minimum requirements for affordability.

- **Added Condition #46 from the Tree Committee**

- **Remove Condition C under Community Benefit**

**COUNCIL COMMUNICATIONS AND LIAISON REPORTS**

None

**ADJOURNMENT**

The meeting was adjourned at 9:36 p.m. The next Regular City Council Meeting is scheduled for Tuesday, September 1, 2020 at 6:00 p.m., via teleconference.

__________________________
Teresa Purrington
City Clerk

APPROVED BY COUNCIL: XX/XX/2020
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SUBJECT: SECOND READING AND ADOPTION OF ORDINANCE NO. 1687 (2020 SERIES) REZONING PROPERTIES AT 1144 CHORRO STREET, 876, 890 MARSH, 895, 898, 973 HIGUERA STREETS FROM DOWNTOWN COMMERCIAL (C-D-H AND C-D) TO (C-D-H-PD AND C-D-PD) TO PROVIDE FOR A PLANNED DEVELOPMENT OVERLAY

RECOMMENDATION

Adopt Ordinance No. 1687 (2020 Series) (Attachment A) rezoning the subject properties from Downtown Commercial (C-D-H and C-D) to (C-D-H-PD and C-D-PD) to include a Planned Development Overlay, based on findings and subject to conditions as outlined in the draft Ordinance.

DISCUSSION

On August 18, 2020, the City Council voted 3:0:2 (two Council Members were recused) to introduce Ordinance No. 1687, rezoning the properties at 1144 Chorro Street, 876 and 890 Marsh, 895, 898, 973 Higuera Streets from Downtown Commercial (C-D-H and C-D) to (C-D-H-PD and C-D-PD) to include a Planned Development (PD) Overlay, as delineated in Figure 1.

Policy Context
As discussed in the Council Agenda Report dated August 18, 2020, the project is consistent with the policies outlined in the Land Use Element and Housing Element and support the Major City Goal of Housing.
Public Engagement
Consistent with the City’s Public Engagement and Noticing (PEN) Manual and the City’s Municipal Code, the project was noticed per the City’s notification requirements for Development Projects for each public hearing associated with the project. Newspaper legal advertisements were posted in the New Times ten days prior to the hearing. Additionally, postcards were sent to both tenants and owners of properties located within 300 feet of the project site ten days before the hearing. Public comment on the project and the associated environmental document was provided to the advisory bodies through written correspondence and through public testimony at the hearing.

CONCURRENCE

The project has been reviewed by various City departments and divisions including: Planning, Engineering, Arborist, Transportation, Building, Utilities, and Fire. Comments have been incorporated into the adopted resolution as conditions of approval.

CONSISTENCY COVID-19 ORDERS AND CURRENT FISCAL CONTINGENCY PLAN

This activity is presently allowed under the State and Local emergency orders associated with COVID-19. This Project and associated staff work will be reimbursed by the Developer directly or indirectly through fees and therefore consistent with the guidance of the City’s Fiscal Health Contingency Plan.

ENVIRONMENTAL REVIEW

On August 18, 2020, the City Council adopted Resolution No. 11160 (2020 Series) adopting the Final IS/MND for the development project and PD-Overlay and adopted CEQA findings including a mitigation and monitoring plan. A Notice of Determination was filed with the San Luis Obispo Clerk Recorder’s Office on August 19, 2020.

FISCAL IMPACT

Budgeted: No
Funding Identified: No

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When the General Plan was prepared, it was accompanied by a fiscal impact analysis, which found that overall, the General Plan was fiscally balanced. Accordingly, since the proposed project is consistent with the General Plan, it has a neutral fiscal impact.

ALTERNATIVE

1. **Modify the proposed ordinance.** The City Council may make minor, non-substantive changes to the proposed Ordinance for the staff to incorporate in the final documents. Any material changed to the Final Ordinance would require further review by staff and the Planning Commission followed by re-introduction of the Ordinance by the Council.

Attachments:

a - Draft Ordinance

a - Exhibit A to Draft Ordinance

b - COUNCIL READING FILE - Project Plans
ORDINANCE NO. 1687 (2020 SERIES)


WHEREAS, the City Council of the City of San Luis Obispo conducted a public hearing in the Council Chambers of City Hall, 990 Palm Street, San Luis Obispo, California, on September 17, 2019, initiating the project in consideration of the proposed Community Benefits and Mandatory Project Features for the Planned Development Overlay (PD-Overlay), pursuant to a proceeding instituted under ARCH-1687-2018, PDEV-0509-2019, & EID-0475-2019, Mark Rawson, applicant; and

WHEREAS, the Architectural Review Commission of the City of San Luis Obispo conducted a web based public hearing on June 1, 2020, recommending approval of the project with direction to the Planning Commission for consistency with the Community Design Guidelines, pursuant to a proceeding instituted under ARCH-1687-2018, PDEV-0509-2019, & EID-0475-2019, Mark Rawson, applicant; and

WHEREAS, the Cultural Heritage Committee of the City of San Luis Obispo conducted a web based public hearing on June 22, 2020, recommending approval of the project with direction to the Planning Commission for consistency with the Historic Preservation Program Ordinance, and the Historic Preservation Guidelines, pursuant to a proceeding instituted under ARCH-1687-2018, PDEV-0509-2019, & EID-0475-2019, Mark Rawson, applicant; and

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted web based public hearing on July 8, 2020, recommending approval of the Planned Development Overlay to the City Council pursuant to a proceeding instituted under ARCH-1687-2018, PDEV-0509-2019, & EID-0475-2019, Mark Rawson, applicant; and

WHEREAS, the City Council of the City of San Luis Obispo has duly considered all evidence, including the testimony of the applicant, interested parties, and evaluation and recommendations by staff, presented at said hearing.

WHEREAS, notices of said public hearings were made at the time and in the manner required by law; and
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of San Luis Obispo as follows:

SECTION 1. Findings. Based upon all the evidence, the Council makes the following findings:

1. The proposed PD-Overlay furthers the goals of the General Plan for compatible development because the Land Use Element (LUE) encourages residential dwellings within all new commercial developments and indicates that commercial core properties may serve as receiver sites for transfer of development credits, thereby having higher residential densities than otherwise allowed (LUE 4.2.1). The PD-Overlay serves as an opportunity for the transfer of density allowances from the Downtown Centre to be redistributed throughout the PD-Overlay providing opportunities to develop higher density projects within the Downtown Core.

2. The proposed PD-Overlay will not be detrimental to the health, safety and welfare of those living and working in the vicinity since the proposed changes to the City's maps accommodate the existing and future development of the site with uses and improvements that will be compatible with other properties in the surrounding vicinity.

3. The project is consistent with the General Plan policies and implements Housing Element policies by allowing expansion of residential land uses in order to help meet the Quantified Objectives by supporting residential infill development and promote higher residential density where appropriate.

4. The PD-Overlay does not provide for any modifications to development standards applicable to projects within the Downtown Commercial (C-D) zone that would result in any development that would be inconsistent with the development potential of any other property within the C-D zone, and all associated development within the PD-Overlay shall be subject to applicable provisions of the Zoning Regulations.

5. The additional density allowed on the development project site as part of the Planned Development rezoning is acceptable to the City Council in part due to the provision of additional Community Benefits as outlined in the project description and required by the City’s Community Benefits (section reference). The additional height being allowed through the City Council's action enables more housing units, all under 650 square feet, that also exceed the City's minimum requirements for affordability.

SECTION 2. California Environmental Quality Act (CEQA) Findings, Mitigation Measures, and Mitigation Monitoring Program. The City Council hereby adopts the proposed Mitigated Negative Declaration of Environmental Impact finding that it adequately identifies the projects potential significant impacts with incorporation of the following mitigation measures and monitoring programs:
Air Quality

AQ-1 During all construction activities and use of diesel vehicles, the applicant shall implement the following idling control techniques:
   1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
      a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors if feasible; and
      b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted; and
      c. Use of alternative fueled equipment shall be used whenever possible; and
      d. Signs that specify the no idling requirements shall be posted and enforced at the construction site.
   2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
      a. Shall not idle the vehicle’s primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
      b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2 During all construction and ground-disturbing activities, the applicant shall implement the following particulate matter control measures and detail each measure on the project grading and building plans:
   a. Reduce the amount of disturbed area where possible.
   b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding APCD’s limit of 20% opacity for no greater than 3 minutes in any 60-minute period. Increased watering frequency shall be required whenever wind speeds exceed 15 miles per hour (mph) and cessation of grading activities during periods of winds over 25 mph. Reclaimed (non-potable) water is to be used in all construction and dust-control work.
   c. All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.
   d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil disturbing activities.
   e. Exposed grounds that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.
f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical binders, jute netting, or other methods approved in advance by the APCD.
g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders or soil binders are used.
h. Vehicle speed for all construction vehicles shall not exceed 15 m.p.h. on any unpaved surface at the construction site.
i. All trucks hauling dirt, sand, soil, or other loose materials, are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
j. Install wheel washers where vehicles enter and exit unpaved roads onto streets or wash off trucks and equipment leaving the site. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads.
k. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
l. All PM10 mitigation measures required shall be shown on grading and building plans.
m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the APCD’s limit of 20% opacity for no greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-3 Prior to initiation of demolition/construction activities, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property including sampling and testing for naturally occurring asbestos in full compliance with California Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105) and SLOAPCD requirements. This geologic evaluation shall be submitted to the City Community Development Department upon completion. If the geologic evaluation determines that the project would not have the potential to disturb asbestos containing materials (ACM), the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-4 If asbestos containing materials (ACM) are determined to be present onsite, proposed earthwork, demolition, and construction activities shall be conducted in full compliance with the various regulatory jurisdictions regarding ACM, including the ARB Asbestos Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105) and requirements stipulated in the National Emission Standards for Hazardous Air Pollutants (40 CFR 61, Subpart M – Asbestos; NESHAP). These requirements include, but are not limited to, the following:
1. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD; and
2. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and,
3. Implementation of applicable removal and disposal protocol and requirements for identified ACM.
AQ-5 Prior to initiation of demolition/construction activities, the applicant shall implement the following measures to reduce the risk associated with disturbance of ACM and lead-coated materials that may be present within the existing structure onsite:

a. Demolition of the on-site structure shall comply with the procedures required by the National Emission Standards for Hazardous Air Pollutants (40 CFR 61, Subpart M – Asbestos) for the control of asbestos emissions during demolition activities. SLOAPCD is the delegated authority by the U.S. EPA to implement the Federal Asbestos NESHAP. Prior to demolition of on-site structures, SLOAPCD shall be notified, per NESHAP requirements. The project applicant shall submit proof that SLOAPCD has been notified prior to demolition activities to the City Community Development Department.

b. If during the demolition of the existing structure, paint is separated from the construction materials (e.g., chemically or physically), the paint waste shall be evaluated independently from the building material by a qualified hazardous materials inspector to determine its proper management. All hazardous materials shall be handled and disposed of in accordance with local, state, and federal regulations. According to the Department of Toxic Substances Control (DTSC), if the paint is not removed from the building material during demolition (and is not chipping or peeling), the material can be disposed of as non-hazardous construction debris. The landfill operator shall be contacted prior to disposal of lead-based paint materials. If required, all lead work plans shall be submitted to SLOAPCD at least 10 days prior to the start of demolition. The applicant shall submit proof that paint waste has been evaluated by a qualified hazardous waste materials inspector and handled according to their recommendation to the City Community Development Department.

Monitoring Program: Measures AQ-1 and AQ-2 shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections, in coordination with the County of San Luis Obispo Air Pollution Control District, as necessary. The applicant shall submit the geologic evaluation detailed in measure AQ-3 to the City Community Development Department upon completion. The applicant shall submit proof of written notification to SLOAPCD as described in measures AQ-4 and AQ-5 to the Community Development Department.

Biological Resources

BIO-1 Site preparation, ground-disturbing, and construction activities should be conducted outside of the migratory bird breeding season when feasible. If such activities are required during this period, a qualified biologist shall conduct a nesting bird survey and verify that migratory birds are not nesting in the impact zone. If nesting activity is detected, the following measures shall be implemented:

a. The project shall be modified via the use of protective buffers, delaying construction activities, or other methods designated by the qualified biologist to avoid direct take of identified nests, eggs, and/or young protected under the MBTA and/or California Fish and Game Code;

b. The Environmental Monitor shall document all active nests and submit a letter report to City Planning staff and the City’s Sustainability Officer documenting project compliance with the MBTA, California Fish and Game Code, and applicable project mitigation measures.
Monitoring Program: Compliance with mitigation measures will be reviewed with plans as part of the improvement plans and construction drawings. Compliance will be verified by the Natural Resources Manager in consultation with the Community Development Director, who shall confirm the conclusion and recommendations of the preconstruction nesting bird surveys and provide site inspections as necessary to ensure implementation.

Cultural Resources

CR-1 Prior to construction activities, a qualified archaeologist shall conduct cultural resource awareness training for all construction personnel including the following:
   a. Review the types of archaeological artifacts that may be uncovered; and
   b. Provide examples of common archaeological artifacts to examine; and
   c. Review what makes an archaeological resource significant to archaeologists and local Native Americans; and
   d. Describe procedures for notifying involved or interested parties in case of a new discovery; and
   e. Describe reporting requirements and responsibilities of construction personnel; and
   f. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and
   g. Describe procedures that would be followed in the case of discovery of disturbed as well as intact human burials and burial-associated artifacts.

CR-2 A qualified archaeologist monitor shall be present during all project related construction activities that result in disturbance of native soil that may contain archaeological resources.

CR-3 In the event that historical or archaeological remains are discovered during earth disturbing activities associated with the project, an immediate halt work order shall be issued, and the Community Development Director shall be notified. A qualified archaeologist shall conduct an assessment of the resources and formulate proper mitigation measures, if necessary. After the find has been appropriately mitigated, work in the area may resume. A Chumash representative shall monitor any mitigation excavation associated with Native American materials. The conditions for treatment of discoveries shall be printed on all building and grading plans. The City shall review and approve the selected archaeologist, if needed, to ensure they meet appropriate professional qualification standards, consistent with the Archaeological Resource Preservation Program Guidelines.

CR-4 In the event that human remains are exposed during earth disturbing activities associated with the project, an immediate halt work order shall be issued, and the Community Development Director shall be notified. State Health and Safety Code Section 7050.5 requires that no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission within 24 hours.
Monitoring Program: These conditions shall be noted on all grading and construction plans. The City shall review and approve the selected archaeologist monitor, to ensure they meet appropriate professional qualification standards, consistent with the Archaeological Resource Preservation Program Guidelines.

Noise

N-1 For the entire duration of the construction phase of the project, the following Best Management Practices (BMPs) shall be adhered to:

1. Stationary construction equipment that generates noise that exceeds 60 dBA at the project boundaries shall be shielded with the most modern noise control devises (i.e. mufflers, lagging, and/or motor enclosures).
2. Impact tools (e.g., jack hammers, pavement breakers, rock drills, etc.) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools.
3. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used.
4. All construction equipment shall have the manufacturers’ recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational.
5. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.).

N-2 Construction plans shall note construction hours, truck routes, and all construction noise Best Management Practices (BMPs) and shall be reviewed and approved by the Community Development Department prior to issuance of grading/building permits. The City shall provide and post signs stating these restrictions at construction entry sites prior to commencement of construction and maintained throughout the construction phase of the project. All construction workers shall be briefed at a pre-construction meeting on construction hour limitations and how, why, and where BMP measures are to be implemented.

N-3 Construction activities shall be conducted so that the maximum noise levels at affected properties will not exceed 80 dBA for multi-family residential and 85 dBA for mixed residential/commercial uses, restaurants, and meeting places.

N-4 For all construction activity at the project site, additional noise attenuation techniques shall be employed as needed to ensure that noise levels are maintained within levels allowed by the City of San Luis Obispo Municipal Code, Title 9, Chapter 9.12 (Noise Control). Such techniques shall include, but are not limited to:

- Sound blankets shall be used on noise-generating equipment.
- Stationary construction equipment that generates noise levels above 65 dBA at the project boundaries shall be shielded with a barrier that meets a sound transmission class (a rating of how well noise barriers attenuate sound) of 25.
- All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
• The movement of construction-related vehicles, with the exception of passenger vehicles, along roadways adjacent to sensitive receptors shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No movement of heavy equipment shall occur on Sundays or official holidays (e.g., Thanksgiving, Labor Day).
• Temporary sound barriers shall be constructed between construction sites and affected uses.

N-5 The project contractor shall inform residents and business operators at properties within 300 feet of the project of proposed construction timelines and noise compliant procedures to minimize potential annoyance related to construction noise. Signs shall be in place prior to and throughout grading and construction activities informing the public that noise-related complaints shall be directed to the construction manager prior to the City’s Community Development Department.

N-6 All noise-generating rooftop building equipment, such as air conditioners and kitchen ventilation systems, shall be installed away from existing noise-sensitive receptors (i.e., residences) or be placed behind adequate noise barriers.

**Monitoring Program:** These measures shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections.

**Transportation**

**TR-1** Construction Management Plan. Prior to the issuance of each building permit, the construction contractor shall meet with the Public Works department to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project. The construction contractor will develop a construction management plan for review and approval by the Public Works department. The plan shall include at least the following items and requirements:

- A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic and pedestrian hours, detour signs if required, lane closure procedures, sidewalk closure procedures, signs, cones for drivers, and designated construction access routes.
- Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
- Location of construction staging areas for materials, equipment, and vehicles.
- Identification of haul routes for movement of construction vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation and safety; and provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project applicant.
- Temporary construction fences to contain debris and material and to secure the site.
- Provisions for removal of trash generated by project construction activity.
- A process for responding to and tracking complaints pertaining to construction activity.
• Provisions for monitoring surface streets used for truck routes so that any damage and debris attributable to the trucks can be identified and corrected.
• It is anticipated that this Construction Traffic Management Plan would be developed in the context of the City Municipal Code Construction and Fire Prevention Regulations and the City of San Luis Obispo 2013 Construction & Fire Codes, which address other issues such as hours of construction onsite, limitations on noise and dust emissions, and other applicable items.

**Monitoring Program:** Prior to building permit issuance the Construction Management Plan shall be submitted to the City Community Development Department and Public Works Department for review.

**SECTION 3. Action.** The City Council hereby approves the application PDEV-0509-2019 & EID-0475-2019 and adopts an Ordinance to establish a PD-Overlay for seven properties within the C-D zone for the purposes of transferring density credits from the Downtown Centre to adjacent properties, as set forth in Exhibit A, subject to the following conditions.

1. The PD-Overlay is intended solely for the purposes of transferring of density allowances from the Downtown Centre to adjacent properties within the PD-Overlay (§17.70.040.B.1), all future development shall conform to all other development standards as established by the Zoning Regulations, and other applicable City standards.
2. The subject properties within the PD-Overlay boundaries provide residential density at a ratio of 36 density units per acre (77.76 density units), projects proposed within the PD-Overlay shall not exceed the overall density allowance for the collective area of the properties within the boundaries of the PD-Overlay and shall remain in conformance with density allowances as established in the C-D zone Development Standards (§17.32), unless otherwise permitted under the provisions of the Density Bonus Law (Government Code § 65915).
3. Any new development within the PD-Overlay that results in the construction of new residential units shall provide a minimum of 25 percent of the residential units within the project as affordable to households of very low, low, or moderate-income households, consistent with all provisions established under Municipal Code Chapter 17.140.
4. Any new development within the PD-Overlay that results in the construction of new residential units shall achieve greater energy efficiency than standard developments through the incorporation of green building techniques, scoring at least a silver rating on the LEED or other equivalent rating system, or achieve a zero-net energy use, subject to the satisfaction of the Community Development Director.
5. Prior to issuance of a building permit for any new development that results in the transfer of density credits within the PD-Overlay, the applicant shall record an Offer to Dedicate Pedestrian Easement covenant for the irrevocable and perpetual access for the general public to use and access the Downtown Centre as a public plaza for the duration of the PD-Overlay. The covenant shall identify the responsibilities for maintenance and public access of the Downtown Centre, subject to the satisfaction of the Community Development Director.
SECTION 4. Severability. If any subdivision, paragraph, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this Ordinance, or any other provisions of the city’s rules and regulations. It is the city’s express intent that each remaining portion would have been adopted irrespective of the fact that any one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

SECTION 5. A summary of this ordinance, together with the names of Council members voting for and against, shall be published at least five (5) days prior to its final passage, in The Tribune, a newspaper published and circulated in this City. This ordinance shall go into effect at the expiration of thirty (30) days after its final passage.

INTRODUCED on the 18th day of August 2020, AND FINALLY ADOPTED by the Council of the City of San Luis Obispo on the _____ day of ____________, 2020, on the following vote:

AYES:
NOES:
ABSENT:

______________________________
Mayor Heidi Harmon

ATTEST:

______________________________
Teresa Purrington
City Clerk

APPROVED AS TO FORM:

______________________________
J. Christine Dietrick
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on _________________.

______________________________
Teresa Purrington
City Clerk
EXHIBIT - A

PDEV-0509-2019

Rezone from C-D-H and C-D to C-D-H-PD and C-D-PD.
FROM: Greg Hermann, Deputy City Manager
Prepared By: Molly Cano, Tourism Manager

SUBJECT: ADOPTION OF THE MODIFIED CULTURAL GRANTS-IN-AID PROGRAM

Recommendation:

1. As recommended by the Promotional Coordinating Committee, adopt the Modified Cultural Grants-In-Aid (GIA) Program for fiscal year 2020-21 (Attachment A); and
2. Authorize the City Manager to execute various agreements and grant expenditures for Modified Cultural GIA Program not to exceed the 2020-21 program budget of $100,000 based on the recommendations by the PCC.

DISCUSSION

The City of San Luis Obispo's PCC, under direction of the City Council, recognizes that cultural, social, and recreational organizations make significant contributions to the overall quality of life in the City of San Luis Obispo. Accordingly, the City sponsors a Cultural GIA program to promote such activities within the community.

Background
The PCC has been administering the City’s annual Cultural GIA program for decades. Each year approximately $100,000 in grant funds is awarded exclusively to local non-profit organizations for the promotion of cultural activities and events. Historically, the annual process requires that GIA proposals are submitted during the month of March for the fiscal year beginning in July. Grant applications are not considered outside the annual application period. In general, grants are awarded to non-profit organizations to aid in the support of events or activities that are of local cultural benefit to the residents or of tourism promotion advantage to the City and must be used exclusively for marketing purposes. The grant process is extremely competitive with local non-profit organizations.

With the current restrictions on large group gatherings due to the COVID-19 pandemic, the PCC was forced to terminate the regular Cultural GIA application process for 2020-21 and establish a modified program in order to better align with the current needs of the community.

Program Modifications
Due to COVID-19, special events in our community are being reimagined. The PCC has reconfigured the GIA program to reflect those changes and has maintained the full allocation intended to support these grants within their program budget to support events in the community in a new way.
During fiscal year 2020-21, changes to the GIA program include accepting applications for the modified GIA program throughout the year and PCC to consider such applications on a monthly basis – as opposed to the annual application period that has been followed historically. Applications will be reviewed by a GIA subcommittee of PCC members and awards will be recommended to the full PCC. Grants will be awarded in accordance with the outlined criteria and at the discretion of the PCC. The funding amount per grant award will be fixed per application and the program will be discontinued once the funding has been exhausted. Based on the program budget of $100,000, there is a total of 40 grants available at the funding level of $2,500 each. A new term within the modified GIA program allows for grant funding to be used to fund production expenses as well as marketing expenses - both of which must be directly related to the event or activity.

Additionally, the PCC has defined the event eligibility for consideration and award of the modified GIA program, which requires events to be virtual or in-person passive. To be considered for grant funding the event or activity must meet the current State and County health and safety guidelines, including but not limited to size of gathering, type of gathering, adherence to sanitization and distancing guidelines. Events that are political in nature, or represent a sole party, candidate or affiliation are not eligible. Events must support the City’s meta goal of economic recovery, stability, and resiliency and be in alignment with the City’s core values. Grant requests must be for programs and events that occur during the funding cycle of July 1, 2020 – June 30, 2021. The complete list of program guidelines and specification are included as Attachment A.

Additionally, the PCC has simplified the grant application which will be available as a digital form for applicants to complete and submit (Attachment B). Applications submitted to the PCC will be evaluated both in terms of the applicant and the grant proposal using the following criteria:

- Organization must be a non-profit.
- Priority will be given to events that take place in the City of San Luis Obispo or events of special benefit to the City of San Luis Obispo and its residents.
- Grant requests must be of cultural, social, and/or recreational benefit to the residents of the City of San Luis Obispo.
- Events must be in line with public health and safety guidelines.
- Events must take place during the City’s fiscal year July 1, 2020 through June 30, 2021.
- Additional consideration will be given to events that address sustainability, diversity and inclusivity practices.
- Events must support the City’s meta goal of economic recovery, stability, and resiliency and be in alignment with the City’s core values.
- Application must adhere to the budget requirements outlined in the use of grant funding including 25% of grant to be spent on marketing expenditures.
- Demonstrated financial need is considered, although events with potential promotional benefit to the City of San Luis Obispo will be given higher consideration.
- Past grant performance of the organization is considered. Please note that integration of the City’s logo and the recognition of the City’s support of the event are imperative to receive grant funding for a consecutive year.
The PCC will evaluate the effectiveness of this modified GIA program on an ongoing basis and will modify the elements including applicant or event criteria, evaluation guidelines, and even the value of the fixed grant amounts throughout the year as community needs evolve.

Program Communication & Outreach

The offering of this program will be widely communicated by the City and made accessible to non-profit organizations within the City. The communication and outreach plan includes:

- Direct communication to previous GIA applicants and grant recipients
- Communication via the City website and social media channels
- Paid public notifications placements
- Press release to local media
- Partner organization outreach i.e. SLO Chamber of Commerce

Previous Council or Advisory Body Action

The following Council action was taken to support these recommendations:

- At the July 7, 2020 City Council meeting, the Council approved the 2020-21 Community Promotions Program including the allocation of $100,000. (Attachment C)

The following advisory body actions were taken to support these recommendations:

- At the August 12, 2020 regular monthly meeting, the PCC approved the program guidelines and application document for recommendation to City Council. (Attachment D)

Public Engagement

The public engagement was adequately done in order to prepare these recommendations to City Council. All Advisory Body Meetings for the PCC were noticed in accordance with Brown Act standards.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act does not apply to the recommended action in this report, because the action does not constitute a “Project” under CEQA Guidelines Sec. 15378.

FISCAL IMPACT

Budgeted: Yes  
Budget Year: 2020-21
Funding Identified: Yes
Fiscal Analysis:

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Current FY Cost</th>
<th>Annualized On-going Cost</th>
<th>Total Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund – Community Promotions</td>
<td>$100,000</td>
<td>N/A</td>
<td>$100,000</td>
</tr>
<tr>
<td>State</td>
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<tr>
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<tr>
<td>Other:</td>
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<tr>
<td>Total</td>
<td>$100,000</td>
<td>N/A</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

During the adoption of the 2019-21 Financial Plan Supplement and 2020-21 Budget, the City Council approved the PCC recommended allocation of $100,000 towards the Cultural GIA program.

ALTERNATIVES

*Deny request to authorize City Manager to execute various agreements and grant expenditures for the Modified Cultural GIA Program.* Staff does not recommend this alternative because it will greatly reduce the efficiency and flexibility of the modified program to meet the needs of the community.

Attachments:

- a - 2020-21 Modified GIA Program Guidelines and Specification
- b - 2020-21 Modified GIA Application (Draft)
- c - Council Action Update dated 07/07/2020
- d - Promotional Coordinating Committee Draft Minutes dated 08/12/2020
City of San Luis Obispo Cultural Grants-In-Aid Program
FY 2020-21 Modified Program Guidelines and Specification

The City of San Luis Obispo's Promotional Coordinating Committee (PCC), under direction of the City Council, recognizes that cultural, social and recreational organizations make significant contributions to the overall quality of life in the City of San Luis Obispo. Accordingly, the City sponsors a Grants-In-Aid program to promote such activities within the community. The City awards annual promotional grants totaling approximately $100,000 to various organizations each year. Due to COVID-19 and the restrictions on group gatherings, the PCC has temporarily modified the annual program to reflect the current environment for local community events.

During fiscal year 2020-21, applications for the modified GIA program will be accepted throughout the year and considered by the PCC monthly. Applications will be reviewed, and grants are awarded in accordance with the criteria described herein and at the discretion of the PCC.

The funding amount per grant award will be fixed per application and the program will be discontinued once the funding has been exhausted. Based on the program budget of $100,000, there is a total of 40 grants available at the funding level of $2500 each.

**Modified Cultural GIA Program Specifications:**

1. Use of Funds: GIA funds are to be used for the production and marketing expenses related to execution of an event or activity of cultural, social, and/or recreational benefit to the residents of the City of San Luis Obispo.

2. Ongoing or Rolling Application Period: Applications for funding through the modified GIA program will be accepted at any point throughout the year until funds are exhausted.

3. Application Submittal Deadline & Requirements: The cutoff date for application submittals is the 1st day of each month. Applications received prior to or by 12:00 pm on the first day of each month will be considered by the PCC during the next regular committee meeting. Example: Applications submitted between September 2 – October 1 will be reviewed at the October 14 regular monthly meeting of the PCC. All applications and supporting material must be submitted electronically through the digital GIA Application FORM. Incomplete applications will not be accepted.
4. Use of Grant Funding: Grant funding must exclusively be used to fund production and marketing expenses directly related to the event or activity. Example expenditures include service fee for virtual platform, COVID modifications, purchase of PPE, performer/artist/speaker. It is required that a minimum of 25% ($625) of the awarded funds must be spent on marketing/advertising expenses. Grants are not given for the following expenses: office overhead, staff, equipment; scholarships / honoraria; or general organization operating expenses.

5. Awarding of a Grant: Only one grant per event may be awarded, however organizations may be awarded up to two separate grants within the fiscal year to support different programs.

6. Applicant Eligibility. To be considered for grant funding, organizations must have non-profit status (Articles of Incorporation, 501(c)(3) or (c)(6) status, Federal ID number and Tax-Exempt Notification) prior to grant submittal. Applicant organization must have a clearly stated purpose and function and be responsible for the planning and provision of a cultural, social or recreational program/event. Applicant must demonstrate that it has the managerial and fiscal competence to complete the proposed project. The organization must be in good standing with the City. Final reporting and organization history will be considered in funding recommendations and during each application review. Organizations that received a prior promotional grant during a previous funding cycle must have complied with all reporting requirements to be considered for a 2020-21 grant. The organization must extend its program to the general public and may not exclude anyone by reason of race, religion, sex, national origin, sexual orientation, age, physical, mental or economic status. The applicant organization must comply with the final report evaluation process as requested by the Promotional Coordinating Committee.

7. Event Eligibility: Events that are virtual or in-person passive are eligible for this grant. To be considered for grant funding the event or activity must meet the current State and County health and safety guidelines including but not limited to size of gathering, type of gathering, adherence to sanitization and distancing guidelines. Events that are political in nature, or represent a sole party, candidate or affiliation are not eligible. Events must support the City’s meta goal of economic recovery, stability, and resiliency and be in alignment with the City’s core values. Grant requests must be for programs and events that occur during the funding cycle of July 1, 2020 – June 30, 2021.

8. Application Evaluation: Applications submitted to the Promotional Coordinating Committee will be evaluated both in terms of the applicant and the grant proposal using the following criteria:
   - Organization must be a non-profit.
   - Priority will be given to events that take place in the City of San Luis Obispo or events of special benefit to the City of San Luis Obispo and its residents.
   - Grant requests must be of cultural, social, and/or recreational benefit to the residents of the City of San Luis Obispo.
   - Events must be line with public health and safety guidelines.
   - Events must take place during the City’s fiscal year July 1 through June 30.
   - Additional consideration will be given to events that address sustainability, diversity and inclusivity practices.
• Events must support the City’s meta goal of economic recovery, stability, and resiliency and be in alignment with the City’s core values.
• Application must adhere to the budget requirements outlined in the use of grant funding including 25% of grant to be spent on marketing expenditures.
• Demonstrated financial need is considered, although events with potential promotional benefit to the City of San Luis Obispo will be given higher consideration.
• Past grant performance of the organization is considered. Please note that integration of the City’s logo and the City’s support of the event are imperative in order to receive grant funding for a consecutive year.

9. Application Disposition: Applications may be 1) Accepted or 2) Rejected by the PCC.

10. Disbursement of Funds: If the application is accepted by the PCC, the approved grant will be disbursed via check within 60 days of receiving the signed grant agreement.

11. Final Reporting Requirements. If approved for funding, a final report including an administrator’s report, statistical survey, financial report, recognition, and proof of funding must be turned in within 90 days of funded event. Final report must be received and approved prior to submitting any additional applications.

12. Minimum Requirements: If approved for funding, event organizer will be held responsible to fulfill the signed contract, final event reporting, repayment of unused or incorrectly used grant funds, and obtaining all necessary permits for event use.

13. Committee Discretion: This application does not commit the PCC to award any grant or to pay any costs incurred in the preparation of this application or to procure or contract for services or supplies. The City through the PCC reserves the right to accept or reject any or all applications received, or to cancel in part or in its entirety this application, if it is in the best interest of the City to do so. GiA funding are made available at the City of San Luis Obispo PCC’s discretion.

How to Apply: The application must be submitted in the following manner

- Completed digital application submitted electronically through the digital GiA Application FORM.
- tax exempt certification
- signed statement of limitations and payment disbursement (Attachment 4)

It is important that your application provide all the requested information. Clear, concise and original applications are best.

Applications are due on or before 12:00 noon first day of each month for consideration that month.

PCC meetings are held on the second Wednesday of each month at 5:30 p.m. unless otherwise posted. Requests for meeting attendance or questions can be sent to the City’s Tourism Manager Molly Cano at mcano@slocity.org
GIA APPLICATION FORM

DATE(S) OF EVENT: ______________________________________________________________________

NAME OF EVENT: ______________________________________________________________________

NAME OF ORGANIZATION: ________________________________________________________________

ADDRESS OF ORGANIZATION: ____________________________________________________________

WEBSITE URL: ______________________________________________________________________

NAME OF EVENT CONTACT PERSON: _______________________________________________________ 

NAME OF ORG. CONTACT PERSON: _______________________________________________________ 

TELEPHONE NUMBER: __________________________________________________________________

E-MAIL ADDRESS: _____________________________________________________________________

Please complete the entire application, answering all requests for information.

1. Provide a brief description of your organization and its cause including how this project or activity supports the overall goals of the organization. (Word Limit: 250 max)

2. Provide a brief description of the event or activity the grant is being used to support. (Word Limit: 100 max)
3. What is the expected event attendance? (Reference item 7 on the program specification document for application guidelines and the Public Health guidance to ensure adherence)

4. Who is your target audience and how will you promote the event to reach your desired audience? (Word Limit: 100 max and bulleted list is acceptable)

5. Do you plan to sell tickets or is it a free event?
   Tickets____  Free____
   If tickets are required, please provide the price range. _________________________________

6. Is your organization a local non-profit in the City of San Luis Obispo? 
   Yes ____  No ____

7. Will your event be held virtual, in person or a hybrid with both elements? (if completely virtual, skip to question 10) (Reference item 7 on the program specification document for application guidelines and the Public Health guidance to ensure adherence)
   Virtual ____  In-Person Passive____  Hybrid____

8. Provide your safety plan describing how your event is adhering to gathering guidelines (social distancing, reduced capacities, PPE, etc. Reference item 7 on the program specification document for application guidelines and the Public Health guidance to ensure adherence) (Word Limit: 100 max and bulleted list is acceptable.)

9. Describe any environmental sustainability practices related to the event. (Word Limit: 100 max and bulleted list is acceptable.)
10. Describe how the organization will encourage inclusive participation from diverse populations. (Word Limit: 100 max and bulleted list is acceptable.)

11. Grant Funding Allocation: Please provide the projected grant allocation in the chart below. Outline the event component line item description for each projected expense and the corresponding projected grant allocation. (Please note, a minimum of 25% or $625 of the grant funding must be allocated toward marketing expenses.)

<table>
<thead>
<tr>
<th>Event Component Expense</th>
<th>Allocated Grant Amount</th>
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Be sure to include all supplemental materials as requested. Thank you.

Application due on the 1st of each month by 12:00 pm (noon) for consideration that month.
Tuesday, July 7, 2020
Regular Meeting of the City Council / Disaster Council

CALL TO ORDER

A Regular Meeting of the San Luis Obispo City Council / Disaster Council was called to order on Tuesday, July 7, 2020 at 6:00 p.m. via teleconference by Mayor Harmon.

A. RECEIVE AN UPDATE FROM THE EMERGENCY SERVICES DIRECTOR AND AFFIRM, MODIFY OR REPEAL THE EMERGENCY SERVICES DIRECTOR PROCLAMATION DATED JULY 1, 2020 CLOSING BARS AND OTHER ONSALE ALCOHOL SERVING ESTABLISHMENTS OVER THE JULY 4, 2020 HOLIDAY WEEKEND AND LIMITING BAR OCCUPANCY AND OTHER ONSALE ALCOHOL ESTABLISHMENTS TO 25% UNTIL FURTHER ACTION

CARRIED 5-0 to adopt Resolution No. 11137 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, affirming actions of the Emergency Services Director.” with modifications described in the agenda correspondence distributed prior to the Council meeting.

APPOINTMENTS

1. ADVISORY BODY APPOINTMENT FOR AN UNSCHEDULED VACANCY ON THE PROMOTIONAL COORDINATING COMMITTEE

CARRIED 5-0 to approve the appointment of Lori Lerian to the Promotional Coordinating Committee as recommended by the Council Liaison Subcommittee.

CONSENT AGENDA

2. WAIVE READING IN FULL OF ALL RESOLUTIONS AND ORDINANCES

CARRIED 5-0, to waive reading of all resolutions and ordinances as appropriate.

3. MINUTES REVIEW - JUNE 16, 2020 CITY COUNCIL MEETING

CARRIED 5-0, to approve the minutes of the City Council meeting held on June 16, 2020.
4. **ADDITION OF THE PROPERTY AT 1789 SANTA BARBARA AVENUE TO THE MASTER LIST OF HISTORIC RESOURCES AS THE LOZELLE AND KATIE FLICKINGER GRAHAM HOUSE**

CARRIED 5-0, to adopt Resolution No. 11139 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, adding the property located at 1789 Santa Barbara Avenue to the Master List of Historic Resources as “The Lozelle and Katie Flickinger Graham House” (HIST-0144-2020).”

5. **SECOND READING OF ORDINANCE NO. 1684 AND 1685 (2020 SERIES) INTRODUCED BY THE CITY COUNCIL ON JUNE 16, 2020, TO ADD LOCAL AMENDMENTS TO THE ENERGY CODE IN TITLE 15 AND TO AMEND TITLE 17 TO PROVIDE LIMITED TERM REGULATORY FLEXIBILITY TO SUPPORT ALL-ELECTRIC NEW BUILDINGS**

CARRIED 4-0-1 (COUNCIL MEMBER PEASE RECUSED), to
2. Adopt Ordinance No. 1685 (2020 Series) entitled, “An Ordinance of the City Council of the City of San Luis Obispo, California, amending Title 17 (Zoning Regulations) of the Municipal Code supporting the Clean Energy Choice Program (PL-CODE-0062-2020)” implementing regulatory flexibility through December 31, 2022 in support of the Clean Energy Choice Incentive Program; and
3. Direct staff to submit the approved local amendments and accompanying required submittal forms and information to the California Energy Commission to initiate the local amendments to California Energy Code review and approval process.

6. **REQUEST OF TRANSITIONS-MENTAL HEALTH ASSOCIATION TO REALLOCATE AFFORDABLE HOUSING FUNDS FROM BRANCH STREET APARTMENTS TO BISHOP STREET STUDIOS**

CARRIED 4-0-1 (COUNCIL MEMBER CHRISTIANSON RECUSED), to adopt Resolution No. 11140 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, approving the reallocation of Affordable Housing Funds to Transitions-Mental Health Association from Branch Street Apartments to Bishop Street Studios (in the amount of $20,644).”

7. **ADOPT A RESOLUTION UPDATING THE CITY’S MASTER FEE SCHEDULE, THE CURRENT FEE FOR ENVIRONMENTAL IMPACT DETERMINATION, AND APPLY NEEDED CORRECTIONS TO ADOPTED FEES**

CARRIED 5-0, to adopt Resolution No. 111041 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, adopting new fees and amending the 2020-21 Master Fee Schedule.”
8. **CONSIDERATION OF REMOVAL OF ADVISORY BODY MEMBER**

   CARRIED 5-0, to approve the removal of James Papp from the Cultural Heritage Committee.

**PUBLIC HEARING ITEMS AND BUSINESS ITEMS**

9. **AUTHORIZATION TO PURCHASE TWO ELECTRIC TRANSIT VEHICLES**

   CARRIED 5-0 to approve the purchase of two electric buses for $1,744,259 using the California Department of Goods and Services Statewide Cooperative Purchasing Contract.

10. **2020-21 COMMUNITY PROMOTIONS PROGRAM – TOURISM BUSINESS IMPROVEMENT DISTRICT & PROMOTIONAL COORDINATING COMMITTEE**

    CARRIED 5-0 to
    1. Authorize the City Manager to enter into various contracts and program expenditures for the TBID not to exceed the 2020-21 program budget of $1,014,000 (excludes staffing costs) based on the recommendations by the TBID Board and the adopted TBID Fund revenue projections as part of the 2020-21 Budget Supplement; and
    2. Authorize the City Manager to enter into contracts utilizing the TBID Fund un-appropriated fund balance from the 2019-20 fiscal year, following the completion of the City’s audited financial statements, for tourism marketing expenditures in 2020-21 based on the recommendations by the TBID Board; and
    3. Authorize the City Manager to use the TBID Fund Reserve of $100,000 for tourism marketing expenditures in 2020-21 in accordance with the TBID reserve policy; and
    4. Authorize the City Manager to enter into various contracts and program expenditures for Community Promotions not to exceed the 2020-21 program budget of $368,000 (excludes staffing costs) based on the recommendations by the PCC.

11. **CONSIDERATION OF THE 2020-21 HUMAN RELATIONS COMMISSION GRANTS-IN-AID FUNDING RECOMMENDATIONS**

    CARRIED 4-0-1 (COUNCIL MEMBER CHRISTIANSON RECUSED) to
    1. As recommended by the Human Relations Commission, approve the 2020-21 Grants-in-Aid funding allocations in the amount of $150,000; and
    2. Authorize the Community Development Director to execute agreements with each grant recipient.

12. **CREATION OF A DIVERSITY, EQUITY, AND INCLUSION TASK FORCE**

    CARRIED 5-0 to adopt Resolution No. 11142 (2020 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, creating the Task Force for Diversity, Equity and Inclusion and defining its term and charge.”

    With the following changes:
    - Taskforce members shall reside in the County of San Luis Obispo and have frequent affiliation and knowledge of the City
    - Replace the word prejudice with discrimination
    - *Marginallized* cultural groups
13. NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION

CARRIED 5-0 to adopt Resolution No. 11143 (2020 Series) entitled “A Resolution of the City Council of the City of San Luis Obispo, California, calling for the holding of a General Municipal Election to be held on Tuesday, November 3, 2020, for the election of certain Officers as required by the provisions of the Charter, adopting regulations for Candidate Statements, and requesting the Board Of Supervisors of the County Of San Luis Obispo to consolidate a General Municipal Election with the Statewide General Election to be held on November 3, 2020, pursuant to § 10403 of the Elections Code with the change to the Resolution as stated at the meeting.

ADJOURNMENT

The meeting was adjourned at 9:48 p.m.
PROMOTIONAL COORDINATING COMMITTEE

Minutes - DRAFT

Wednesday, August 12, 2020
Regular Meeting of the Promotional Coordinating Committee

CALL TO ORDER
A Regular Meeting of the San Luis Obispo Promotional Coordinating Committee was called to order on Wednesday, August 12, 2020 at 5:30 p.m., by Chair Matteson via teleconference.

ROLL CALL
Present: Chair Dana Matteson, Vice Chair John Thomas, Members Ryan Heath, Stephanie Stackhouse, Lori Lerian and John Conner
Absent: Member Samantha Welch
Staff: Tourism Manager Molly Cano and City Clerk Teresa Purrington

PUBLIC COMMENT ITEMS NOT ON THE AGENDA
None

--End of Public Comment--

CONSENT ITEMS

ACTION: UPON MOTION BY VICE CHAIR CONNER, SECONDED BY COMMITTEE MEMBER THOMAS, CARRIED 6-0-1 (WITH MEMBER WELCH ABSENT), to approve the Consent Agenda items 1 thru 7.

C.1 Minutes of the Meeting on July 8, 2020
C.2 2020-21 Community Promotions Budget Report
C.3 Public Relations Report
C.4 Visitors Center Report
C.5 TOT Report

PRESENTATIONS

1. PUBLIC RELATIONS MONTHLY ACTIVITY UPDATE
Jacqui Clark-Charlesworth, SLO Chamber provided a PowerPoint presentation and responded to Committee inquiries.

**Public Comment**
None.

--End of Public Comment--

No action was taken on this item.

**BUSINESS ITEMS**

1. **SUPPORT LOCAL PROGRAM - #SLOready**

   Tourism Manager Molly Cano provided a PowerPoint presentation and responded to Committee inquiries.

   **Public Comment**
   None.

   --End of Public Comment--

   **ACTION:** UPON MOTION BY COMMITTEE MEMBER LERIAN, SECONDED BY COMMITTEE MEMBER STACKHOUSE, CARRIED 6-0-1 (WITH MEMBER WELCH ABSENT), to reallocate the funds in the amount of $2000 for Support Local Influencer program back to the PCC budget.

2. **2020-21 CULTURAL GIA MODIFIED PROGRAM**

   Tourism Manager Molly Cano provided a PowerPoint presentation and responded to Committee inquiries.

   **Public Comment**
   None.

   --End of Public Comment--

   **ACTION:** UPON MOTION BY COMMITTEE MEMBER HEATH, SECONDED BY COMMITTEE MEMBER THOMAS, CARRIED 6-0-1 (WITH MEMBER WELCH ABSENT) to forward an approval recommendation to City Council regarding the modified guidelines and application, as amended at the meeting.

**PCC LIAISON REPORTS AND COMMUNICATION**

1. **COMMITTEE OUTREACH UPDATE – COMMITTEE REPORT**
Member John Thomas informed the Committee that the Greek Festival officially cancelled their event for September.

2. TBID BOARD REPORT – TBID Meeting Minutes: July 8, 2020

John Conner provided a brief overview of the TBID Board Meeting.

3. TOURISM PROGRAM UPDATE

Tourism Manager Cano provided a brief Tourism Program update.

ADJOURNMENT

The meeting was adjourned at 6:42 p.m. The next Regular Promotional Coordinating Committee meeting is scheduled for Wednesday, September 9, 2020 at 5:30 p.m., via teleconference.

APPROVED BY THE PROMOTIONAL COORDINATING COMMITTEE: XX/XX/2020
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RECOMMENDATION

1. Consider the Planning Commission recommendation to adopt a Resolution approving the Housing Element Update and the changes incorporated into the Housing Element based on Planning Commission direction; and
2. Direct staff to make updates to the Housing Element, consistent with feedback provided by the Planning Commission and the State’s Department of Housing and Community Development (HCD); and
3. Authorize staff to continue to work with HCD to ensure that the document fully complies with its guidelines; and
4. Direct staff to return to the City Council for final approval of the Housing Element, following HCD’s determination that it fully complies with State law and HCD guidelines.

REPORT-IN-BRIEF

The Housing Element is a State required element of the City’s General Plan that must be updated according to a cycle established by HCD. Updating the Housing Element is a key step in the City’s efforts to expand affordable housing opportunities and is required by California Government Code Sections 65580- 65589.8. The deadline for adoption of the updated Housing Element is December 31, 2020. Once adopted, the under review “6th Cycle” Draft Housing Element will replace the current Housing Element adopted by the City and certified by the State in 2015 and will become the guiding document for City housing actions through 2028. The update process is a tool to modify housing policies and programs to reflect the changing needs, resources, and conditions in the community, and to respond to changes in state and federal housing law.

Over the last year, the City of San Luis Obispo, as well as the County and other cities within the County have been in the process of updating their Housing Elements based on the new 6th Cycle Regional Housing Needs Allocation (RHNA) requirements enforced by HCD. The Housing Element has been updated in response to input received through multiple public presentations, meetings, online surveys, and a workshop, as well as other correspondence received over the past year.
Additionally, in coordination with the County, all cities within the County, and San Luis Obispo Council of Governments (SLOCOG), a new chapter (Chapter 4) is proposed to be added to the City’s Housing Element. Chapter 4 contains a regional vision and includes policies focused specifically on fostering regional collaboration to plan and develop housing and supportive infrastructure.

On July 22, 2020, the Planning Commission recommended the City Council approve the Negative Declaration of Environmental Impact and adopt the Draft Housing Element update (Attachment B). A complete version of the Draft Housing Element can be found on the City’s Housing Element website at: https://www.slocity.org/government/department-directory/community-development/affordable-housing/housing-element.

On July 7, 2020, the City submitted a draft of the Housing Element Update to HCD for review. On August 6, 2020, City staff held a phone conference with staff from HCD to discuss their preliminary review of the Draft Housing Element Update. HCD staff provided direction regarding needed technical changes including items such as additional clarification and information regarding the City’s analysis of its housing inventory and asked that the City add specific quantitative language to some of the proposed programs. Overall, HCD was supportive of the City’s efforts and strategies to increase housing affordability and production. Staff is currently working closely with HCD to address these items and achieve a determination of compliance with State law.

Currently, staff is recommending the City Council adopt a resolution endorsing the proposed modifications to the Housing Element Update. Staff will return to Council for final approval of the Housing Element Update once HCD determines that the updated draft is consistent with its guidelines.

**DISCUSSION**

**Housing Element Update and Regional Housing Needs Allocation**

State law establishes a schedule for cities and counties to periodically update their Housing Elements of the General Plan. Under this schedule, the City’s Housing Element update is due to HCD by December 31, 2020 and has until the end of April 2021 to receive HCD certification. As a part of this update, the City is required to develop programs designed to meet its share of the surrounding region’s housing needs for all income groups, as determined by the region’s council of governments.
The Regional Housing Needs Allocation (RHNA) process ensures that each jurisdiction accepts responsibility, within its physical and financial capability to do so, for the housing needs of its residents and for those people who might reasonably be expected to move there. The City has been allotted a RHNA of 3,354 housing units to plan for in the new 6th Cycle Housing Element.

Table 1: Regional Housing Needs Allocation (RHNA) for San Luis Obispo County, Jan. 2019 – Dec. 2028

<table>
<thead>
<tr>
<th></th>
<th>Very Low Income 24.6%</th>
<th>Low Income 15.5%</th>
<th>Moderate Income 18.0%</th>
<th>Above Moderate Income 41.9%</th>
<th>Totals</th>
<th>Percent City RHNA to Total RHNA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arroyo Grande</td>
<td>170</td>
<td>107</td>
<td>124</td>
<td>291</td>
<td>692</td>
<td>6%</td>
</tr>
<tr>
<td>Atascadero</td>
<td>207</td>
<td>131</td>
<td>151</td>
<td>354</td>
<td>843</td>
<td>8%</td>
</tr>
<tr>
<td>Grover Beach</td>
<td>91</td>
<td>57</td>
<td>66</td>
<td>155</td>
<td>369</td>
<td>3%</td>
</tr>
<tr>
<td>Morro Bay</td>
<td>97</td>
<td>60</td>
<td>70</td>
<td>164</td>
<td>391</td>
<td>4%</td>
</tr>
<tr>
<td>Paso Robles</td>
<td>356</td>
<td>224</td>
<td>259</td>
<td>607</td>
<td>1,446</td>
<td>13%</td>
</tr>
<tr>
<td>Pismo Beach</td>
<td>113</td>
<td>71</td>
<td>82</td>
<td>193</td>
<td>459</td>
<td>4%</td>
</tr>
<tr>
<td>San Luis Obispo</td>
<td>825</td>
<td>520</td>
<td>603</td>
<td>1,406</td>
<td>3,354</td>
<td>31%</td>
</tr>
<tr>
<td>Unincorporated County</td>
<td>801</td>
<td>505</td>
<td>585</td>
<td>1,365</td>
<td>3,256</td>
<td>30%</td>
</tr>
<tr>
<td>Totals</td>
<td>2,660</td>
<td>1,675</td>
<td>1,940</td>
<td>4,535</td>
<td>10,810</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: San Luis Obispo Council of Governments (SLOCOG), 2019
1 Percent of total housing need in each jurisdiction.

Residential Development Capacity
As part of the Housing Element update process, jurisdictions must document their residential land capacity to show how their RHNA can be met. The City has completed this analysis and has approximately 359 acres of vacant, underutilized, blighted, or underdeveloped property that can accommodate approximately 3,155 dwelling units (a substantial portion of these units are located with the Avila Ranch planning area and San Luis Ranch Specific Plan). In addition, the City has issued building permits for 537 residential units within the 6th Cycle planning period. 729 residential units have received planning entitlements and an estimated 995 units are in the pipeline (a number of these units are located with the Orcutt Area Specific Plan, Froom Ranch Area, and 650 Tank Farm). Based on these numbers, the City’s residential capacity exceeds the 3,354-unit RHNA, and therefore, a property rezoning program will not be required by HCD for certification of the City’s Housing Element update.

Previous Advisory Body and Council Review
Kick-off of the 6th Cycle Housing Element update began in April 2019 with a Public Forum on Housing, followed by a Study Session with the City Council that included an update on the City’s housing programs. This City Council update included a status report on the Housing Major City Goal for FY 2017-19 and 2019-21, State housing law, Housing Element and required update, production and housing affordability.
This Study Session was also presented to the Planning Commission later in April. Below is a timeline of the advisory body meetings that have occurred about the 6th Cycle Housing Element Update:

- Planning Commission Meeting – July 22, 2020
- Planning Commission Meeting – June 10, 2020
- Human Relations Commission Meeting – June 3, 2020
- Planning Commission Meeting – April 24, 2019
- Public Forum and City Council Meeting – April 2, 2019

Comments and direction provided at these meetings, as well as through public engagement and the Housing Major City Goal were important for informing proposed modifications to the Housing Element Update.

**Public Engagement**

In addition to discussing the Housing Element update at public meetings, the City facilitated several presentations, two online surveys, and a public workshop.

- Online Survey – June 8, 2020 – June 24, 2020
- Chamber of Commerce (Economic Development Committee) – June 4, 2020
- Economic Vitality Corporation and the Home Builders Association – May 13, 2020
- Chamber of Commerce (Economic Development Committee) – April 2, 2020
- Online Survey – December 10, 2019 – January 10, 2020
- Housing Element Workshop – December 10, 2019
- Association of Realtors – July 23, 2019

In December 2019, prior to COVID-19, the City hosted an in-person workshop and an online survey to garner feedback on the needs, issues, and opportunities of housing within the City of San Luis Obispo. Approximately 30 people participated in the workshop and 77 people participated in the online survey. This is equivalent to 5.4 hours of public comment at 3 minutes per response. The following is an overview of public feedback and comments received for each category, which were considered and incorporated into Chapter 3 (Goals, Policies, and Programs) of the Housing Element Update where appropriate:

1. **Needs**
   - Affordable housing
   - Workforce (missing middle) housing
   - Housing for families
   - Student housing
   - Senior housing
   - Housing near employment
   - More housing
2. Issues
- Affordable housing
- Insufficient number of housing units to rent or purchase
- Not enough diversity in the types of housing
- Higher density housing

3. Opportunities
- Increase residential densities where appropriate, such as downtown
- Provide more student housing on campus
- Rehabilitate existing housing resources

The City provided another opportunity for the community to provide specific feedback regarding the proposed modifications to Chapter 3 (Goals, Policies & Programs) of the Housing Element. This was accomplished through another online survey in the place of an in-person public workshop during the COVID-19 restricted activity period. 337 individuals visited the survey and 78 individuals responded to the questions (this is equivalent to 3.9 hours of public comment at 3 minutes per response). The second online survey asked participants to note if anything that was missed or needed to be modified in the proposed changes, if there were additional housing topics that should be considered, and requested ideas on how to increase the production and affordability of housing in the community.

The responses identified housing concepts that are included throughout various goals, policies, and programs such as:
- Promote ADA/special needs housing
- Promote affordable senior housing projects
- Support high density housing developments
- Support local preference
- Infrastructure planning (e.g. pedestrian, bicycle, improvements, etc.)
- Include amenities within housing developments such as: community gardens, common open space, parks, car share programs, and edible landscaping.
- Affordable housing
- Senior housing
- Homeless/Transition housing

The responses also included ideas for increasing production and affordability of housing that staff will consider with program implementation. These ideas include:
- Update Inclusionary Housing Ordinance
- Reduce setback requirements
- Pre-approved ADU plans
- Reduce parking requirements
- Higher density and taller buildings in Downtown
- Reduce fees
- Round all densities to the nearest 0.5
- Upzone each residential zone to the next highest density
**Goals, Policies and Programs – Chapter 3**

The 6th Cycle Draft Housing Element and its appendices (Attachment D) include information such as updated demographic and residential capacity information, housing constraints and resources, and implementation. The core of the Housing Element, however, falls under Chapter 3: Goal, Policies and Programs, which provides direction and a plan for how the City will achieve the accommodation of 3,354 units as required by HCD.

Chapter 3 of the Housing Element has been updated in response to input received through 12 presentations, meetings, online surveys, and a public workshop, as well as other correspondence over the past year and a half. Staff presented to the Planning Commission on June 10, 2020 and July 22, 2020 regarding proposed modifications to the Housing Element’s goals, policies and programs based on public comment, the changing needs, resources, and conditions in the community, and state law. The Planning Commission provided direction to staff regarding those modifications. The tables in the following discussion and Attachment C show legislative changes in red and changes based on the Planning Commission direction in blue.

The City Council should review the proposed modifications to Chapter 3 and provide comments or direction as appropriate. Some of the more substantive proposed changes or additions are highlighted below for consideration, however, the City Council may comment and/or provide direction on any of the goals, policies, or programs within Chapter 3. A brief description is provided explaining why the proposed modification or addition or removal better achieves housing goals or state requirements. Modifications are broken into four tables: 1) New or Modified Goals, Policies, and Programs; 2) Removed Goals, Policies, and Program; 3) Zoning Regulations Update; and 4) AB 1600 and Fee Schedule Update.

**New or Modified Goals, Policies, and Programs**

<table>
<thead>
<tr>
<th>Org #</th>
<th>New #</th>
<th>Goal</th>
<th>Goal/Policy/Program</th>
<th>Reason for Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.4</td>
<td></td>
<td>Safety</td>
<td>Assist owners of older residences with information on ways to repair and upgrade older structures to meet higher levels of building safety, efficiency, and sustainability.</td>
<td>Per Planning Commission (PC) comments on June 10, 2020, staff is recommending a new policy that supports improvements to older residential structures.</td>
</tr>
<tr>
<td>2.15</td>
<td>2.13</td>
<td>Affordability</td>
<td>Update the Inclusionary Housing Ordinance, including Table 2A, based on findings and recommendations in the 2020 Affordable Housing Nexus Study and conduct further feasibility analysis in order to evaluate the Inclusionary Housing Ordinance requirements and the effect of Table 2A on the City’s ability to provide affordable housing in the proportions shown in the Regional Housing Needs Allocation, per Policy 2.4.</td>
<td>In March of 2020, the City completed the 2020 Affordable Housing Nexus Study. The Study’s findings and recommendations indicate that the City’s Inclusionary Housing Ordinance needs to be updated to better reflect the correct proportion of inclusionary affordable units required as a part of new development within the City. This program has been added to recognize and prioritize this work effort.</td>
</tr>
<tr>
<td>Org #</td>
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</tr>
<tr>
<td>2.15</td>
<td></td>
<td>Affordability</td>
<td>Evaluate a flexible density pilot program and initiate an update of the Zoning Regulations and Community Design Guidelines to incorporate flexible density development options in Downtown Core and portions of Upper Monterey and Mid-Higuera Special Focus Areas to support the production of smaller residential units (150 to 600 square feet).</td>
<td>This program was recommended in part by input from the community and the work program associated with the Housing Major City Goal. The community and Council identified that the Downtown Core and portions of Upper Monterey and Mid-Higuera Special Focus Areas could be appropriate for higher density housing development. The program seeks to evaluate how the City might allow flexible density beyond what is allowed in these areas to support the production of smaller units (150-600 square feet in size).</td>
</tr>
<tr>
<td>4.6</td>
<td>4.6</td>
<td>Mixed-Income Housing</td>
<td>Consider amending the City’s Inclusionary Housing Ordinance and Affordable Housing Incentives to require that affordable units in a development be of similar size, number of bedrooms, character and basic quality as the nonrestricted units in locations that avoid segregation of such units including equivalent ways to satisfy the requirement. Also evaluate adjusting the City’s allowable sales prices for deed-restricted affordable units per a variety of unit types.</td>
<td>The Inclusionary Housing Ordinance was last reviewed in 2007. Based on community feedback, staff is recommending language be added to the program to include consideration and clarification regarding affordability (by unit type), location of affordable units (onsite, dispersion, off-site, etc.), equivalent size of units (number of bedrooms), and equivalent options to meet these requirements. This modification seeks to address concerns that projects meet inclusionary requirements with smaller units, units on a separate property, or units constructed by another entity.</td>
</tr>
<tr>
<td>Goal 5</td>
<td>Goal 5</td>
<td>Housing Variety</td>
<td>Goal 5 – Housing Variety and Tenure. Provide variety in the location, type, size tenur, and style of dwellings.</td>
<td>Staff is recommending that this goal, and several of the policies within, be modified to focus on housing variety rather than tenure which is covered under Goal 3: Housing Conservation.</td>
</tr>
<tr>
<td>5.3</td>
<td></td>
<td>Housing Variety</td>
<td>Encourage the development of a variety of “missing middle” housing types.</td>
<td>This policy is based on community feedback and the work program associated with the Housing Major City Goal to address the need for more housing. Missing middle housing types include duplexes, triplexes, quadplexes, cottages, etc. Policy 5.4 also replaces Program 2.16 which discusses workforce housing. Creating a workforce level of affordability was examined and found that it could not be successfully implemented on a citywide basis as there are no existing State standards for such an income level. Policy 5.4 sets the framework for the newly proposed Program 5.6.</td>
</tr>
<tr>
<td>5.4</td>
<td></td>
<td>Housing Variety</td>
<td>Evaluate opportunities for promoting “missing middle” housing types (e.g. duplex, triplex, quadplex, cottages, etc) to increase housing options in the City.</td>
<td>To implement new Policy 5.3, this program proposes that the City evaluate ways in which to increase the number of housing units available to the missing middle by specifically exploring ways to promote specific housing types such as duplexes, triplexes, quadplexes, cottages, etc.</td>
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<td></td>
<td>6.8</td>
<td>6.6       Housing Production</td>
<td>Consistent with the City’s goal to stimulate higher density infill where appropriate in the Downtown Core (C-D Zone), Upper Monterey, and Mid-Higuera Special Focus Areas, the City shall consider changes to the Zoning Regulations that would allow for flexible density standards that support the development of smaller apartments and efficiency units.</td>
<td>This policy was updated to encourage additional residential units not only in Downtown, but in Upper Monterey and Mid-Higuera Special Focus Areas consistent with the City’s Major City Goal work program and new Program 2.15.</td>
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<td></td>
<td>6.13</td>
<td>6.12      Housing Production</td>
<td>Continue to develop incentives to encourage additional housing in the Downtown, Upper Monterey, and Mid-Higuera Special Focus Areas Downtown Core (C-D Zone), particularly in mixed-use developments. Density based on flexible density average unit size in a project should be explored to encourage the development of smaller efficiency units.</td>
<td>This program was modified to be consistent with Policy 6.6 and support the City’s Major City Goal work program and new Program 2.15.</td>
</tr>
<tr>
<td>Goal 7</td>
<td>Goal 7</td>
<td>Neighborhood Quality</td>
<td>Goal 7 - Neighborhood Quality. Maintain, preserve and enhance the quality and livability of neighborhoods. Encourage neighborhood stability and owner occupancy, and improve neighborhood appearance, function and sense of community.</td>
<td>Staff is recommending that this goal be modified to focus on providing quality of life in neighborhoods, removing language associated with neighborhood stability and owner occupancy. This language was removed to focus the goal on neighborhood quality, amenities, and access and not on whether a neighborhood has renter or owner-occupied housing. Focus on home ownership is included in Goal 10. This modified language is consistent with Goal 7’s existing policies and programs that focus on amenities, outdoor space (public/private), walkability, access to transit, schools, parks, commercial centers, maintaining setbacks, and overall character and quality of established neighborhoods.</td>
</tr>
<tr>
<td></td>
<td>7.9</td>
<td>Neighborhood Quality</td>
<td>Encourage neighborhood design elements that improve overall health of residents such as providing safe and convenient opportunities to access healthy food and attractive places for recreational exercise.</td>
<td>This is a new policy that has been added per recommendation of the Planning Commission to address public health and housing.</td>
</tr>
<tr>
<td></td>
<td>7.14</td>
<td>Neighborhood Quality</td>
<td>Encourage new developments with 10 or more residential units be reviewed and scored by the Healthy Communities Work Group prior to submitting a planning application to the City.</td>
<td>This is a new program recommended by the Planning Commission to support Policy 7.9.</td>
</tr>
<tr>
<td>New or Modified Goals, Policies, and Programs</td>
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<tr>
<td><strong>New or Modified Goals, Policies, and Programs</strong></td>
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<td><strong>Org #</strong></td>
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<td><strong>Goal</strong></td>
<td><strong>Goal/Policy/Program</strong></td>
<td><strong>Reason for Modification</strong></td>
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<tr>
<td>****</td>
<td>7.15</td>
<td>Neighborhood Quality</td>
<td>Encourage developments with 10 or more residential units to include the following: outdoor visiting and gathering spaces, places to exercise or recreate, and spaces reserved for edible landscape or community gardens.</td>
<td>This is a new program recommended by the Planning Commission to support Policy 7.9.</td>
</tr>
<tr>
<td>Goal 10</td>
<td>Goal 10</td>
<td>Local Preference</td>
<td>Maximize affordable housing opportunities for those individuals who are employed in business that are located in geographic areas that are customarily included in the City’s annual jobs-housing balance analysis who live or work in San Luis Obispo while seeking to balance job growth and housing supply.</td>
<td>Based on community feedback and a need for more housing for local individuals who work in the City or nearby vicinity, staff is recommending Goal 10 be updated to focus on providing housing for individuals who are employed in business that are located in geographic areas that are customarily included in the City’s annual jobs-housing balance analysis.</td>
</tr>
<tr>
<td>10.2</td>
<td>Local Preference</td>
<td>Encourage, and where legally allowed, require new housing development to give preference in the following order: 1) individuals who are employed in business that are located in geographic areas that are customarily included in the City’s annual jobs-housing balance analysis, 2) individuals residing in the County, and 3) finally to individuals from outside the County.</td>
<td>This is a new policy that staff is recommending to support proposed revisions to Goal 10. This policy sets preferences for new for-sale housing developments in the initial offering and sales to improve the City’s jobs-housing balance, reduce competition from outside buyers and allow those that work in the City the opportunity to live in the City, thereby reducing commute times.</td>
<td></td>
</tr>
<tr>
<td>10.4</td>
<td>Local Preference</td>
<td>Encourage residential developers to sell or rent their projects to those residing or employed in the City first before outside markets.</td>
<td>Staff is recommending that the City continue to work with housing developers to limit for sale units to owner-occupants for the first five years after sale. This is a strategy that has been implemented as part of the Avila Ranch and San Luis Ranch projects to encourage local home ownership opportunities rather than outside investor properties.</td>
<td></td>
</tr>
</tbody>
</table>

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**Removed Goals, Policies, and Programs**
Over the last several years, the City has been able to implement various policies and programs, as well as determine that other policies and programs no longer fit the current needs and issues of the community or no longer comply with new state regulations. As such, staff is recommending the following be removed from the 6th Cycle Housing Element.
<table>
<thead>
<tr>
<th>Org #</th>
<th>Goal</th>
<th>Goal/Policy/Program</th>
<th>Reason for Removal</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.3</td>
<td>Housing Conservation</td>
<td>Encourage seismic upgrades of older dwellings to reduce the risk of bodily harm and the loss of housing in an earthquake.</td>
<td>All multi-family structures have been retrofitted and single-family residences are exempt from seismic retrofits. Additionally, any upgrades to older residential structures is now covered in the proposed new Policy 1.4.</td>
</tr>
<tr>
<td>3.8</td>
<td>Housing Conservation</td>
<td>Adopt an ordinance that implements policy 3.2 to discourage removal or replacement of affordable housing.</td>
<td>Affordable housing units are protected by the State of California Housing Accountability Act, SB 330 (see Policy 3.2), and the “no net loss” requirements of SB 166. An ordinance is no longer required.</td>
</tr>
<tr>
<td>6.2</td>
<td>Housing Production</td>
<td>New commercial developments in the Downtown Core (C-D Zone) shall include housing, unless the City makes one of the following findings: Housing is likely to jeopardize the health, safety or welfare of residents or employees; or The property’s shape, size, topography or other physical factor makes construction of new dwellings infeasible.</td>
<td>Updated to be consistent with Zoning Regulations update. The Zoning Regulations require housing as a part of any development within the downtown.</td>
</tr>
<tr>
<td>6.6</td>
<td>Housing Production</td>
<td>Property located behind the former County General Hospital shall be designated a “Special Considerations” zone and may be considered suitable for residential development after further analysis and environmental review, provided that development be limited to site areas with average slopes of less than 20 percent, that approximately one half of the total site area be dedicated for open space and/or public use, and that an additional water tank be provided if determined necessary to serve new development.</td>
<td>Completed as a part of the LUE update as part of the special focus areas section; Program 8.6. General Hospital Site.</td>
</tr>
<tr>
<td>8.3</td>
<td>Special Housing Needs</td>
<td>Encourage manufactured homes in Specific Plan Areas by: A) When the City considers adopting new specific plans, including policies that support owner occupied manufactured home parks with amenities such as greenbelts, recreation facilities, and shopping services within a master planned community setting. Such parks could be specifically designed to help address the needs of those with mobility and transportation limitations.</td>
<td>Manufactured homes are allowed in all residential zones; applicants have not shown any interest in creating new manufactured home parks. New, higher density development is more efficient and cost effective. The most recent affordable housing projects have all been multi-family apartments.</td>
</tr>
<tr>
<td>Org #</td>
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<td>B) Establishing lot sizes, setback, and parking guidelines that allow for relatively dense placement of manufactured homes within the master planned neighborhood.</td>
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<td></td>
<td>C) Locating manufactured home parks near public transit facilities or provide public transportation services to the manufactured home parks to minimize the need for residents to own automobiles.</td>
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<tr>
<td>9.3</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Preserve the physical neighborhood qualities in the Downtown Planning Area that contribute to sustainability. Some ways to do this include: A) Maintain the overall scale, density and architectural character of older neighborhoods surrounding the Downtown Core. B) Encourage the maintenance and rehabilitation of historically designated housing stock.</td>
<td>The Historic Preservation Ordinance preserves and protects historic structures and districts. Additionally, the Conservation and Open Space Element includes Policies 3.3.4, 3.3.5, that direct preservation of historic buildings, districts, and neighborhoods. Program 3.6.3 directs construction within historic districts.</td>
</tr>
<tr>
<td>Goal 11</td>
<td>Suitability</td>
<td>Goal 11 — Suitability. Develop and retain housing on sites that are suitable for that purpose.</td>
<td>Policies and programs within Goal 11 are covered by the other Goals of the Housing Element, the Housing Major City Goal, the Conservation and Open Space Element, the Land Use Element, and the Safety Element.</td>
</tr>
<tr>
<td>11.1</td>
<td>Suitability</td>
<td>Where property is equally suited for commercial or residential uses, give preference to residential use. Changes in land use designation from residential to non-residential should be discouraged.</td>
<td>See discussion under Goal 11 above.</td>
</tr>
<tr>
<td>11.2</td>
<td>Suitability</td>
<td>Prevent new housing development on sites that should be preserved as dedicated open space or parks, on sites subject to natural hazards such as unmitigable geological or flood risks, or wild fire dangers, and on sites subject to unacceptable levels of man-made hazards or nuisances, including severe soil contamination, airport noise or hazards, traffic noise or hazards, odors or incompatible neighboring uses.</td>
<td>See discussion under Goal 11 above.</td>
</tr>
<tr>
<td>11.3</td>
<td>Suitability</td>
<td>The City will continue to ensure the ability of legal, non-conforming uses to continue where new development is proposed.</td>
<td>See discussion under Goal 11 above.</td>
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Regional Vision for Housing – Chapter 4
San Luis Obispo County is a rural coastal county with seven cities and numerous unincorporated communities that depend on collaborative relationships between and among government agencies, community organizations, and residents to solve the region’s significant issues including inadequate supply of affordable housing and resilient water, wastewater, and transportation infrastructure and resources. In early 2020, local agencies adopted a San Luis Obispo Countywide Regional Compact to establish a united regional framework to unlock our potential to develop an adequate supply of housing and infrastructure that support our economic prosperity.

The County and all seven Cities worked collaboratively to develop the region’s first Regional Infrastructure and Housing Strategic Action Plan (Regional Plan) that identifies actions to address these issues. A key component of the Regional Plan is the integration of efforts to address critical housing and related infrastructure needs. As part of the Housing Element update process, representatives of the County, seven Cities and San Luis Obispo Council of Governments (SLOCOG) developed Chapter 4 (see Attachment 3, Draft Housing Element) to showcase the ongoing commitment of each agency to this collaborative effort. Chapter 4 presents a regional vision and eight policies focused specifically on fostering regional collaboration to plan and develop housing and supportive infrastructure.

Planning Commission Action
On July 22, 2020, the Planning Commission unanimously recommended the City Council adopt a resolution approving updates to the City’s Housing Element and Negative Declaration of Environmental Impact. The Planning Commission provided feedback at both the June 10th and July 22nd meetings regarding minor revisions to the goals, policies and programs, including an additional policy and two new programs to address healthy communities. The proposed modifications of the Planning Commission are highlighted in Attachment C in blue text.

California Department of Housing and Community Development (HCD)
Once a jurisdiction has completed a draft update to its housing element, it is required to be submitted for review and certification by the state of California. The Housing Element is the only Element in the General Plan that requires this review and certification process. The Department of Housing and Community Development (HCD) has been tasked to review Housing Elements for compliance with state law. HCD has 60 days to review the draft Housing Element and work with the City on any changes to the document. At the end of the 60 days, HCD issues a letter with their findings. The letter is usually a good indicator that HCD will certify the Housing Element, with their recommended modifications, once it is adopted by the City Council. Having a certified Housing Element allows the City to access state funds for future housing projects.

On July 7, 2020, the City submitted a draft of the Housing Element Update to HCD for review. On August 6, 2020, City staff held a phone conference with staff from HCD to discuss their preliminary review of the draft Housing Element Update. HCD provided direction regarding needed technical changes including items such as additional clarification and information regarding the City’s analysis of its housing inventory and asked that the City add specific quantitative language to some of the proposed programs. Overall, HCD was supportive of the City’s efforts and strategies to increase housing affordability and production. Staff is currently working closely with HCD to address these items and achieve a determination of compliance with state law.
**Policy Context**
The proposed amendments to the Housing Element are consistent with other land use goals and policies of the General Plan.

**CONCURRENCE**

Staff comments have been incorporated into the draft Housing Element.

**ENVIRONMENTAL REVIEW**

A Negative Declaration of Environmental Impact is recommended for the Housing Element Update (Attachment E). No potentially significant or significant impacts were identified. A Negative Declaration is therefore recommended for adoption in accordance with CEQA Guidelines section 15063(b)(2): “The lead agency shall prepare a negative declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.” A 30-day public comment period was opened on July 9, 2020. A Notice of Intent to Adopt was filed with the County Clerk Recorder and the State Clearing House.

**FISCAL IMPACT**

Budgeted: No  
Funding Identified: No

Fiscal Analysis:

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Current FY Cost</th>
<th>Annualized On-going Cost</th>
<th>Total Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State</td>
<td></td>
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<tr>
<td>Federal</td>
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<tr>
<td>Fees</td>
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<td>Other:</td>
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<tr>
<td>Total</td>
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</tbody>
</table>

There is no direct fiscal impact associated with this action. The Housing Element Update is a work program in the Housing Major City Goal adopted as part of the 19-21 Financial Plan.

**ALTERNATIVES**

1. *Modify the Proposed 6th Cycle Housing Element.* The Council may modify the proposed Housing Element. Specific direction should be given to staff regarding any modifications.

2. *Continue the review of the 6th Cycle Housing Element.* An action to continue the item should include direction to staff on pertinent issues.
Attachments:

a - Draft Resolution
b - Planning Commission Resolution No. PC-1017-2020
c - Chapter 3 Legislative Matrix
d - COUNCIL READING FILE - Draft Housing Element
e - COUNCIL READING FILE - Initial Study
RESOLUTION NO. _____ (2020 SERIES)


WHEREAS, State law requires cities and counties to adopt a general plan. The General Plan includes nine required elements, one of which is the Housing Element. The Housing Element must be updated every eight (8) years or as otherwise provided by State law; and

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a web based public hearing, on July 22, 2020, and recommended that the City Council approve a Negative Declaration of Environmental Impact and amendments to the Housing Element to address the changing needs, resources, and conditions in the Community, as required by State law; and

WHEREAS, the City Council of the City of San Luis Obispo conducted a web based public hearing, on September 1, 2020, for the purpose of considering the Negative Declaration of Environmental Impact and amendments to the Housing Element; and

WHEREAS, the City facilitated 12 presentations, meetings, online surveys, and a public workshop to identify housing needs, issues and opportunities in the community and inform policy and program changes for the 6th Cycle Housing Element Update; and

WHEREAS, notices of said public hearing were made at the time and in the manner required by law; and

WHEREAS, the City Council has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of San Luis Obispo as follows:

SECTION 1. Findings. This Council, after considering the 6th Cycle Housing Element update, the Planning Commission’s recommendations, staff recommendations, public testimony and correspondence, and reports thereon, makes the following findings:

1. The proposed amendments included in the draft 6th Cycle Housing Element are consistent with other land use goals and policies of the General Plan.

2. The proposed amendments are appropriate and necessary to ensure that the City’s Housing Element meets State law and the changing needs, resources, and conditions in the community.
3. The City facilitated 12 presentations, meetings, online surveys, and a public workshop to identify housing needs, issues and opportunities in the community and inform policy and program changes for the 6th Cycle Housing Element Update.

4. The City has evaluated its ability to accommodate its Regional Housing Need Allocation (RHNA) number of 3,354 dwellings by December 2028 and determined there is sufficient land suitable for residential development to accommodate the RHNA number within the planning period.

5. Achieving Housing Element State certification will promote affordable housing opportunities and help achieve adopted housing goals by making the City eligible for various housing grants and financial incentives, and will foster cooperation among local and state agencies in addressing an urgent need for affordable housing in the City.

SECTION 2: Environmental Review. The City Council does hereby endorse a Negative Declaration of Environmental Impact in accordance with CEQA Guidelines section 15063(b)(2): “The lead agency shall prepare a negative declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.”
SECTION 3. Action. The City Council does hereby approve the proposed amendments to the Housing Element, which is incorporated herein by reference subject to final review of approval of sections by the State Department of Housing and Community Development and any changes shall be brought back for final approval.

Upon motion of Council Member ____________________, seconded by Council Member ____________________, and on the following roll call vote:

AYES:
NOES:
ABSENT:

The foregoing resolution was adopted this _____ day of __________ 2020.

__________________________
Mayor Heidi Harmon

ATTEST:

__________________________
Teresa Purrington
City Clerk

APPROVED AS TO FORM:

__________________________
J. Christine Dietrick
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on ____________________.

__________________________
Teresa Purrington
City Clerk
RESOLUTION NO. 1017-20


WHEREAS, State law requires cities and counties to adopt a general plan. The General Plan includes nine required elements, one of which is the Housing Element. The Housing Element must be updated every eight (8) years or as otherwise provided by State law; and

WHEREAS, the City’s General Plan Housing Element was last updated on January 20, 2015 in compliance with State law; and

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a public hearing via teleconference, per the Governor’s Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic, on June 10, 2020 for the purpose of considering modifications to the Housing Element’s goals, policies and programs; and

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a public hearing via teleconference, per the Governor’s Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic, on July 22, 2020, for the purpose of considering the Negative Declaration of Environmental Impact and amendments to the Housing Element of the General Plan to address the changing needs, resources and conditions in the community, as required by State law; and

WHEREAS, said public hearing was for the purpose of formulating and forwarding recommendations to the City Council of the City of San Luis Obispo regarding the project; and

WHEREAS, notices of said public hearing were made at the time and in the manner required by law; and

WHEREAS, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Luis Obispo as follows:

SECTION 1. Findings. Based upon all the evidence, the Commission makes the following findings:

1. The proposed amendments included in the draft Housing Element are consistent with other land use goals and policies of the General Plan.
2. The proposed amendments are appropriate and necessary to ensure that the City’s Housing Element meets State law and the changing needs, resources, and conditions in the community.

3. Achieving Housing Element State certification will promote affordable housing opportunities and help achieve adopted housing goals by making the City eligible for various housing grants and financial incentives, and will foster cooperation among local and state agencies in addressing an urgent need for affordable housing in the City.

SECTION 2. Environmental Review. The Planning Commission does hereby recommend the City Council adopt a Negative Declaration of Environmental Impact in accordance with CEQA Guidelines section 15063(b)(2): “The lead agency shall prepare a negative declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.”

SECTION 3. Action. The Planning Commission does hereby recommend the City Council adopt the proposed amendments to the Housing Element of the General Plan dated July 22, 2020, which is incorporated herein by reference.

On motion by Commissioner Hopkins, seconded by Vice-Chair Jorgenson and on the following roll call vote:

AYES: Commissioners Hopkins, Vice-Chair Jorgensen, Kahn, Shoresman, Wulkan and Chair Dandekar
NOES: None
REFRAIN: None
ABSENT: Commissioner Quincey

The foregoing resolution was passed and adopted this day of adopted this 22nd day of July, 2020.

Tyler Corey for Brian Leveille, Secretary
Planning Commission
Attachment B: Housing Element Chapter 3 Legislative Draft Matrix

The matrix below provides a legislative draft of Housing Element Chapter 3: goals, polices, and programs. Each modification is shown in red; modifications based on Planning Commission direction and public comment are shown in blue. Policies are highlighted in gray.

<table>
<thead>
<tr>
<th>#</th>
<th>New #</th>
<th>Goals</th>
<th>Policy/Program</th>
<th>Reason for Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal 1 - Safety: Provide safe, decent shelter for all residents.</td>
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</tr>
<tr>
<td>1.1</td>
<td>1.1</td>
<td>Safety</td>
<td>Assist those citizens unable to obtain safe shelter on their own.</td>
<td></td>
</tr>
<tr>
<td>1.2</td>
<td>1.2</td>
<td>Safety</td>
<td>Support and inform the public about fair housing laws and programs that allow equal housing access for all city residents.</td>
<td></td>
</tr>
<tr>
<td>1.3</td>
<td>1.3</td>
<td>Safety</td>
<td>Maintain a level of housing code enforcement sufficient to correct unsafe, unsanitary or illegal conditions and to preserve the inventory of safe housing, consistent with City Council’s code enforcement priorities.</td>
<td>Updated to be consistent with current code enforcement priorities.</td>
</tr>
<tr>
<td>1.4</td>
<td>1.4</td>
<td>Safety</td>
<td>Assist owners of older residences with information on ways to repair and upgrade older structures to meet higher levels of building safety, efficiency, and sustainability.</td>
<td>Per Planning Commission (PC) comments on June 10, 2020, staff is recommending a new policy that supports improvements to older residential structures.</td>
</tr>
<tr>
<td>1.5</td>
<td>1.5</td>
<td>Safety</td>
<td>Correct unsafe, unsanitary or illegal housing conditions, improve accessibility and energy efficiency and improve neighborhoods by Rehabilitate using Federal, State and local housing funds, such as Community Development Block Grant Funds, with the objectives of 30 single family, 75 multi-family, 10 historic, and 20 mobile homes for extremely low, very low, low and moderate income homeowners and renters during the planning period.</td>
<td>Added language from Program 3.9. The RHNA provides the objectives for the 6th Cycle Housing Element.</td>
</tr>
<tr>
<td>1.6</td>
<td>1.6</td>
<td>Safety</td>
<td>Continue code enforcement to expedite the removal of illegal or unsafe dwellings, to eliminate hazardous site or property conditions, and resolve chronic building safety problems.</td>
<td>In May 2015 the City Council adopted the Rental Housing Inspection Ordinance. In March 2017 the City Council voted to repeal the ordinance.</td>
</tr>
<tr>
<td>1.7</td>
<td>1.7</td>
<td>Safety</td>
<td>Consider a Rental Inspection Program to improve the condition of the City’s Housing Stock.</td>
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<tr>
<td></td>
<td>1.7</td>
<td>Safety</td>
<td>Continue to support local and regional solutions to homelessness by funding supportive programs services, and housing solutions. such as the Maxine Lewis Memorial Shelter and The Prado Day Center.</td>
<td>Maxine Lewis Memorial Shelter and the Prado Day Center are now housed within the 40 Prado Homeless Service Center.</td>
</tr>
<tr>
<td>#</td>
<td>New #</td>
<td>Goals</td>
<td>Policy/Program</td>
<td>Reason for Modification</td>
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<tr>
<td>1.8</td>
<td>-----</td>
<td>Safety</td>
<td>Create an educational campaign for owners of older residences informing them of ways to reduce the seismic hazards commonly found in such structures and encouraging them to undertake seismic upgrades.</td>
<td>Unreinforced masonry buildings have been retrofitted to meet current building code requirements. Proactive education is complete because no additional structures need seismic retrofits. Although complete, staff will continue to have information available regarding seismic hazards for those community members interested in further education.</td>
</tr>
</tbody>
</table>

### Goal 2 - Affordability: Accommodate affordable housing production that helps meet the City’s quantified objectives.

2.1.1 Affordability

Income Levels For Affordable Housing households. For purposes of this Housing Element, affordable housing is that which is obtainable by a household with a particular income level, as further described in the City’s Affordable Housing Standards. Housing affordable to Extremely Low, Very Low, Low, and Moderate income persons or households shall be considered “deed-restricted affordable housing.” Income levels are defined as follows:

- Extremely low: 30% or less of County Area median household income
- Very low: 31 to 50% of County Area median household income.
- Low: 51% to 80% of County Area median household income.
- Moderate: 81% to 120% of County Area median household income.
- Above moderate: 121% or more of County Area median household income.

Updated the policy to have the ability to remain consistent with standardized County data.

2.2.2 Affordability

Index of Affordability. The Index of Affordability shall be based on the City’s Affordable Housing Standards, updated annually per the County of San Luis Obispo’s Area Median Income determined by California Department of Housing and Community Development. Whether the monthly cost of housing fits within the following limits:

- For extremely low income households, not more than 25% of monthly income.
- For very low- and low-income households, not more than 25% of monthly income.
- For moderate income households, not more than 30% of monthly income.
- For above moderate-income households, no index.

These indices may be modified or expanded if the State of California modifies or expands its definition of affordability for these income groups.
<table>
<thead>
<tr>
<th>#</th>
<th>New #</th>
<th>Goals</th>
<th>Policy/Program</th>
<th>Reason for Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.3</td>
<td>2.3</td>
<td>Affordability</td>
<td>For housing to qualify as “deed-restricted affordable” under the provisions of this Element, guarantees must be presented that ownership or rental housing units will remain affordable for the longest period allowed by State law, or for a shorter period under an equity-sharing or housing rehabilitation agreement with the City.</td>
<td>The Equity Share Program has a 45-year deed restriction if an owner does not choose to exercise the equity share option.</td>
</tr>
<tr>
<td>2.4</td>
<td>2.4</td>
<td>Affordability</td>
<td>Encourage housing production for all financial strata of the City’s population, as allocated in the Regional Housing Needs Allocation, for the 2014–2019 6th cycle planning period. The number of units per income category are approximately: extremely low and income, 12 percent, very low income, 12 percent 825 units; low income, 16 percent 520 units; moderate income, 18 percent 604 units; and above moderate income, 42 percent 1,405 units.</td>
<td>Updated with the new RHNA under the 6th Cycle Housing Element.</td>
</tr>
<tr>
<td>2.5</td>
<td>2.5</td>
<td>Affordability</td>
<td>Continue to manage the Affordable Housing Fund so that the fund serves as a sustainable resource for supporting affordable housing development. The fund shall serve as a source of both grant funding and below market financing for affordable housing projects; and funds shall be used to support a wide variety of housing types at the following income levels: extremely low, very low, low, and moderate, but with a focus on production efficiency to maximize housing benefits for the City’s financial investment, and to support high quality housing projects that would not be feasible without Affordable Housing Fund support.</td>
<td></td>
</tr>
<tr>
<td>2.6</td>
<td>2.6</td>
<td>Affordability</td>
<td>Continue to review existing and proposed building, planning, engineering and fire policies and standards as housing developments are reviewed to determine whether changes are possible that could assist the production of affordable housing, or that would encourage preservation of housing rather than conversion to non-residential uses, provided such changes would not conflict with other General Plan policies. Such periodic reviews will seek to remove regulations that have been superseded, are redundant or are no longer needed.</td>
<td></td>
</tr>
<tr>
<td>2.7</td>
<td>2.7</td>
<td>Affordability</td>
<td>Continue to implement existing procedures that speed up the processing of applications, construction permits, and water and sewer service priorities for affordable housing projects. City staff and commissions shall give such projects priority in allocating work assignments, scheduling, conferences and hearings, and in preparing and issuing reports and water and sewer service allocations.</td>
<td>Updated language to be consistent with City policies and processes.</td>
</tr>
<tr>
<td>#</td>
<td>New #</td>
<td>Goals</td>
<td>Policy/Program</td>
<td>Reason for Modification</td>
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<td>2.8</td>
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<td>Affordability</td>
<td>Continue to pursue outside funding sources for the payment of City impact fees so that new dwellings that meet the City’s affordable housing standards can mitigate their facility and service impacts without adversely affecting housing affordability.</td>
<td>Reductions have been built into the new fee structure that was approved as a part of AB 1600 in 2018.</td>
</tr>
<tr>
<td>2.9</td>
<td>-----</td>
<td>Affordability</td>
<td>To the extent outside funding sources can be identified to offset impacts on City funds, exempt dwellings that meet the moderate income Affordable Housing Standards from planning, building and engineering development review and permit fees, including water meter installation fee. Maintain exemptions for extremely low, very low and low income households.</td>
<td>Reductions have been built into the new fee structure that was approved as a part of AB 1600 in 2018.</td>
</tr>
<tr>
<td>2.10</td>
<td>2.8</td>
<td>Affordability</td>
<td>Continue to coordinate public and private sector actions to encourage the development of housing that meets the City’s housing needs.</td>
<td></td>
</tr>
<tr>
<td>2.11</td>
<td>2.9</td>
<td>Affordability</td>
<td>Continue to assist with the issuance of bonds, tax credit financing, loan underwriting or other financial tools to help develop or preserve affordable units through various programs, including, but not limited to: (1) below market financing through the SLO County Housing Trust Fund and (2) subsidized mortgages for extremely low, very low, low and moderate income persons and first-time home buyers, and (3) self-help or “sweat equity” homeowner housing.</td>
<td>Eliminating the examples allows for more opportunities and flexibility to fund affordable housing opportunities.</td>
</tr>
<tr>
<td>2.12</td>
<td>2.10</td>
<td>Affordability</td>
<td>Consider updating the Affordable Housing Standards to include incorporating Homeowners’ Association (HOA) fees and a standard allowance for utilities in the calculation for affordable rents and home sales prices.</td>
<td>Added language based on findings and recommendations from the 2020 Affordable Housing Nexus Study.</td>
</tr>
<tr>
<td>2.13</td>
<td>2.11</td>
<td>Affordability</td>
<td>In conjunction with the Housing Authority and other local housing agencies, continue to provide on-going technical assistance and education to tenants, property owners and the community at large on the need to preserve at-risk units as well as the available tools to help them do so.</td>
<td></td>
</tr>
<tr>
<td>2.14</td>
<td>2.12</td>
<td>Affordability</td>
<td>In conjunction with local housing providers and the local residential design community, continue to provide technical assistance planning services as requested by the public, builders, design professionals and developers regarding design strategies to achieve affordable housing and density bonuses.</td>
<td>Updated language to be consistent with City policies and processes.</td>
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<tr>
<td>#</td>
<td>New #</td>
<td>Goals</td>
<td>Policy/Program</td>
<td>Reason for Modification</td>
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<tr>
<td>2.15</td>
<td>2.13</td>
<td>Affordability</td>
<td>Update the Inclusionary Housing Ordinance, including Table 2A, based on findings and recommendations in the 2020 Affordable Housing Nexus Study and conduct further feasibility analysis in order to evaluate the Inclusionary Housing Ordinance requirements and the effect of Table 2A on the City’s ability to provide affordable housing in the proportions shown in the Regional Housing Needs Allocation, per Policy 2.4.</td>
<td>Added language based on findings and recommendations from the 2020 Affordable Housing Nexus Study.</td>
</tr>
<tr>
<td>2.16</td>
<td>-----</td>
<td>Affordability</td>
<td>The City will evaluate and consider including a workforce level of affordability in its Affordable Housing Standards to increase housing options in the City for those making between 121 percent and 160 percent of the San Luis Obispo County median income. This affordability category cannot be used to meet inclusionary housing ordinance requirements and is not eligible for City Affordable Housing Funds.</td>
<td>Creating a workforce level of affordability was examined and found that it could not be successfully implemented on a citywide basis as there are no existing State standards for such an income level.</td>
</tr>
<tr>
<td>2.17</td>
<td>2.14</td>
<td>Affordability</td>
<td>Continue to consider support increasing residential densities above state density bonus allowances for projects that provide housing for extremely low, very low and extremely low income households.</td>
<td>Reordered wording.</td>
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<tr>
<td>2.15</td>
<td></td>
<td>Affordability</td>
<td>Evaluate a flexible density pilot program and initiate an update of the Zoning Regulations and Community Design Guidelines to incorporate flexible density development options in Downtown Core and portions of Upper Monterey and Mid-Higuera Special Focus Areas to support the production of smaller residential units (150 to 600 square feet).</td>
<td>This program was recommended in part by input from the community and the work program associated with the Housing Major City Goal. The community and Council identified that the Downtown and portions of Upper Monterey and Mid-Higuera Special Focus Areas could be appropriate for higher density housing development.</td>
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**Goal 3 - Housing Conservation: Conserve existing housing and prevent the loss of safe housing and the displacement of current occupants.**

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<th>#</th>
<th>New #</th>
<th>Goals</th>
<th>Policy/Program</th>
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<tbody>
<tr>
<td>3.1</td>
<td>3.1</td>
<td>Housing Conservation</td>
<td>Continue to encourage the rehabilitation, remodeling or relocation of sound or rehabitable housing rather than demolition. Demolition of non-historic housing may be permitted where conservation of existing housing would preclude the achievement of other housing objectives or adopted City goals.</td>
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<tr>
<td>3.2</td>
<td>3.2</td>
<td>Housing Conservation</td>
<td>Discourage the removal or replacement of housing affordable to extremely low, very-low, low- and moderate income households, and avoid permit approvals, private development, municipal actions or public projects that remove or adversely impact such housing unless such actions are necessary to achieve General Plan objectives and: (1) it can be demonstrated that rehabilitation of lower-cost units at risk of</td>
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<td>replacement is financially or physically</td>
<td>replacement is financially or physically infeasible, or (2) an equivalent number</td>
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<td>infeasible, or (2) an equivalent number of</td>
<td>of new units comparable or better in affordability and amenities to those being</td>
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<td>new units comparable or better in</td>
<td>replaced is provided, or (3) the project will correct substandard, blighted</td>
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<td>affordability and amenities to those</td>
<td>or unsafe housing; and (4) removal or replacement will not adversely affect</td>
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<td>being replaced is provided, or (3) the</td>
<td>housing which is already designated, or is determined to qualify for</td>
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<td>project will correct substandard, blighted</td>
<td>designation as a historic resource.</td>
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<td>or unsafe housing; and (4) removal or</td>
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<td>replacement will not adversely affect</td>
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<td>housing which is already designated, or is</td>
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<td>determined to qualify for designation as</td>
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<td>a historic resource.</td>
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<td>3.3</td>
<td>-----</td>
<td>Housing Conservation</td>
<td>Encourage seismic upgrades of older dwellings to reduce the risk of bodily harm</td>
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<td></td>
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<td>and the loss of housing in an earthquake.</td>
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<tr>
<td>3.4</td>
<td>3.3</td>
<td>Housing Conservation</td>
<td>Encourage the construction, preservation, rehabilitation or expansion of</td>
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<td></td>
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<td>residential hotels, group homes, integrated community apartments, and single-room</td>
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<td>occupancy dwellings.</td>
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<tr>
<td>3.5</td>
<td>3.4</td>
<td>Housing Conservation</td>
<td>Preserve historic homes and other types of historic residential buildings,</td>
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<td></td>
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<td>historic districts and unique or landmark neighborhood features.</td>
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<td>3.6</td>
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<td>Housing Conservation</td>
<td>Preserve the fabric, amenities, yards (i.e. setbacks), and overall character and</td>
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<td></td>
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<td>quality of life of established neighborhoods.</td>
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<td>3.7</td>
<td>3.5</td>
<td>Housing Conservation</td>
<td>Encourage and support creative strategies for the rehabilitation and adaptation</td>
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<td></td>
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<td>and reuse of residential, commercial, and industrial structures for housing.</td>
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<td>3.8</td>
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<td>Housing Conservation</td>
<td>Adopt an ordinance that implements policy 3.2 to discourage removal or replacement</td>
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<td></td>
<td></td>
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<td>of affordable housing.</td>
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<td>3.9</td>
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<td>Housing Conservation</td>
<td>Correct unsafe, unsanitary or illegal housing conditions, improve accessibility</td>
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<td>and energy efficiency, and improve neighborhoods by collaborating with agencies</td>
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<td>offering rehabilitation programs. City will use State or Federal grants or other</td>
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<td>housing funds to implement the program and provide services such as home</td>
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<td>weatherization, repair and universal access improvements.</td>
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<td>3.10</td>
<td>3.7</td>
<td>Housing Conservation</td>
<td>Continue to encourage the creation of dwellings in the Downtown Core (C-D Zone)</td>
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<td>and the Downtown Planning Area by continuing the &quot;no net housing loss&quot; program,</td>
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<td>consistent with Chapter 17.86 17.142 (Downtown Housing Conversion Regulations) of</td>
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<td></td>
<td>the Zoning Regulations.</td>
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<td>3.11</td>
<td>3.8</td>
<td>Housing Conservation</td>
<td>Continue to identify residential properties and districts eligible for local,</td>
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<td></td>
<td>State or Federal historic listing in accordance with guidelines and standards</td>
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<td>to help property owners repair, rehabilitate and improve properties in a</td>
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<td>historically and architecturally sensitive manner.</td>
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<td>3.12</td>
<td>3.9</td>
<td>Housing Conservation</td>
<td>Continue to monitor and track affordable housing units at-risk of being</td>
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<td>converted to market rate housing annually. Provide resources to support the</td>
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<td>Housing Authority, and local housing agencies, purchase and manage at-risk units.</td>
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<td>3.13</td>
<td>3.10</td>
<td>Housing Conservation</td>
<td>Working with non-profit organizations, faith-based organizations, or the</td>
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<td>Housing Authority of the City of San Luis Obispo, the City will encourage</td>
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<td>rehabilitation of residential, commercial or industrial buildings to expand</td>
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<td>extremely low, very-low, low or moderate income rental housing opportunities.</td>
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</tbody>
</table>

**Goal 4 - Mixed-Income Housing.** Preserve and accommodate existing and new mixed income neighborhoods and seek to prevent neighborhoods or housing types that are segregated by economic status.

<table>
<thead>
<tr>
<th>#</th>
<th>New #</th>
<th>Goals</th>
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<tbody>
<tr>
<td>4.1</td>
<td>4.1</td>
<td>Mixed-Income Housing</td>
<td>Within newly developed neighborhoods, housing that is affordable to various</td>
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<td>economic strata should be intermixed rather than segregated into separate</td>
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<td>enclaves. The mix should be comparable to the relative percentages of extremely</td>
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<td>low, very-low, low, moderate and above-moderate income households in the City’s</td>
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<td>quantified objectives.</td>
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<td>4.2</td>
<td>4.2</td>
<td>Mixed-Income Housing</td>
<td>Include both market-rate and affordable units in apartment and residential</td>
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<td>condominium projects and intermix the types of units. Affordable units should</td>
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<td>be comparable in size, appearance, and basic quality to market-rate units.</td>
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<td>4.3</td>
<td>4.3</td>
<td>Mixed-Income Housing</td>
<td>Extremely-low and very low-income housing, such as that developed by the</td>
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<td>Housing Authority of the City of San Luis Obispo or other housing providers,</td>
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<td>may be located in any zone that allows housing, and should be dispersed</td>
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<td>throughout the City rather than concentrated in one neighborhood or zone.</td>
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<tr>
<td>4.4</td>
<td>4.4</td>
<td>Mixed-Income</td>
<td>In its discretionary actions, housing programs and activities, the City shall affirmatively further fair</td>
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<td></td>
<td>Housing</td>
<td>housing and promote equal housing opportunities for persons of all economic segments of the community.</td>
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<td>4.5</td>
<td>4.5</td>
<td>Mixed-Income</td>
<td>Review new development proposals for compliance with City regulations and revise projects or establish</td>
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<td></td>
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<td>Housing</td>
<td>conditions of approval as needed to implement the mixed-income policies.</td>
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<tr>
<td>4.6</td>
<td>4.6</td>
<td>Mixed-Income</td>
<td>Consider a \textit{Amending the City’s Inclusionary Housing Ordinance and Affordable Housing Incentives}</td>
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<td>Housing</td>
<td>to require that affordable units in a development be of similar size, number of bedrooms, character</td>
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<td>and basic quality as the nonrestricted units in locations that avoid segregation of such units</td>
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<td>\textit{including equivalent ways to satisfy the requirement.} Also evaluate adjusting the City’s</td>
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<td>\textit{allowable sales prices for deed-restricted affordable units per a variety of unit types.}</td>
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</table>

Goal 5 - Housing Variety and Tenure. Provide variety in the location, type, size, tenure, and style of dwellings.

<p>| 5.1 | ----- | Housing Variety | Encourage the integration of appropriately scaled, special needs housing into developments or          | AB 101 allows this type of housing in all zones and there is limited ability control       |
|     |       |                 | neighborhoods of conventional housing.                                                               | scale and design.                                                                          |
| 5.2 | 5.1   | Housing Variety | Encourage mixed-use residential/commercial projects in all commercial zones, especially those close  | Combined with Policy 5.3 to form one policy that encourages mixed-use development,          |
|     |       |                 | to activity centers where compatible with existing and planned surrounding development, to include    | consistent with the Zoning Regulations update which no longer identifies live/work or       |
|     |       |                 | live-work and work-live units where housing and offices or other commercial uses are                  | work/live units separately from mixed-use.                                                |
|     |       |                 | compatible.                                                                                           |                                                                                           |
| 5.3 | ----- | Housing Variety | Encourage the development of housing above ground level retail stores and offices to provide          | See above.                                                                                |
|     |       |                 | housing opportunities close to activity centers and to use land efficiently.                          |                                                                                           |
| 5.4 | 5.2   | Housing Variety | New planned \textit{In general,} housing developments of twenty (20) or more units should provide      |                                                                                           |
|     |       |                 | a variety of dwelling types, sizes and styles or forms of tenure.                                      | This new policy is based on community feedback and the work program associated with the     |
| 5.3 | 5.3   | Housing Variety | Encourage the development of a variety of “missing middle” housing types.                              | Housing Major City Goal to address the need for more housing. Missing middle housing types  |
|     |       |                 |                                                                                                         | include duplexes, triplexes, quadplexes, cottages, etc. Policy 5.4 also replaces Program     |
|     |       |                 |                                                                                                         | 2.16 which discusses workforce housing.                                                    |</p>
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<tbody>
<tr>
<td>5.5</td>
<td>-----</td>
<td>Housing Variety</td>
<td>Review new developments for compliance with City regulations and revise projects or establish conditions of approval as needed to implement the housing variety and tenure policies.</td>
<td>Updated language to be consistent with City policies and processes.</td>
</tr>
<tr>
<td>5.4</td>
<td></td>
<td>Housing Variety</td>
<td>Evaluate opportunities for promoting “missing middle” housing types (e.g. duplex, triplex, quadplex, cottages, etc) to increase housing options in the City.</td>
<td>New program to implement new Policy 5.3.</td>
</tr>
<tr>
<td>5.5</td>
<td></td>
<td>Housing Variety</td>
<td>Consider amending the Zoning Regulations to streamline the permitting process for mixed-used projects in commercial zones.</td>
<td>New program to support Policy 5.1.</td>
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</table>

**Goal 6 - Housing Production. Plan for Facilitate the production of new housing to meet the full range of community housing needs.**

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<th>Reason for Modification</th>
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<tbody>
<tr>
<td>6.1</td>
<td>6.1</td>
<td>Housing Production</td>
<td>Consistent with the growth management portion of its Land Use Element and the availability of adequate resources, the City will plan to accommodate up to 3,354 dwelling units for the 6th cycle housing element update in accordance with the assigned Regional Housing Needs Allocation.</td>
<td>Updated to be consistent with the 6th Cycle RHNA.</td>
</tr>
<tr>
<td>6.2</td>
<td>-----</td>
<td>Housing Production</td>
<td>New commercial developments in the Downtown Core (C-D Zone) shall include housing, unless the City makes one of the following findings: Housing is likely to jeopardize the health, safety, or welfare of residents or employees; or The property’s shape, size, topography or other physical factor makes construction of new dwellings infeasible.</td>
<td>Updated to be consistent with Zoning Regulations update. The Zoning Regulations require housing as a part of any development within the downtown.</td>
</tr>
<tr>
<td>6.3</td>
<td>6.2</td>
<td>Housing Production</td>
<td>If City services must be rationed to development projects, residential projects will be given priority over non-residential projects. <strong>As required by SB 1087,</strong> housing affordable to lower income households will be given first priority.</td>
<td></td>
</tr>
<tr>
<td>6.4</td>
<td>6.3</td>
<td>Housing Production</td>
<td>City costs of providing services to housing development will be minimized. Other than for existing housing programs encouraging housing affordable to extremely low, very-low and low income persons, the City will not make new housing more affordable by shifting costs to existing residents.</td>
<td></td>
</tr>
<tr>
<td>6.5</td>
<td>6.4</td>
<td>Housing Production</td>
<td>When sold, purchased, or redeveloped for public or private uses, City-owned properties within the urban reserve shall include housing as either a freestanding project or part of a mixed-use development where land is suitable and appropriate for housing.</td>
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<td>6.6</td>
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<td>Housing Production</td>
<td>Property located behind the former County General Hospital shall be designated a “Special Considerations” zone and may be considered suitable for residential development after further analysis and environmental review, provided that development be limited to site areas with average slopes of less than 20 percent, that approximately one-half of the total site area be dedicated for open space and/or public use, and that an additional water tank be provided if determined necessary to serve new development.</td>
<td>Completed as a part of the LUE update as part of the special focus areas section; Program 8.6. General Hospital Site.</td>
</tr>
<tr>
<td>6.7</td>
<td>6.5</td>
<td>Housing Production</td>
<td>Support the redevelopment of excess public and private utility properties for housing where appropriately located and consistent with the General Plan.</td>
<td></td>
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<tr>
<td>6.8</td>
<td>6.6</td>
<td>Housing Production</td>
<td>Consistent with the City’s goal to stimulate higher density infill where appropriate in the Downtown Core (C-D zone), Upper Monterey, and Mid-Higuera Special Focus Areas, the City shall consider changes to the Zoning Regulations that would allow for flexible density standards that support the development of smaller apartments and efficiency units.</td>
<td>This policy was updated to encourage additional residential units not only in Downtown, but in Upper Monterey and Mid-Higuera Special Focus Areas consistent with the City’s Major City Goal work program and new Program 2.15.</td>
</tr>
<tr>
<td>6.9</td>
<td>6.7</td>
<td>Housing Production</td>
<td>Encourage and support employer/employee financing programs and partnerships to increase housing opportunities specifically targeted towards the local workforce.</td>
<td>Revised language allows for more flexibility and creativity to implement the policy.</td>
</tr>
<tr>
<td>6.10</td>
<td>6.8</td>
<td>Housing Production</td>
<td>To help meet the 6th cycle RHNA production targets Quantified Objectives, the City will support residential infill development and promote higher residential density where appropriate.</td>
<td>Updated to be consistent with the 6th Cycle RHNA.</td>
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<td>6.9</td>
<td>Housing Production</td>
<td>Specific plans for any new area identified shall include R-3 and R-4 zoned land to ensure sufficient land is designated at appropriate densities to accommodate the development of extremely low-, very low- and low-income dwellings.</td>
<td>Converted Program 6.14 into a policy.</td>
</tr>
<tr>
<td>6.11</td>
<td>6.10</td>
<td>Housing Production</td>
<td>Maintain the General Plan and Residential Growth Management Regulations (SLOMC 17.88144) exemption for new housing in the Downtown Core (C-D zone), accessory dwelling units (ADUs), and new housing in other zones that is enforceably for deed-restricted for extremely-low, very low, low- and moderate income households, pursuant to the Affordable Housing Standards.</td>
<td>Updated to be consistent with Zoning Regulations update.</td>
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<td>6.12</td>
<td>6.11</td>
<td>Housing Production</td>
<td>Continue to allow flexible parking regulations for housing development, especially in the Downtown Core (C-D Zone), including the possibilities of flexible use of city parking facilities by Downtown residents, where appropriate, and reduced or no parking requirements where appropriate guarantees limit occupancies to persons without motor vehicles or who provide proof of reserved, off-site parking. Such developments may be subject to requirements for parking use fees, use limitations and enforcement provisions.</td>
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<tr>
<td>6.13</td>
<td>6.12</td>
<td>Housing Production</td>
<td>Continue to develop incentives to encourage additional housing in the Downtown, Upper Monterey, and Mid-Higuera Special Focus Areas Downtown Core (C-D Zone), particularly in mixed-use developments. Density based on flexible density average unit size in a project should be explored to encourage the development of smaller efficiency units.</td>
<td>Modified to be consistent with Policy 6.6.</td>
</tr>
<tr>
<td>6.14</td>
<td>----</td>
<td>Housing Production</td>
<td>Specific plans for any new expansion area identified shall include R-3 and R-4 zoned land to ensure sufficient land is designated at appropriate densities to accommodate the development of extremely low, very low and low income dwellings. These plans shall include sites suitable for subsidized rental housing and affordable rental and owner occupied dwellings, and programs to support the construction of dwellings rather than payment of in lieu housing fees. Such sites shall be integrated within neighborhoods of market rate housing and shall be architecturally compatible with the neighborhood.</td>
<td>Converted to Policy 6.9.</td>
</tr>
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</table>
| 6.15| 6.13  | Housing Production      | Consider General Plan amendments to rezone commercial, manufacturing or public facility zoned areas for higher-density, infill or mixed-use housing where compatible with surrounding development land development patterns are suitable and where impact to Low-Density Residential areas is minimal. For example, areas to be considered for possible rezoning include, but are not limited to the following sites:  
A. Portions of South Broad Street Corridor and Little Italy area  
B. 1499 San Luis Drive (rezone vacant and underutilized School District property)  
C. 1642 Johnson Avenue (vacant School District property)  
D. 4325 South Higuera Street (former P.G.&E. yard)  
E. 4355 Vachell Lane (vehicle storage) | Updated to remove sites that have been developed and added new sites that may be considered for additional housing development. New language added per the recommendation of the PC at the June 10, 2020 meeting. |
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<tr>
<td>E</td>
<td></td>
<td>F. 172 Buckley Road (Avila Ranch)</td>
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<td>G</td>
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<td>G. 2143 Johnson Avenue (adjacent to County Health Department)</td>
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<td>H. 3710 Broad Street (Plumbers and Steamfitters Union)</td>
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<td>I. 11950 Los Osos Valley Road (Pacific Beach High School)</td>
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<td>J. 2500 Block of Boulevard Del Campo (adjacent to Sinsheimer Park)</td>
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<td>K</td>
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<td>K. 12165 &amp; 12193 Los Osos Valley Road (adjacent to Home Depot)</td>
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<td>L</td>
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<td>L. 1150 &amp; 1160 Laurel Lane (Atoll Business &amp; Technology Center)</td>
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<td>M. 600 Tank Farm Road (Temporary Unimproved Parking Area)</td>
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<td>N</td>
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<td>N. 12500 Los Osos Valley Road (053-141-013) (Agricultural fields and San Luis Creek)</td>
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<td>O</td>
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<td>O. Los Osos Valley Road (053-161-020) (Agricultural fields and San Luis Creek)</td>
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<td>6.16</td>
<td>6.14</td>
<td>Housing Production</td>
<td>Continue to provide resources that support the SLO County Housing Trust fund’s efforts to provide below market financing and technical assistance to affordable housing developers as a way to increase affordable housing production in the City of San Luis Obispo.</td>
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<td>6.17</td>
<td>6.15</td>
<td>Housing Production</td>
<td>Encourage residential development through infill development and densification within City Limits and in designated expansion areas over new annexation of land.</td>
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<tr>
<td>6.18</td>
<td>6.16</td>
<td>Housing Production</td>
<td>Seek opportunities with other public and private agencies to identify excess, surplus, and underutilized parcels for residential development, and public utilities to identify, assemble, develop, redevelop and recycle surplus land for housing, and to convert vacant or underutilized public, utility or institutional buildings to housing.</td>
<td>Consistent with new State law.</td>
</tr>
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<td>6.19</td>
<td>6.17</td>
<td>Housing Production</td>
<td>Continue to incentivize affordable housing development consistent with SLOMC (Affordable Housing Incentives), with density bonuses, parking reductions and other development incentives, including City financial assistance.</td>
<td>Simplified as the requirements are outlined in the City’s Municipal Code. Reference to City financial assistance was removed because it is not a “development incentive.”</td>
</tr>
<tr>
<td>6.20</td>
<td>6.18</td>
<td>Housing Production</td>
<td>Continue to financially assist in the development of housing affordable to extremely low, very-low, low- or and moderate income households during the planning period using State, Federal and local funding sources, with funding priority given to projects that result in the maximum housing benefits for the lowest household income levels.</td>
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<td>6.21</td>
<td>6.19</td>
<td>Housing Production</td>
<td>Actively seek new revenue sources, including State, Federal and private/non-profit sources, and financing mechanisms to assist with development of affordable housing affordable to development for extremely low, very low and low or moderate income households and first-time homebuyers.</td>
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<tr>
<td>6.22</td>
<td>-----</td>
<td>Housing Production</td>
<td>Continue to exempt the rehabilitation or remodeling of up to 4 dwellings of up to 1,200 square feet each from Architectural Review Commission review. New multi-unit housing may be allowed with “Minor or Incidental” or staff-level architectural review, unless the dwellings are located on a sensitive or historically sensitive site.</td>
<td>Implemented. Section 17.106.030 has been added to the 2018 Zoning Regulations update which references SLOMC Chapter 2.48 that includes language that exempts the rehabilitation or remodeling of up to 4 dwellings of up to 1,200 square feet each from Architectural Review Commission review.</td>
</tr>
<tr>
<td>6.23</td>
<td>-----</td>
<td>Housing Production</td>
<td>Assist in the production of affordable housing by identifying vacant or underutilized City-owned property suitable for housing, and dedicate public property, where feasible and appropriate for such purposes, as development projects are proposed.</td>
<td>Implemented. Staff completed an inventory of City-owned property and found that no City-owned properties are suitable for housing.</td>
</tr>
<tr>
<td>6.24</td>
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<td>Housing Production</td>
<td>Community Development staff will proactively provide information for properties suitable for housing as identified in the Land Use and Housing Elements.</td>
<td>Implemented. Staff actively provides information regarding any land identified in the Housing Element or the Land Use Element that may be suitable for housing development possibilities.</td>
</tr>
<tr>
<td>6.25</td>
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<td>Housing Production</td>
<td>Evaluate and consider amending the General Plan to designate the 46 acres associated with the former County General Hospital as a “Special Considerations” zone, suitable for housing development on areas of the site of less than 20 percent average slope, provided that open space dedication and public improvements are part of the project.</td>
<td>Completed. The Land Use Element was updated in 2015 to include Program 8.6 which identified the General Hospital site as a Special Planning Area.</td>
</tr>
<tr>
<td>6.26</td>
<td>6.20</td>
<td>Housing Production</td>
<td>Continue to update the Affordable Housing Incentives (Chapter 17.90140, SLOMC) and Zoning Regulations to ensure density bonus incentives are consistent with State Law.</td>
<td>Updated to be consistent with Zoning Regulations update.</td>
</tr>
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<td>6.27</td>
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<td>Housing Production</td>
<td>Evaluate and consider increasing the residential density allowed in the Neighborhood-Commercial (C-N), Office (O) and Downtown Commercial (C-D) zoning districts. The City will evaluate allowing up to 24 units per acre in the C-N and O zones, and up to 72 units per acre in the C-D zone, twice the current density allowed in these areas.</td>
<td>A detailed analysis of increasing the residential density allowed in various zoning districts was considered and evaluated as a part of the zoning update and determined that it would need to be part of a larger update to the Land Use Element (LUE) and require additional environmental review.</td>
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<td>6.28</td>
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<td>Housing Production</td>
<td>Evaluate how lot patterns (i.e. size, shape, slope) in the City’s multi-family zones affect the City’s ability to meet housing production policies. If warranted, consider setting a minimum number of dwellings on each legal lot in the R-2, R-3 and R-4 zones, regardless of lot size, when other property development standards, such as parking, height limits and setbacks can be met.</td>
<td>Implemented. In 2018 the Zoning Regulations were updated to include minimum number of dwellings on each legal lot in the R-2, R-3 and R-4 zones, regardless of lot size as long as the development can meet all property development standards, such as parking, height limits and setbacks.</td>
</tr>
<tr>
<td>6.29</td>
<td>-----</td>
<td>Housing Production</td>
<td>Continue to pursue incentives to encourage development of Secondary Dwelling Units (SDUs). Possible incentives include SDU design templates, flexible development standards, fee reductions or deferrals, or other measures to encourage the construction of SDUs where allowed by zoning.</td>
<td>Implemented. The City updated the Zoning Regulations in 2018 and 2020 to be consistent with State law regarding SDUs (now called ADUs – Accessory Dwelling Units). In addition, the City has also eliminated impact fees requirements for ADUs.</td>
</tr>
<tr>
<td>6.30</td>
<td>6.21</td>
<td>Housing Production</td>
<td>Evaluate and consider updating adopting the Subdivision and Zoning Regulations changes to support small lot subdivisions, ownership and bungalow court development Eliminate the one acre minimum lot area for PD overlay zoning, and other alternatives to conventional subdivision design.</td>
<td>The Zoning Regulations were updated in 2018 and included a revision to the PD overlay zoning to allow a minimum of one-half of a contiguous acre for a PD (as opposed to a one acre minimum).</td>
</tr>
<tr>
<td>6.31</td>
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<td>Housing Production</td>
<td>Consider scaling development impact fees for residential development based on size, number of bedrooms, and room counts.</td>
<td>Completed as a part of the AB 1600 and fee schedule update.</td>
</tr>
<tr>
<td>6.32</td>
<td>6.22</td>
<td>Housing Production</td>
<td>Continue to submit annual the Housing Element Annual Progress Reports (APR) to the State Department of Housing and Community Development and the Governor’s Office of Planning and Research on or before April 1st of each year for the prior calendar year, pursuant to per Government Code Section 65400.</td>
<td>Modified to provide focus on neighborhood quality, amenities, and access and less on specific tenure. Where projects propose home ownership, Goal 10: Local Preference, outlines policies and programs to support local home ownership.</td>
</tr>
</tbody>
</table>

**Goal 7 - Neighborhood Quality. Maintain, preserve and enhance the quality and livability of neighborhoods, encourage neighborhood stability and owner occupancy, and improve neighborhood appearance, function and sense of community.**

Modifying to provide focus on neighborhood quality, amenities, and access and less on specific tenure. Where projects propose home ownership, Goal 10: Local Preference, outlines policies and programs to support local home ownership.

<p>| 7.1 | 7.1  | Neighborhood Quality       | Within established neighborhoods, new residential development should be of compatible design character, size, density and quality that respects the existing neighborhood character, to enhance and maintain the quality of life for existing and future residents. | Reworded for consistency with state law. |</p>
<table>
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<tr>
<th>#</th>
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<tbody>
<tr>
<td>7.2</td>
<td>7.2</td>
<td>Neighborhood Quality</td>
<td>Higher density housing should maintain high quality standards for unit design, privacy, security, on-site amenities, and public and private open space. Such standards should be flexible enough to allow innovative design solutions in special circumstances, e.g., in developing mixed-use developments or in housing in the Downtown Core.</td>
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<td>7.3</td>
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<td>Neighborhood Quality</td>
<td>Within established neighborhoods, housing should not be located on sites designated in the General Plan for parks or open space.</td>
<td>Covered by polices within the Conservation and Open Space Element and the Land Use Element.</td>
</tr>
<tr>
<td>7.4</td>
<td>7.3</td>
<td>Neighborhood Quality</td>
<td>Within expansion areas, new residential developments should incorporate an integral part of an existing neighborhood or should establish a new neighborhood, with pedestrian and bicycle linkages that provide direct, convenient and safe access to adjacent neighborhoods, schools, parks, and shopping areas. The City no longer has any areas that are considered “expansion areas.” The Policy should apply to all new residential projects.</td>
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<tr>
<td>7.5</td>
<td>7.4</td>
<td>Neighborhood Quality</td>
<td>Discourage the creation of walled-off or physical separations between residential enclaves, or of separate, unconnected tracts to enhance, is discouraged because physical separations prevent the formation of safe, walkable, and enjoyable neighborhoods.</td>
<td>Reworded for clarity.</td>
</tr>
<tr>
<td>7.6</td>
<td>7.5</td>
<td>Neighborhood Quality</td>
<td>Housing should shall be sited to enhance safety along neighborhood streets and in other public and semi-public areas.</td>
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<tr>
<td>7.7</td>
<td>7.6</td>
<td>Neighborhood Quality</td>
<td>The physical design of neighborhoods and dwellings should promote walking and bicycling and preserve open spaces and views.</td>
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<tr>
<td>7.8</td>
<td>7.7</td>
<td>Neighborhood Quality</td>
<td>Continue to encourage strategies and programs that increase long-term residency and stabilization in neighborhoods.</td>
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<td>7.8</td>
<td>Neighborhood Quality</td>
<td>Preserve the fabric, amenities, yards (i.e. setbacks), and overall character and quality of life of established neighborhoods.</td>
<td>Policy 3.6 was moved to Goal 7 as it better relates to Neighborhood Quality than Housing Conservation.</td>
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<td>7.9</td>
<td>Neighborhood Quality</td>
<td>Encourage neighborhood design elements that improve overall health of residents such as providing safe and convenient opportunities to access healthy food and attractive places for recreational exercise.</td>
<td>This is a new policy that has been added as recommended by the Planning Commission to address public health and housing.</td>
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<td>7.9</td>
<td>7.10</td>
<td>Neighborhood Quality</td>
<td>Continue to utilize a diverse range of outreach methods implement varied strategies, including such as early notification through email notifications electronic media, the City’s website and social media accounts improvements, and neighborhood outreach meetings, etc., to ensure residents are aware of and able to participate in planning decisions affecting their neighborhoods early in the planning process.</td>
<td>Updated to be consistent with current requirements and policies.</td>
</tr>
<tr>
<td>7.10</td>
<td>7.11</td>
<td>Neighborhood Quality</td>
<td>Continue to work directly with neighborhood groups and individuals to address concerns pertaining to Identify specific neighborhood needs, problems, trends and opportunities for physical improvements.</td>
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<td>7.11</td>
<td>7.12</td>
<td>Neighborhood Quality</td>
<td>Continue to fund neighborhood improvements, including parks, sidewalks, traffic calming devices, crosswalks, parkways, street trees and street lighting to improve aesthetics, safety and accessibility.</td>
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<td>7.12</td>
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<td>Neighborhood Quality</td>
<td>Continue to develop and implement neighborhood parking strategies, including parking districts, to address the lack of on- and off-street parking in residential areas.</td>
<td>Implemented. The City has a process where Neighborhood Parking Districts can be created. The City has also been working on the creation of demand-based parking strategies.</td>
</tr>
<tr>
<td>7.13</td>
<td>7.13</td>
<td>Neighborhood Quality</td>
<td>Continue the City’s Neighborhood Services and proactive enforcement Code Enforcement programs to support neighborhood wellness.</td>
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<td>7.14</td>
<td>Neighborhood Quality</td>
<td>Encourage new developments with 10 or more residential units be reviewed and scored by the Healthy Communities Work Group prior to submitting a planning application to the City.</td>
<td>This is a new program recommended by the Planning Commission to support Policy 7.9.</td>
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<td>7.15</td>
<td>Neighborhood Quality</td>
<td>Encourage developments with 10 or more residential units to include the following: outdoor visiting and gathering spaces, places to exercise or recreate, and spaces reserved for edible landscape or community gardens.</td>
<td>This is a new program recommended by the Planning Commission to support Policy 7.9.</td>
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Goal 8 - Special Housing Needs. Encourage the creation and maintenance of housing for those with special housing needs.

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<tbody>
<tr>
<td>8.1</td>
<td>8.1</td>
<td>Special Housing Needs</td>
<td>Encourage housing development that meets a variety of special needs, including large families, single parents, disabled persons, the elderly, students, veterans, the homeless, or those seeking congregate care, group housing, single-room occupancy or co-housing accommodations, utilizing universal design.</td>
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<tr>
<td>8.2</td>
<td>8.2</td>
<td>Special Housing Needs</td>
<td>Preserve manufactured housing or mobile home parks and support changes in these forms of tenure only if such changes provide residents with greater long-term security or comparable housing in terms of quality, cost, and livability.</td>
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</tr>
<tr>
<td>8.3</td>
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<td>Special Housing Needs</td>
<td>Encourage manufactured homes in Specific Plan Areas by: A) When the City considers adopting new specific plans, including policies that support owner-occupied manufactured home parks with amenities such as greenbelts, recreation facilities, and shopping services within a master-planned community setting. Such parks could be specifically designed to help address the needs of those with mobility and transportation limitations. B) Establishing lot sizes, setback, and parking guidelines that allow for relatively dense placement of manufactured homes within the master-planned neighborhood. C) Locating manufactured home parks near public transit facilities or provide public transportation services to the manufactured home parks to minimize the need for residents to own automobiles.</td>
<td>Manufactured homes are allowed in all residential zones; applicants have not shown any interest in creating new manufactured home parks. New, higher density development is more efficient and cost effective. The most recent affordable housing projects have all been multi-family apartments.</td>
</tr>
<tr>
<td>8.4</td>
<td>8.3</td>
<td>Special Housing Needs</td>
<td>Encourage Cal Poly University to continue to develop on-campus student housing to meet existing and future needs and to lessen pressure on City housing supply and transportation systems.</td>
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<tr>
<td>8.5</td>
<td>8.4</td>
<td>Special Housing Needs</td>
<td>Strengthen the role of on-campus housing by encouraging Cal Poly University to require freshmen and sophomore students to live on campus.</td>
<td></td>
</tr>
<tr>
<td>8.6</td>
<td>8.5</td>
<td>Special Housing Needs</td>
<td>Locate fraternities and sororities on the Cal Poly University campus. Until that is possible, they should be located in Medium-High and High-Density residential zones near the campus.</td>
<td></td>
</tr>
<tr>
<td>8.7</td>
<td>8.6</td>
<td>Special Housing Needs</td>
<td>Encourage Cal Poly University to develop and maintain faculty and staff housing, consistent with the General Plan.</td>
<td></td>
</tr>
<tr>
<td>8.8</td>
<td>8.7</td>
<td>Special Housing Needs</td>
<td>Disperse special needs living facilities throughout the City where public transit and commercial services are available, rather than concentrating them in one district.</td>
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<tr>
<td>8.9</td>
<td>8.8</td>
<td>Special Housing Needs</td>
<td>Support Continue to support regional efforts to address homelessness implement the document “The Path Home: San Luis Obispo County’s 10 Year Plan to End Chronic Homelessness”.</td>
<td>Revised to be consistent with current activities and SB 101.</td>
</tr>
<tr>
<td>8.10</td>
<td>8.9</td>
<td>Special Housing Needs</td>
<td>Encourage a variety of housing types that accommodate persons with disabilities, and promote aging in place, and include amenities such as visiting space, first floor accessibility, etc., including a goal of “visitability” in new residential units, with an emphasis on first floor accessibility to the maximum extent feasible.</td>
<td>Based on community feedback, this policy was revised to highlight that housing for persons with disabilities or aging in place should include amenities that support those living within the units.</td>
</tr>
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<td>8.11</td>
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<td>Special Housing Needs</td>
<td>Encourage changes to City regulations that would support the special housing needs of disabled persons, including persons with developmental disabilities.</td>
<td>Completed. Regulations have been updated to address special housing needs. In addition, the building code is regularly updated to meet State and Federal requirements.</td>
</tr>
<tr>
<td>8.12</td>
<td>8.10</td>
<td>Special Housing Needs</td>
<td>Assist the homeless and those at risk of becoming homeless by supporting shelters, temporary housing, and transitional housing—and by facilitating general housing assistance.</td>
<td>The role of the City is not to place individuals in housing. There are several local non-profits involved with helping people find housing. The City, if contacted, connects people to these local organizations.</td>
</tr>
<tr>
<td>8.13</td>
<td>8.11</td>
<td>Special Housing Needs</td>
<td>Continue to provide resources that support local and regional solutions to meeting the needs of the homeless and continue to support, jointly with other agencies, shelters and programs, such as Housing First and Rapid Rehousing, for the homeless and for displaced individual and families, women and children.</td>
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<tr>
<td>8.14</td>
<td>8.12</td>
<td>Special Housing Needs</td>
<td>Continue to enforce the mobile home rent stabilization program to minimize increases in the cost of mobile home park space rents.</td>
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<tr>
<td>8.15</td>
<td>8.13</td>
<td>Special Housing Needs</td>
<td>Continue to look for opportunities in specific plan areas within the City suitable for tenant-owned mobile-home parks, cooperative or limited equity housing, manufactured housing, self-help housing, or other types of housing that meets special needs.</td>
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<tr>
<td>8.16</td>
<td>8.14</td>
<td>Special Housing Needs</td>
<td>Advocate developing more housing and refurbishing campus housing at Cal Poly University.</td>
<td></td>
</tr>
<tr>
<td>8.17</td>
<td>8.15</td>
<td>Special Housing Needs</td>
<td>Work with Cal Poly University Administration to secure designation of on-campus fraternity/sorority living groups.</td>
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<tr>
<td>8.18</td>
<td>8.16</td>
<td>Special Housing Needs</td>
<td>Jointly develop and implement a student housing plan and Continue to support “good neighbor programs” with Cal Poly State University, Cuesta College, the City and local City residents. The program would seek to improve communication and cooperation between all groups the City and the schools, set on campus student housing objectives and establish clear, effective standards for about student housing in residential neighborhoods.</td>
<td>Revised for clarity.</td>
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<tr>
<td>8.19</td>
<td>8.17</td>
<td>Special Housing Needs</td>
<td>Provide public educational information at various City Offices, on the City website, and other electronic media platforms the Community Development Department public counter on universal design concepts (i.e. aging in place) for new and existing residential dwellings.</td>
<td>Revised for clarity.</td>
</tr>
<tr>
<td>8.20</td>
<td>8.18</td>
<td>Special Housing Needs</td>
<td>Transitional Housing and Supportive Housing: Continue to allow the establishment of transitional and supportive housing in all zoning districts where residential uses are allowed. Amend the Zoning Regulations to allow homeless shelters, transitional housing and supportive housing (low barrier navigation centers) in all residential zones, areas zoned for mixed-uses, and nonresidential zones permitting multifamily uses without a conditional use permit to be alignment with Government Code Section 65660 (AB 101).</td>
<td>Revised to be consistent with State law.</td>
</tr>
<tr>
<td>8.21</td>
<td>8.19</td>
<td>Special Housing Needs</td>
<td>Continue to look for partnership opportunities with non-profit housing developers and service providers to that can be acquire vacant, blighted, or underutilized properties (land, retail or commercial space, motels, apartments, housing units, mobile home parks) for and conversion into affordable permanent and supportive housing for homeless persons and families.</td>
<td>Revised to broaden the opportunities for the City to partner with local non-profit housing developers.</td>
</tr>
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<td>8.22</td>
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<td>Special Housing Needs</td>
<td>Consider addition of an overlay zone to existing and future mobile home and trailer park sites to provide constructive notice that additional requirements, such as rent stabilization and a mobile home park conversion ordinance may apply.</td>
<td>The City’s Municipal Code contains a Mobile Home Park Rent Stabilization Ordinance that applies citywide to all mobile home parks. The Ordinance satisfies this program by protecting owners and renters of mobile homes from unreasonable rent increases. Staff has evaluated that an overlay zone would not provide any additional benefit.</td>
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<td>8.23</td>
<td>8.20</td>
<td>Special Housing Needs</td>
<td>Continue to seek State, Federal, and local funding sources to encourage the creation and financially assist the development of housing for persons with developmental disabilities. The City will seek grant opportunities for housing construction and rehabilitation specifically targeted for persons with developmental disabilities.</td>
<td>Consolidated the wording of this program. No change in the content.</td>
</tr>
<tr>
<td>8.24</td>
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<td>Special Housing Needs</td>
<td>Continue to coordinate with the County, social services providers, and non-profit organizations for delivery of existing, improved and expanded services, including case management, drug, alcohol, detoxification, and mental health services.</td>
<td>This program is covered in Program 8.21.</td>
</tr>
<tr>
<td>8.25</td>
<td>8.21</td>
<td>Special Housing Needs</td>
<td>Continue to coordinate with the County Department of Social Services, Homeless Services Oversight Council (HSOC), social services providers, and non-profit organizations and Friends of Prado Day Center (FPDC) to identify, evaluate, and implement strategies to reduce the impacts of homelessness on the City.</td>
<td>Updated language to be consistent with current organizations and agencies.</td>
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<td>8.22</td>
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<td>Special Housing Needs</td>
<td>Work with other jurisdictions to advocate for State legislation that would: 1) provide funding to help Cal Poly University provide adequate on-campus student housing, and 2) allow greater flexibility for State universities and community colleges to enter into public-private partnerships to construct student housing.</td>
<td>Relocated Program 10.6.</td>
</tr>
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</table>

**Goal 9 - Sustainable Housing, Site, and Neighborhood Design.** Encourage housing that is resource conserving, healthful, economical to live in, environmentally benign, and recyclable when demolished.

<p>| 9.1 | 9.1   | Sustainable Housing, Site and Neighborhood Design | Residential developments should promote sustainability consistent with the Climate Action Plan (CAP) and California Building Energy Efficiency Standards – Title 24 in their design, placement, and functionality use. <strong>Sustainability can be promoted through a variety of housing strategies, including the following:</strong> A) Maximize use of renewable, recycled content, and recycled materials, and minimize use of building materials that require high levels of energy to produce or that cause significant adverse environmental impacts. B) Incorporate renewable energy features into new homes, including passive solar design, solar hot water, solar power, and natural ventilation and cooling. C) Minimize thermal island effects through reduction of heat-absorbing pavement and increased tree shading. Avoid building materials that may contribute to health problems through the release of gases or glass fibers into indoor air. | Updated to be consistent with current City and State policies. Strategies were removed because they are outlined in the CAP and Title 24. |</p>
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<th>Policy/Program</th>
<th>Reason for Modification</th>
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<tr>
<td>9.2</td>
<td>9.2</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Design dwellings for quiet, indoors and out, for both the mental and physical health of residents.</td>
<td>Examples were removed as innovative sustainable designs are extensive.</td>
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<td>D) Design dwellings for quiet, indoors and out, for both the mental and physical health of residents.</td>
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<td>F) Design dwellings economical to live in because of reduced utility bills, low cost maintenance and operation, and improved occupant health.</td>
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<td>G) Use construction materials and methods that maximize the recyclability of a building’s parts. Educate public, staff, and builders to the advantages and approaches to sustainable design, and thereby develop consumer demand for sustainable housing.</td>
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<td>I) City will continue to refer to a sustainable development rating system, such as the LEED or GreenPoint programs when evaluating new development proposals.</td>
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<td>9.3</td>
<td>-----</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Residential units site, subdivision layouts, and neighborhood designs amenities should be coordinated to support make—residential sustainable design work. Some ways to do this include:</td>
<td>The Historic Preservation Ordinance preserves and protects historic structures and districts. Additionally, the Conservation and Open Space Element includes Policies 3.3.4, 3.3.5, that direct preservation of historic buildings, districts, and neighborhoods. Program 3.6.3 directs construction within historic districts.</td>
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<td></td>
<td>A) Design subdivisions to maximize solar access for each dwelling and site.</td>
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<td></td>
<td>B) Design sites so residents have usable outdoor space with access to both sun and shade.</td>
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<td></td>
<td>C) Streets and access ways should minimize pavement devoted to vehicular use.</td>
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<td></td>
<td>D) Use neighborhood retention basins to purify street runoff prior to its entering creeks. Retention basins should be designed to be visually attractive as well as functional. Fenced-off retention basins should be avoided.</td>
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<td></td>
<td>E) Encourage cluster development with dwellings grouped around significantly sized, shared open space in return for City approval of smaller individual lots.</td>
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<td></td>
<td>F) Treat public streets as landscaped parkways, using continuous plantings at least six feet wide and where feasible, median planters to enhance, define, and to buffer residential neighborhoods of all densities from the effects of vehicle traffic.</td>
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</tr>
<tr>
<td>#</td>
<td>New #</td>
<td>Goals</td>
<td>Policy/Program</td>
<td>Reason for Modification</td>
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<td>--------------------------------------------------------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>9.4</td>
<td>9.3</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>To promote energy conservation and a cleaner environment, Continue to encourage the development of dwellings with energy-efficient designs, utilizing passive and active solar features, and the use of energy-saving techniques that exceed minimums prescribed by State law.</td>
<td></td>
</tr>
<tr>
<td>9.5</td>
<td>9.4</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Actively Continue to promote water conservation through housing and site design to help moderate the cost of housing.</td>
<td></td>
</tr>
<tr>
<td>9.6</td>
<td>9.5</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Support programs that provide financing for sustainable home upgrade projects such as installation of solar panels, heating and cooling systems, water conservation and windows to improve the energy efficiency of the City’s existing housing stock.</td>
<td></td>
</tr>
<tr>
<td>9.7</td>
<td>9.6</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Continue to educate planning and building staff and citizen review bodies on energy conservation issues, including the City’s energy conservation policies and Climate Action Plan. Staff shall work with applicants to achieve the City’s energy conservation goals.</td>
<td></td>
</tr>
<tr>
<td>9.8</td>
<td>9.7</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Continue to provide assurance of long-term solar access for new or remodeled housing and for adjacent properties, consistent with historic preservation guidelines and revise regulations found to be inadequate.</td>
<td></td>
</tr>
<tr>
<td>9.9</td>
<td>-----</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Continue to implement the Water Quality Control Board’s “Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region”, to reduce the amount of impermeable surface.</td>
<td>Implemented. All development projects are required to include Post-Construction Stormwater Management Requirements as a part of a project application, which allows staff to verify that the project is consistent with the Regional Water Board’s Requirements.</td>
</tr>
<tr>
<td>9.10</td>
<td>9.8</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Implement Climate Action Plan programs that increase the production of “green” housing units and projects and require use of sustainable and/or renewable materials, water and energy technologies (such as, but not limited to solar, wind, or thermal).</td>
<td></td>
</tr>
<tr>
<td>9.11</td>
<td>9.9</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Continue to promote building materials reuse and recycling in site development and residential construction, including flexible standards for use of salvaged, recycled, and “green” building materials. Continue the City’s construction and demolition debris recycling program as described in Chapter 8.05 of the Municipal Code.</td>
<td></td>
</tr>
<tr>
<td>#</td>
<td>New #</td>
<td>Goals</td>
<td>Policy/Program</td>
<td>Reason for Modification</td>
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<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>9.12</td>
<td>-----</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Consider incentivizing dwelling units to a minimum size of 150 square feet, consistent with the California Building Code, by reduced impact fees and property development standards.</td>
<td>Implemented. The City has implemented a reduction in the impact fees for smaller units with AB 1600 and the fee schedule update. Additionally, ADU requirements have been revised to be consistent with state law and impact fees removed in order to incentivize the development of this type of smaller unit.</td>
</tr>
<tr>
<td>9.13</td>
<td>9.10</td>
<td>Sustainable Housing, Site and Neighborhood Design</td>
<td>Continue to support considering participating in financing programs for sustainable home improvements such as solar panels, heating and cooling systems, water conservation and energy efficient windows.</td>
<td></td>
</tr>
</tbody>
</table>

**Goal 10 - Local Preference. Maximize affordable housing opportunities for those individuals who are employed in business that are located in geographic areas that are customarily included in the City’s annual jobs-housing balance analysis who live or work in San Luis Obispo while seeking to balance job growth and housing supply.**

Based on community feedback and a need for more housing for local individuals who work in the City or nearby vicinity, Goal 10 has been updated to focus on providing housing for individuals who are employed in business that are located in geographic areas that are customarily included in the City’s annual jobs-housing balance analysis.

<p>| 10.1 | 10.1  | Local Preference                          | Administer City housing programs and benefits, such as First Time Homebuyer Assistance or affordable housing lotteries, to give preference to individuals as outlined in Policy 10.2. to: 1) persons living or working in the City or within the City’s Urban Reserve, and 2) persons living in San Luis Obispo County.                                                                                                                  | Revised to be consistent with new Policy 10.2.                                                                                                                                                                                                                             |
| 10.2  | ----- | Local Preference                          | Cal Poly State University and Cuesta College should actively work with the City and community organizations to create positive environments around the Cal Poly Campus by: A) Establishing standards for appropriate student densities in neighborhoods near Campus. B) Promoting homeownership for academic faculty and staff in Low-Density Residential neighborhoods in the northern part of the City; and C) Encouraging and participating in the revitalization of degraded neighborhoods. | This Policy did not address local preference. Supporting housing for employees at Cal Poly, Cuesta, CMC, etc. is covered in Policy 10.2.                                                                                                                                                                                                 |
| 10.2  | Local Preference                          | Encourage, and where legally allowed, require new housing development to give preference in the following order: 1) individuals who are employed in business that are located in geographic areas that are customarily included in the City’s annual jobs-housing balance analysis, 2) individuals residing in the County, and 3) finally to individuals from outside the County.                                                                                                                          | This new policy sets preferences for new, for-sale housing developments in the initial offering and sales to improve the City’s jobs-housing balance, reduce competition from outside buyers and allow those that work in the City the opportunity to live in the City, thereby reducing commute times.                                                                                                                                 |</p>
<table>
<thead>
<tr>
<th>#</th>
<th>New #</th>
<th>Goals</th>
<th>Policy/Program</th>
<th>Reason for Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.3</td>
<td>Local</td>
<td>Preference</td>
<td>Continue to work with the County of San Luis Obispo for any land use decisions</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>that create significant expansion of employment in the unincorporated areas</td>
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<td></td>
<td></td>
<td></td>
<td>adjacent to the City to mitigate housing impacts on the City.</td>
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</tr>
<tr>
<td>10.4</td>
<td>Local</td>
<td>Preference</td>
<td>Encourage residential developers to sell or rent their projects to those</td>
<td>Added to implement Policy 10.2.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>residing or employed in the City first before outside markets.</td>
<td></td>
</tr>
<tr>
<td>10.5</td>
<td>Local</td>
<td>Preference</td>
<td>Work with Cal Poly to address the link between enrollment and the expansion</td>
<td>This program is covered in Program 8.16.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>of campus housing programs at Cal Poly University to reduce pressure on the</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>City’s housing supply.</td>
<td></td>
</tr>
<tr>
<td>10.6</td>
<td>Local</td>
<td>Preference</td>
<td>Work with other jurisdictions to advocate for State legislation that would:</td>
<td>Relocated under Goal 8 as Program 8.22.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1) provide funding to help Cal Poly University provide adequate on-campus</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>student housing, and 2) allow greater flexibility for State universities and</td>
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<td></td>
<td></td>
<td></td>
<td>community colleges to enter into public-private partnerships to construct</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>student housing.</td>
<td></td>
</tr>
</tbody>
</table>

Goal 11 - Suitability - Develop and retain housing on sites that are suitable for that purpose.

Policies and programs within Goal 11 are covered by the other Goals of the Housing Element, the Housing Major City Goal, the Conservation and Open Space Element, the Land Use Element, and the Safety Element.

<table>
<thead>
<tr>
<th>#</th>
<th>Goals</th>
<th>Policy/Program</th>
<th>Reason for Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.1</td>
<td>Suitability</td>
<td>Where property is equally suited for commercial or residential uses, give</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>preference to residential use. Changes in land use designation from</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>residential to non-residential should be discouraged.</td>
<td></td>
</tr>
<tr>
<td>11.2</td>
<td>Suitability</td>
<td>Prevent new housing development on sites that should be preserved as dedicated</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>open space or parks, on sites subject to natural hazards such as unmitigable</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>geological or flood risks, or wild fire dangers, and on sites subject to</td>
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<td></td>
<td></td>
<td>unacceptable levels of man-made hazards or nuisances, including severe soil</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>contamination, airport noise or hazards, traffic noise or hazards, odors or</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>incompatible neighboring uses.</td>
<td></td>
</tr>
<tr>
<td>11.3</td>
<td>Suitability</td>
<td>The City will continue to ensure the ability of legal, non-conforming uses to</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>continue where new development is proposed.</td>
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</table>
Page intentionally left blank.
SUBJECT: REVIEW OF A COMMON INTEREST VESTING TENTATIVE TRACT MAP (MAP NO. 3140) TO CREATE TEN RESIDENTIAL LOTS. THE PROJECT IS WITHIN THE MILL STREET HISTORIC DISTRICT AND INCLUDES FIVE NEW TWO-BEDROOM, TWO-STOREY SINGLE-FAMILY RESIDENCES AND THE RETENTION OF FIVE, TWO-BEDROOM, SINGLE-STOREY RESIDENCES, WHICH ARE ON THE CITY’S CONTRIBUTING LIST OF HISTORIC PROPERTIES. THE PROJECT HAS REQUESTED EXCEPTIONS FROM DEVELOPMENT STANDARDS TO ALLOW INTERIOR SIDE SETBACKS TO BE REDUCED AND A REQUEST TO ALLOW REQUIRED PARKING FOR THREE OF THE FIVE EXISTING RESIDENCES TO BE PROVIDED IN TANDEM. AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION IS PROPOSED.

RECOMMENDATION

Adopt a Resolution approving Vesting Tentative Tract Map (VTTM) No. 3140, the project design, and adopt the associated Initial Study/Mitigated Negative Declaration (Attachment A).

DISCUSSION

Background

The applicant proposes to construct five new two-bedroom, two-story single-family residences on a 0.86-acre site within the Mill Street Historic District. The site is north of the downtown core in a neighborhood characterized by single-family and multi-family uses, with some offices to the west near Santa Rosa Street. The site is currently developed with five existing single-family residences, which are Contributing Historic Resources and will be retained in their existing locations.

The project proposes one new residence on the corner of Peach and Toro Streets, with the four other residences located interior to the site behind the existing structures. The project also includes a subdivision of the property into ten lots; each lot would contain one single-family residence. The applicant has requested exceptions from development standards to allow interior side setbacks from proposed property lines to be reduced (five feet where seven feet is the standard, six feet where eight feet is the standard, seven feet where eight or nine feet is the standard, and eight feet where eleven feet is the standard), and to allow required parking for three of the five existing residences to be provided in tandem (Attachment B, Project Plans and Vesting Tentative Tract Map).
Consistency with Subdivision Regulations
The applicant is requesting a common interest subdivision that includes easements for shared vehicular access, sewer, drainage, and utilities. The vesting tentative map also identifies at least 150 square feet per residential unit of open space. In this type of common interest subdivision, each lot is subject to the property development standards of the R-2 zone. These include standards for lot coverage, density, and setbacks. All proposed lots are appropriately sized to allow for a two-bedroom unit on each lot and are consistent with lot coverage standards. Some setback reductions have been requested and are discussed further below.

**TABLE 1. SUBDIVISION: LOT SIZE AND SIDE SETBACKS FROM PROPOSED PROPERTY LINES**

<table>
<thead>
<tr>
<th>Lot</th>
<th>Lot Size (sf)</th>
<th>Structure</th>
<th>Proposed East</th>
<th>Proposed West</th>
<th>Required East</th>
<th>Required West</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3,621</td>
<td>Existing</td>
<td>5</td>
<td>10</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>2</td>
<td>3,718</td>
<td>Existing</td>
<td>10</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>3</td>
<td>3,704</td>
<td>Existing</td>
<td>7*</td>
<td>6*</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>4</td>
<td>3,855</td>
<td>Existing</td>
<td>5*</td>
<td>8</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>5</td>
<td>3,739</td>
<td>New</td>
<td>NA</td>
<td>7*</td>
<td>NA</td>
<td>9</td>
</tr>
<tr>
<td>6</td>
<td>4,370</td>
<td>Existing</td>
<td>NA</td>
<td>5</td>
<td>NA</td>
<td>5</td>
</tr>
<tr>
<td>7</td>
<td>3,617</td>
<td>New</td>
<td>7*</td>
<td>8</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>8</td>
<td>3,617</td>
<td>New</td>
<td>8*</td>
<td>8</td>
<td>11</td>
<td>8</td>
</tr>
<tr>
<td>9</td>
<td>3,622</td>
<td>New</td>
<td>9</td>
<td>9</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>10</td>
<td>3,624</td>
<td>New</td>
<td>11</td>
<td>NA</td>
<td>11</td>
<td>NA</td>
</tr>
</tbody>
</table>

*Exception Requested  **Per City Zoning Regulations

Consistency with Zoning Regulations
The project design complies with density, lot coverage, building height, and front setback development standards for the Medium-Density Residential (R-2) zone, and is compliant with side and rear setback standards from all existing property lines. However, the project includes requested exceptions to side setbacks standards in relation to the proposed property lines of the common interest subdivision (see Table 1 Subdivision: Lot Size and Side Setbacks from Proposed Property Lines). The project also includes a request to allow parking to be provided in tandem for three of the five existing residences.

Side Setback Exceptions: The Zoning Regulations (§17.70.170 D.2.c.) provides that a reduction in the side and rear setback standards may be approved within new residential subdivisions. The proposed setbacks are consistent with this section because a separation of ten feet between buildings will be maintained and an acceptable level of solar exposure will be provided consistent with General Plan Conservation and Open Space Element (COSE) Policy 4.5.1.1

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1 **COSE Policy 4.5.1** To encourage use of solar energy, reasonable solar access shall be provided and protected. The City will protect reasonable solar exposure for existing collectors and likely locations of future collectors, both active and passive. Standards for the subdivision and development of property should assure desirable solar access, as described in Table 2. Protection beyond that established by the City may be provided by recorded agreement among private parties. **Table 2. Desired Solar Access for: Residential uses between six and 12 dwellings per acre (…) on sites less than one acre - Most roof areas, nearly all second-story and most first-story south walls should be unshaded between 10 a.m. and 3 p.m. on the winter solstice.**
This policy calls for south facing walls and building roofs to be unshaded during midday hours on the winter solstice. Consistency with this policy is illustrated by the solar study provided by the applicant in project plans (Attachment B), showing that most roof areas, nearly all second-story and most first-story south walls will be unshaded between 10:00 a.m. and 3:00 p.m. on the winter solstice. All setbacks provided along existing property lines on the perimeter of the site are consistent with Zoning Regulations standards.

**Tandem Parking:** The project also includes a request to allow parking for three of the five existing residences to be in provided in tandem. The requested tandem parking approval will formalize the parking scenario already in use for much of the site. The four residences fronting Peach Street currently have access to onsite parking on three existing driveways that are wide enough for only one car. This leaves one residence with no onsite parking. Staff has worked with the applicant to develop a parking plan that will provide and formalize parking locations for all existing residences facing Peach Street. This is accomplished though approval of tandem parking and access to the proposed driveway isle. Additionally, the existing residence facing Toro Street would be provided parking by utilizing the existing driveway along the south property line, also in tandem. The draft council resolution includes conditions 8, 9, & 10, which require the final map to identify the location of this required parking for the existing residences, but also provides flexibility for a modified scenario if desired by the applicant. This modified scenario will be supported if the number of tandem spaces can be reduced, consistent with the recommendation of the Planning Commission.

**Previous Advisory Body Action**

On June 22, 2020, the Cultural Heritage Committee (CHC) reviewed the project and recommended the Planning Commission (PC) find the project consistent with the Historic Preservation Ordinance and Guidelines. The applicant also agreed to work with a subcommittee of the CHC to explore options to provide additional architectural variety in architectural styling of the interior structures (Attachment C, CHC Staff Report and Draft Meeting Minutes).

On June 30, 2020, City staff and members of the applicant’s architectural team met with two of the CHC subcommittee members. The subcommittee members agreed that the modifications made by the applicant’s architectural team successfully provided a variety in styling that better reflects the neighborhood and setting (Attachment D, Staff Memo and Modified Project Renderings).

On July 6, 2020, the Architectural Review Commission (ARC) reviewed the project, including the modifications reviewed and agreed upon by the CHC subcommittee, and recommended the PC find the project consistent with the Community Design Guidelines, with one recommended condition to add “street trees” adjacent to the shared driveway along adjacent fencing. (Attachment E, ARC Staff Report and Meeting Minutes).

On July 22, 2020, the Planning Commission (PC) considered the recommendations of the CHC and ARC and reviewed the project for consistency with the General Plan, Zoning Regulations, Subdivision Regulations, and applicable City development standards and guidelines. The PC recommended approval of the project to the City Council, with minor changes to the proposed conditions of approval (Attachment F, PC Resolution).
Those changes included: (1) additional language allowing flexibility regarding the location of parking for the existing residences to reduce the need for tandem parking; (2) a new condition requiring additional plantings along the southern property line to provide additional privacy for neighbors; and (3) specifically requiring that the parkway along Peach Street be restored to facilitate the planting of required street trees (Attachment G, PC Staff Report and Draft Meeting Minutes). These recommendations are included in the Draft Resolution (Attachment A) as Conditions 8 through 10, 7, and 35, respectively.

**Policy Context**

The General Plan Land Use Element (LUE) provides policies for the conservation and development of residential neighborhoods. LUE Policy 2.2.7 encourages infill development and rehabilitation efforts that contribute positively to existing neighborhoods. The project is consistent with this policy because it proposes infill development of a residential site within a residential neighborhood and includes the retention of the five units existing on site. The project is also consistent with LUE Policies 2.8 and 4.2.1 (A & B), pertaining to the Downtown residential areas because the project includes the protection of existing homes and the creation of additional dwellings within established density limits, which does not significantly change the existing character of the area. The project also has the potential to reduce automobile dependence in the Downtown area consistent with LUE Policy 2.9, which also supports sustainability goals. The General Plan Housing Element also provides policies and programs that speak specifically to supporting infill and densification within City Limits.

**Public Engagement**

Consistent with the City’s Public Engagement and Noticing (PEN) Manual and the City’s Municipal Code, the project was noticed per the City’s notification requirements for Development Projects for each public hearing associated with the project. Newspaper legal advertisements were posted in the New Times ten days prior to the hearing. Additionally, postcards were sent to both tenants and owners of properties located within 300 feet of the project site ten days before the hearing.

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2 LUE Policy 2.2.7. The City shall promote infill development, redevelopment, rehabilitation, and adaptive reuse efforts that contribute positively to existing neighborhoods and surrounding areas.

3 LUE Policy 2.8. In Downtown residential areas, the City should encourage the rehabilitation and maintenance of existing housing. Additional dwellings may be permitted, in keeping with density limits, provided that the existing character of the area is not significantly changed. Demolition of structurally sound dwellings shall be strongly discouraged.

LUE Policy 4.2.1 A. Existing residential uses within and around the commercial core should be protected, and new ones should be developed. B. Dwellings should be provided for a variety of households.

4 LUE Policy 2.9. The City shall encourage the development of Downtown housing that minimizes the need for automobile use and minimizes the storage of vehicles in surrounding neighborhoods.

5 Housing Element Policy 6.10. To help meet the Quantified Objectives, the City will support residential infill development and promote higher residential density where appropriate.

Housing Element Program 6.17 Encourage residential development through infill development and densification within City Limits and in designated expansion areas over new annexation of land.
CONCURRENCE

The proposed project has been reviewed by the Community Development Department (Planning, Building, and Engineering), Public Works Department (Transportation), Utilities Department, Fire Department, and City Arborist. Specifically, the engineering review included an evaluation of the proposed approach to manage onsite drainage, and concluded the measures proposed are consistent with City standards for low impact development. Staff comments provided during review of the proposed project are incorporated into the presented evaluation and conditions of approval.

CONSISTENCY COVID-19 ORDERS AND CURRENT FISCAL CONTINGENCY PLAN

This activity is presently allowed under the State and Local emergency orders associated with COVID-19. This Project and associated staff work will be reimbursed by the Developer directly or indirectly through fees and therefore consistent with the guidance of the City’s Fiscal Health Contingency Plan.

ENVIRONMENTAL REVIEW

The proposed project has been analyzed pursuant to the California Environmental Quality Act (CEQA). An Initial Study-Mitigated Negative Declaration (IS/MND) was prepared and circulated from June 11, 2020 through July 11, 2020 (Attachment H, Initial Study/Mitigated Negative Declaration). Comments were received from the State Department of Toxic Substances Control recommending certain broad-based evaluations be included in the MND Hazards and Hazardous Materials section. In review of these recommendations, staff finds that the Initial Study sufficiently identifies the potential impacts related to hazardous materials for this project and project site. Given the project’s size, location, surroundings, type (residential), and the limited amount of grading required for the project, potential impacts would be mitigated by Mitigation Measures AQ-3, AQ-4 and AQ-5. This was the only comment received during the 30-day public comment period. The applicant has agreed to all mitigation measures proposed specific to this project.

FISCAL IMPACT

Budgeted: No
Funding Identified: No

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Current FY Cost</th>
<th>Annualized On-going Cost</th>
<th>Total Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>N/A</td>
<td></td>
<td></td>
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<tr>
<td>State</td>
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<tr>
<td>Federal</td>
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<tr>
<td>Fees</td>
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<tr>
<td>Other:</td>
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</tr>
<tr>
<td>Total</td>
<td>N/A</td>
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</tbody>
</table>
When the General Plan was prepared, it was accompanied by a fiscal impact analysis, which found that overall, the General Plan was fiscally balanced. Since the project does not propose to change the General Plan designations of the site, it has a neutral fiscal impact.

ALTERNATIVES

1. *Deny the Vesting Tentative Tract Map #3140 and the project design*. Staff does not recommend this alternative, because the project complies with the City’s Subdivision Regulations and Zoning Regulations and would help meet the City’s housing objectives. Findings of the City Council concerning such a recommendation would require development of findings to support the recommendation.

2. *Continue the item*. The Council may continue its review of the project if additional information is needed to make a decision. If additional information is needed, direction should be provided to staff so that it can be presented at that subsequent hearing. The Council may direct staff and the applicant to make specific changes to the project.

Attachments:

a - Draft Resolution

b - COUNCIL READING FILE - Project Plans and Vesting Tentative Tract Map

c - COUNCIL READING FILE - CHC Staff Report and Meeting Minutes dated 06/22/2020

d - COUNCIL READING FILE - Staff Memo and Modified Renderings

e - COUNCIL READING FILE - ARC Staff Report and Meeting Minutes dated 07/06/2020

f - Planning Commission Draft Resolution

g - COUNCIL READING FILE - PC Staff Report and Draft Minutes dated 07/22/2020

h - COUNCIL READING FILE - Initial Study-Mitigated Negative Declaration
RESOLUTION NO. _____ (2020 SERIES)


WHEREAS, the Cultural Heritage Committee of the City of San Luis Obispo conducted a web based public hearing on June 22, 2020, recommending the Planning Commission find the project consistent with the Historic Preservation Ordinance and Historic Preservation Program Guidelines, pursuant to a proceeding instituted under ARCH-0568-2019, SBDV-0571-2019, and EID-0800-2019, Levi Seligman, applicant; and

WHEREAS, the Architectural Review Commission of the City of San Luis Obispo conducted a web based public hearing on June 6, 2020, recommending the Planning Commission find the project consistent with the Community Design Guidelines, pursuant to a proceeding instituted under ARCH-0568-2019, SBDV-0571-2019, and EID-0800-2019, Levi Seligman, applicant and

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a web based public hearing on July 22, 2020, for the purposes of considering SBDV-0571-2019, ARCH-0568-2019 and EID-0800-2019, a vesting tentative tract map subdividing an approximately 0.86-acre site into 10 lots, the design of the project, and considered an Initial Study-Mitigated Negative Declaration (IS-MND) analyzing the proposed vesting tentative tract map and project design, Levi Seligman, applicant; and;

WHEREAS, the City Council of the City of San Luis Obispo conducted a web based public hearing on September 1, 2020, for the purpose of considering SBDV-0571-2019, ARCH-0568-2019 and EID-0800-2019, a vesting tentative tract map subdividing an approximately 0.86-acre site into 10 lots, the design of the project, and considered an Initial Study-Mitigated Negative Declaration (IS-MND) analyzing the proposed vesting tentative tract map and project design; and

WHEREAS, notices of said public hearings were made at the time and in the manner required by law; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of San Luis Obispo as follows:

SECTION 1. Findings. The City Council hereby approves the project (SBDV 0571-2019, ARCH-0568-2019, & EID-0800-2019), based on the following findings:
1. As conditioned, the project will not be detrimental to the health, safety, and welfare of persons living or working at the site or in the vicinity because the project respects site constraints and will be compatible with the scale and character of the neighborhood.

2. The project is consistent with Land Use Element Policy 2.2.7 because the project includes infill development and rehabilitation efforts that contribute positively to the existing neighborhood and surrounding area.

3. The project is consistent with Land Use Element Policy 2.8 because the project includes the rehabilitation and maintenance of existing housing and provides additional dwellings that keep with density limits and do not significantly change the existing character of the area in a Downtown residential area.

4. The project is consistent with Land Use Element Policy 2.9 because the project provides Downtown housing that minimizes the need for automobile use and storage of vehicles in surrounding neighborhoods.

5. The project is consistent with Land Use Element Policy 4.2.1 because the project protects existing and provides new residential uses around the Downtown core and contributes to the variety of housing types in the area.

6. The project is consistent with Housing Element policies and programs (6.10 and 6.17) because the project consists of residential infill development.

7. The project is consistent with the Conservation and Open Space Element Policy 4.4.3 because the project promotes higher-density, compact housing to achieve more efficient use of public facilities and services, and to improve the City’s jobs/housing balance.

8. As conditioned, the project is consistent with the Zoning Regulations, since the proposed building design complies with property development standards for height, coverage, and parking, for the Medium Density Residential (R-2) zone.

**Architectural Review Findings**

9. The project is consistent with the Historic Preservation Ordinance and Historic Preservation Program Guidelines for construction in historic districts because the structures are designed to be architecturally compatible with the districts prevailing character and nearby historic resources. The project is consistent with the scale, massing, rhythm, signature architectural elements, exterior materials, siting and street yard setbacks of the district’s historic structures and does not sharply contrast with, significantly block public views of, or visually detract from, the historic architectural character of historically designated structures located on or adjacent to the project site.

10. As conditioned, the project is consistent with the Community Design Guidelines for Infill Development because the architectural style is complementary to the surrounding neighborhood and is designed consistent with the prevailing setback pattern of the neighborhood (CDG, Chapter 5.3 & 5.4).

11. As conditioned, the project design is consistent with the Community Design Guidelines by providing a variety of architectural treatments that add visual interest and articulation to the building design that are compatible with the design and scale of the existing structures in the surrounding neighborhood (CDG, Chapter 5.3).
Subdivision Findings

12. The site is physically suited for the type of development allowed in the medium-density (R-2) zone and provides for passive and natural heating or cooling opportunities in the subdivision.

13. The tentative map, as conditioned, will comply with all environmental mitigation measures prescribed herein, and therefore is consistent with the California Environmental Quality Act and the Initial Study-Mitigated Negative Deceleration (IS-MND).

14. The design of the vesting tentative map and proposed improvements are not likely to cause serious health problems or substantial environmental damage since further development or redevelopment of the proposed parcels will occur consistent with the City’s Development Standards, Mitigation Measures, and Conditions of Approval.

15. The project insures safe, orderly development because the project complies with the City’s housing goals and the City’s General Plan to maintain a compact urban form.

Variable Side and Rear Setback in New Subdivision Findings

16. The reduced side and rear setbacks proposed (a setback of five feet where seven is the standard, six feet where eight feet is the standard, seven feet where nine feet is the standard, and eight feet where eleven feet is the standard) are consistent with section 17.70.170. (D.2.c) of the Zoning Regulations, because a separation of at least 10 feet between buildings on adjacent lots will be maintained and an acceptable level of solar exposure will be guaranteed by the proposed setbacks consistent with the solar access standards of General Plan Conservation and Open Space Element Policy 4.5.1. The setbacks are consistent with this policy because most roof areas, nearly all second-story south walls, and most first-story south walls will be unshaded between 10 a.m. and 3 p.m. on the winter solstice.

17. All proposed side and rear building setback exceptions meet the five-foot minimum requirement specified in the Zoning Regulations for the R-2 zone.

18. All setbacks between proposed structures and previously established property lines are consistent with Zoning Regulations Standards for the R-2 Zone.

Tandem Parking Findings

19. As conditioned, the proposed tandem parking for residential use is consistent with section 17.72.090 (C.1) because the spaces are identified for the exclusive use of occupants of a designated dwelling.

20. The proposed tandem parking provides needed flexibly on a site constrained by the location of existing historic structures and existing parking arrangements.

21. The proposed tandem parking is safe and compatible with the surrounding neighborhood because both Peach and Toro Streets are classified as Residential Local streets and are consistent with the current parking arrangement on site and in the neighborhood.
SECTION 2. Environmental Review. The City Council hereby adopts the proposed Initial Study/Mitigated Negative Declaration (IS/MND) of Environmental Impact, based on incorporation of the following mitigation measures, which will reduce potential environmental impacts to less than significant.

AIR QUALITY

AQ-1 During all construction activities and use of diesel vehicles, the applicant shall implement the following idling control techniques:

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
   a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors if feasible; and
   b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted; and
   c. Use of alternative fueled equipment shall be used whenever possible; and
   d. Signs that specify the no idling requirements shall be posted and enforced at the construction site.

2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
   a. Shall not idle the vehicle’s primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and
   b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.

   Signs must be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2 During all construction and ground-disturbing activities, the applicant shall implement the following particulate matter control measures and detail each measure on the project grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the APCD’s limit of 20% opacity for no greater than 3 minutes in any 60 minute period. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the City Community Development Department prior to commencement of construction. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork, or demolition.
a. Reduce the amount of disturbed area where possible.

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the SLOAPCD’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible.

c. All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.

d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities.

e. Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.

f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD.

g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site.

i. All trucks hauling dirt, sand, soil, or other loose materials, are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.

j. “Track Out” is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code Section 13304. To prevent track out, designate access points and require all employees, subcontractors, and others to use them. Install and operate a “track-out prevention device” where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.

k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.

l. All PM$_{10}$ mitigation measures required should be shown on grading and building plans.
m. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the SLOAPCD’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition (Contact Tim Fuhs at 805-781-5912).

AQ-3 Prior to initiation of ground-disturbing activities, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property, including sampling and testing for NOA in full compliance with SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105). This geologic evaluation shall be submitted to the City Community Development Department upon completion. If the geologic evaluation determines that the project would not have the potential to disturb NOA, the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-4 If NOA are determined to be present on-site, proposed earthwork, demolition, and construction activities shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:
   a. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
   b. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and
   c. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

AQ-5 Prior to initiation of demolition activities, the applicant shall implement the following measures to reduce the risk associated with disturbance of ACM and lead-coated materials that may be present within the existing structures onsite:
   a. Demolition of the on-site structures shall comply with the procedures required by the National Emission Standards for Hazardous Air Pollutants (40 CFR 61, Subpart M – Asbestos) for the control of asbestos emissions during demolition activities. SLOAPCD is the delegated authority by the U.S. EPA to implement the Federal Asbestos NESHAP. Prior to demolition of on-site structures, SLOAPCD shall be notified, per NESHAP requirements. The project applicant shall submit proof that SLOAPCD has been notified prior to demolition activities to the City Community Development Department.
b. If during the demolition of the existing structures, paint is separated from the construction materials (e.g., chemically or physically), the paint waste shall be evaluated independently from the building material by a qualified hazardous materials inspector to determine its proper management. All hazardous materials shall be handled and disposed of in accordance with local, state, and federal regulations. According to the Department of Toxic Substances Control (DTSC), if the paint is not removed from the building material during demolition (and is not chipping or peeling), the material can be disposed of as non-hazardous construction debris. The landfill operator shall be contacted prior to disposal of lead-based paint materials. If required, all lead work plans shall be submitted to SLOAPCD at least 10 days prior to the start of demolition. The applicant shall submit proof that paint waste has been evaluated by a qualified hazardous waste materials inspector and handled according to their recommendation to the City Community Development Department.

**Monitoring Program:** Measures AQ-1 and AQ-2 shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections, in coordination with the County of San Luis Obispo Air Pollution Control District, as necessary. The applicant shall submit the geologic evaluation detailed in measure AQ-3 and documentation showing compliance with measures AQ-4 and AQ-5 to the City Community Development Department upon completion and prior to issuance of grading permits.

**BIOLOGICAL RESOURCES**

**BIO-1** If feasible, tree removal associated with any future residential (or accessory) development at the project site shall be scheduled to occur from September 16 to January 31, outside of the typical nesting bird season, to avoid potential impacts to nesting birds. If tree removal or other construction activities are proposed during the nesting season (February 1 through September 15), prior to any ground disturbing activity, surveys for active nests shall be conducted by a qualified biologist within one week prior to the start of activities. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active. A non-disturbance buffer of 50 feet will be placed around non-listed, passerine species, and a 250-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If special-status avian species are identified, no work shall be conducted until an appropriate buffer is determined in consultation with the City and the California Department of Fish and Wildlife and/or the U.S. Fish and Wildlife Service.

**Monitoring Program:** These conditions and measures shall be noted on all grading and construction plans. The City Community Development Department and Natural Resources Manager shall verify compliance through regular inspections and review of monitoring reports, as necessary.
CULTURAL RESOURCES

CR-1 Cultural Resource Awareness Training. Prior to construction activities, a qualified archaeologist shall conduct a cultural resource awareness training for all construction personnel including the following:

a. Review the types of archaeological artifacts that may be uncovered;

b. Provide examples of common archaeological artifacts to examine;

c. Review what makes an archaeological resource significant to archaeologists and local native Americans;

d. Describe procedures for notifying involved or interested parties in case of a new discovery;

e. Describe reporting requirements and responsibilities of construction personnel;

f. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and

g. Describe procedures that would be followed in the case of discovery of disturbed as well as intact human burials and burial-associated artifacts.

CR-2 If cultural resources are encountered during subsurface earthwork activities, all ground disturbing activities within a 25-foot radius of the find shall cease and the City shall be notified immediately. Work shall not continue until a City-qualified archaeologist assesses the find and determines the need for further study. If the find includes Native American affiliated materials, a local Native American tribal representative will be contacted to work in conjunction with the City-approved archaeologist to determine the need for further study. A standard inadvertent discovery clause shall be included in every grading and construction contract to inform contractors of this requirement. Any previously unidentified resources found during construction shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria by a qualified archaeologist.

If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan, in conjunction with locally affiliated Native American representative(s) as necessary, that will capture those categories of data for which the site is significant. The archaeologist shall also perform appropriate technical analysis, prepare a comprehensive report, and file it with the Central Coast Information Center (CCIC), located at the University of California, Santa Barbara, and provide for the permanent curation of the recovered materials.

CR-3 In the event that human remains are exposed during earth disturbing activities associated with the project, an immediate halt work order shall be issued and the Community Development Director and locally affiliated Native American representative(s) (as necessary) shall be notified. State Health and Safety Code Section 7050.5 requires that no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission within 24 hours. These requirements shall be printed on all building and grading plans.
Monitoring Program: These conditions shall be noted on all grading and construction plans. The City shall review and approve the City-qualified archaeologist consistent with the Archaeological Resource Preservation Program Guidelines.

HAZARDS AND HAZARDOUS MATERIALS

Implement Mitigation Measures AQ-3, AQ-4, and AQ-5.

Monitoring Program: Measures AQ-1 and AQ-2 shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections, in coordination with the County of San Luis Obispo Air Pollution Control District, as necessary. The applicant shall submit the geologic evaluation detailed in measure AQ-3 and documentation showing compliance with measures AQ-4 and AQ-5 to the City Community Development Department upon completion and prior to issuance of grading permits.

NOISE MITIGATION

N-1 For the entire duration of the construction phase of the project, the following Best Management Practices (BMPs) shall be adhered to:
   1. Stationary construction equipment that generates noise that exceeds 60 dBA at the project boundaries shall be shielded with the most modern noise control devices (i.e. mufflers, lagging, and/or motor enclosures).
   2. Impact tools (e.g., jack hammers, pavement breakers, rock drills, etc.) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools.
   3. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used.
   4. All construction equipment shall have the manufacturers’ recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational.
   5. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.).

N-2 Construction plans shall note construction hours, truck routes, and all construction noise Best Management Practices (BMPs) on project plans, which shall be reviewed and approved by the City Community Development Department prior to issuance of grading/building permits. The City shall provide and post signs stating these restrictions at construction entry sites prior to commencement of construction and maintained throughout the construction phase of the project. All construction workers shall be briefed at a pre-construction meeting on construction hour limitations and how, why, and where BMP measures are to be implemented.
N-3 Construction activities shall be conducted so that the maximum noise levels at affected properties will not exceed 75 dBA for single-family residences where feasible.

N-4 For all construction activity at the project site, additional noise attenuation techniques shall be employed as needed to ensure that noise levels are maintained within levels allowed by the City of San Luis Obispo Municipal Code, Title 9, Chapter 9.12 (Noise Control). Such techniques shall include, but are not limited to:

- Sound blankets shall be used on noise-generating equipment.
- Stationary construction equipment that generates noise levels above 65 dBA at the project boundaries shall be shielded with a barrier that meets a sound transmission class (a rating of how well noise barriers attenuate sound) of 25.
- All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
- The movement of construction-related vehicles, with the exception of passenger vehicles, along roadways adjacent to sensitive receptors shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No movement of heavy equipment shall occur on Sundays or official holidays (e.g., Thanksgiving, Labor Day).
- Temporary sound barriers shall be constructed between construction sites and affected uses.

N-5 The project contractor shall inform residents and business operators at properties within 300 feet of the project of proposed construction timelines and noise complaint procedures to minimize potential annoyance related to construction noise. Signs shall be in place prior to and throughout grading and construction activities informing the public that noise-related complaints shall be directed to the construction manager prior to the City’s Community Development Department.

Monitoring Program: These measures shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections.

TRIBAL CULTURAL RESOURCES

Implement Mitigation Measures CR-1 through CR-3.

Monitoring Program: These conditions shall be noted on all grading and construction plans. The City shall review and approve the City-qualified archaeologist consistent with the Archaeological Resource Preservation Program Guidelines.

UTILITIES AND SERVICES SYSTEM

Implement Mitigation Measures AQ-1 through AQ-5, BIO-1, CR-1 through CR-3, and N-1 through N-5.
**Monitoring Program:** Measures AQ-1 and AQ-2 shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections, in coordination with the County of San Luis Obispo Air Pollution Control District, as necessary. The applicant shall submit the geologic evaluation detailed in measure AQ-3 and documentation showing compliance with measures AQ-4 and AQ-5 to the City Community Development Department upon completion and prior to issuance of grading permits. BIO-1, CR-1 through CR-3, and N1 through N-5 shall be noted on all grading and construction plans. The City Community Development Department shall verify compliance through regular inspections and review of monitoring reports, as necessary.

**SECTION 3. Action.** The City Council hereby approves the common interest subdivision and project design with the incorporation of appropriate conditions. Project conditions of approval do not include mandatory code requirements. Code compliance will be verified during the plan check process, which may include additional requirements applicable to the project. The City Council grants final approval, subject to the following conditions:

**Planning Division - Architectural Conditions**

1. Final project design and construction drawings submitted for a building permit shall be in substantial compliance with the project plans approved by the PC (ARCH-0568-2019 & SBDV-0571-2019). A separate, full-size sheet shall be included in working drawings submitted for a building permit that lists all conditions and code requirements of project approval listed as sheet number 2. Reference shall be made in the margin of listed items as to where in plans requirements are addressed. Any change to approved design, colors, materials, landscaping, or other conditions of approval must be approved by the Director or Architectural Review Commission, as deemed appropriate.

2. Plans submitted for a building permit shall call out the colors and materials of all proposed building surfaces and other improvements. Colors and materials shall be consistent with the color and material board submitted and/or reviewed at the Architectural Review Commission hearing on June 6, 2020.

3. Plans submitted for a building permit shall include recessed window details and all other details including but not limited to awnings, and railings. Plans shall indicate the type of materials for the window frames and mullions, their dimensions, and colors. Plans shall include the materials and dimensions of all lintels, sills, surrounds, recesses and other related window features. Plans shall demonstrate the use of high-quality materials for all design features that reflect the architectural style of the project and are compatible with the neighborhood character, to the approval of the Community Development Director.

4. All wall-mounted lighting fixtures shall be clearly called out on building elevations included as part of working drawings. All wall-mounted lighting shall complement building architecture. The lighting schedule for the building shall include a graphic representation of the proposed lighting fixtures and cut sheets on the submitted building plans. The selected fixture(s) shall be shielded to ensure that light is directed downward consistent with the requirements of the City’s Night Sky Preservation standards contained in Chapter 17.70.100 of the Zoning Regulations.
5. A final landscaping plan, including irrigation details and plans, shall be submitted to the Community Development Department along with working drawings. The legend for the landscaping plan shall include the sizes and species of all groundcovers, shrubs, and trees with corresponding symbols for each plant material showing their specific locations on plans.

6. Plans submitted for a building permit shall show no less than five trees to be planted along the north edge of the common drive isle, spaced approximately 35 feet apart, and of a species on the City’s approved street tree list.

7. Plans submitted for a building permit shall show trees or other means of vertical landscaping along the southern edge of the project site to provide privacy and screening between new structures and existing residential properties on Mill Street.

**Planning Division – Subdivision Conditions**

8. The subdivider shall include on the final map an access and parking easement for the benefit of lot 2 that secures the use of no less than 56.8 feet of the existing driveway between the residences at 1143 Peach Street and 1151 Peach Street, extending from the northwest property line, or an alternative parking scenario acceptable to the Community Development Director to reduce tandem parking.

9. The subdivider shall include on the final map an access and parking easement for the benefit of lot 4 that secures the use of no less than 56.8 feet of the existing driveway between the residences at 1151 Peach Street and 1163 Peach Street, extending from the northwest property line, or an alternative parking scenario acceptable to the Community Development Director to reduce tandem parking.

10. The subdivider shall include on the final map two access and parking easements for the benefit of lot 3 that secures the use of no less than 18.4 feet of the existing driveway between the residences at 1143 and 1151 Peach Street, and the existing driveway between the residences at 1151 and 1163 Peach Street, adjacent to and extending from the new common drive isle, or an alternative parking scenario acceptable to the Community Development Director to reduce tandem parking.

**Engineering Division – Public Works/Community Development - Architectural Conditions**

11. Except for any proposed “model home(s)”, the subdivision map shall be recorded prior to building permit issuance for new dwellings.

12. The building plan submittal shall show and label all property lines, dedications, public easements, and private easements in accordance with the tract map. The building plans shall show and label all existing and proposed survey monumentation for reference. The plan shall note the required monument preservation or replacement for any disturbed monuments.

13. The building plan submittal shall show and label all existing and proposed frontage improvements and sidewalk furniture located within the public right-of-way to scale on the site plan for reference. Improvements to be shown include but are not limited to curb, gutter & sidewalk, driveway approaches, catch basins, curb ramps, fire hydrants, street lights, utility poles, parking meters, curb and street painting, overhead and underground utility services, utility vaults, water meter vaults, water and sewer services, utility abandonments, street signs,
sidewalk underdrains, fences, retaining walls, landscape improvements, and street trees. Plan must differentiate between existing frontage improvements and new frontage improvements. New improvements shall include reference to the applicable Engineering Standards.

14. Prior to building permit issuance, any existing steps, concrete pads, walls, fences, etc. that are located in the right-of-way shall be removed or relocated unless an encroachment agreement is requested and approved by the city.

15. Projects involving the construction of new structures require that complete frontage improvements be installed and that existing improvements be upgraded per City Engineering Standards. Pursuant to Municipal Code 12.16.050, plans submitted for a building permit shall show these improvements.

16. Any sections of damaged or displaced curb, gutter & sidewalk or driveway approach shall be repaired or replaced to the satisfaction of the Public Works Director. All areas to be repaired or replaced shall be shown on the building plan submittal for reference.

17. Sections of damaged curb, gutter, or sidewalk adjacent to the large ficus trees on Peach Street shall be repaired or replaced due to root intrusion to the satisfaction of the Public Works Director. New bulb-outs may be considered to retain existing trees. A site visit shall be arranged with the Community Development and/or Public Works Department to coordinate a site visit with the City Arborist to discuss areas to be repaired and/or replaced. Areas to be repaired or replaced shall be shown on the building plans submittal for reference.

18. The building plan submittal shall show the existing curb ramp at the corner of Peach and Toro and clarify if it complies with current Americans with Disabilities Act (ADA), City Standard #4440, and Cal Trans Standards Plan RSP A88A.

19. The building plan submittal shall show the existing shared driveway curb drop off between 1137 & 1127 Peach Street. Provide details of this curb drop off transition and any treatment features that will be included and installed to mitigate the interface. If a property line fence is proposed, the fence height and line-of-sight analysis shall conform to City standards.

20. The subdivision improvement plans may be included within the building permit plan set. Separate record drawings (as-built) plans may be required at the completion of the project. A separate subdivision improvement plan review fee will be required based on the fee schedule in effect at the time of plan submittal. A separate encroachment permit will be required to cover the required Public Works Department inspections.

21. The building permit submittal shall show and note compliance with the Post Construction Stormwater Regulations and the City’s Drainage Design Manual. This project is considered to be a common plan and is not a single-family residential project for purposes of evaluating the Performance Requirement triggers. The altered and/or replaced frontage improvements shall be included in the area analysis. Unless the net impervious area is less than 5,000 square feet, compliance with Performance Requirement 2 will be required.

22. The building plan submittal shall include an operations and maintenance manual as required for the Post Construction Stormwater improvements, if applicable. A private stormwater conveyance agreement will be required and shall be recorded prior to final inspection approvals.
23. Documents submitted for a building permit shall show compliance with the grading ordinance of the adopted building code, and a summary drainage report or note on building plans shall be provided showing the pre vs. post drainage analysis for the 2 through 100-year storm with plans submitted for a building permit. Improved or diverted drainage shall not be directed across the side or rear property lines unless conveyed in an existing waterway, or a drainage easement.

24. The building plan submittal shall include a complete grading and drainage plan for this project. The plan shall show the existing and proposed contours and/or spot elevations to clearly depict the proposed grading and drainage. The plan shall show and label the high point elevation or grade break at the yard areas and drainage arrows to show the proposed drainage. Plans shall include the finished floor (FF) of the residences/garage, patio finish surface elevations, finish grade elevations, and yard drainage.

25. Plans submitted for a building permit shall show that any improved drainage is directed to a non-erosive outlet and ultimately discharged to the face of curb on Peach Street with an approved sidewalk underdrain, per City Engineering Standards.

26. The building submittal shall include a complete site utility plan. The utility plan shall show all existing and proposed on-site and off-site utilities. Show the location of all overhead and underground utilities along with the location of any utility company meters. Show all existing and proposed improvements located within the public right-of-way if applicable.

27. The building submittal shall show all new wire utilities to serve the development on all ten parcels to be underground. The underground wiring shall be achieved without a net increase in wood utility poles located within the public right-of-way unless otherwise approved by the City and serving utility companies. Interim overhead wiring may be proposed to provide replacement services to the existing residences until the PGE underground service to the subdivision is available for the underground conversion.

28. PG&E and Tele-Com plans shall be provided in conjunction with the building plan submittal and/or subdivision plans. Preliminary plans shall be reviewed by the engineer of record for consistency with the overall design. The final PG&E handout package shall be reviewed and approved by the engineer of record and the City prior to construction. PG&E, AT&T, and Charter plans shall not be deferred unless specifically approved for deferral by the City.

29. If allowed by PG&E, plans submitted for a building permit shall show and reference a new streetlight to be located on the existing wood joint pole on Toro Street, in accordance with Engineering Standards #1010.G, #7520, and #7910.

30. Plans submitted for a building permit shall show newly provided driveway and parking areas in compliance with the Parking and Driveway Standards for dimensions, maneuverability, slopes, drainage, and materials. Alternate paving material shall be provided consistent with project plans and to the satisfaction of the Planning Division.

31. A final landscape plan shall be included with plans submitted for a building permit and shall show a line-of-sight analysis for new plantings at driveway approaches to the satisfaction of the City Engineer.

32. The building plan submittal shall show all existing trees to be removed and trees to be retained. The plan shall show any neighboring trees with canopies/root zones within the area of construction disturbance. Tree preservation measures shall be shown and noted on the building plans to the satisfaction of the Community Development and Public Works Departments.
33. Safety pruning may be required for any existing street trees depending upon the scope of proposed work and required construction activities. If required, any existing street trees along the property frontage shall be safety pruned to the satisfaction of the City Arborist prior to building permit issuance.

34. Plans submitted for a building permit shall show street trees at an approximate rate of one tree per each 35 lineal feet of frontage. The City Arborist shall approve the proposed tree species based on the location, soils type, and overhead wiring conflicts. The City Arborist shall review and approve the tree species for the newly planted parkway trees prior to acceptance as satisfying the street tree requirement.

35. The building plan shall show the removal of the infilled parkway to provide a tree planting area for new street trees. Parkway plantings shall include provisions for irrigation from the on-site irrigation system. All parkways shall be kept with plantings, groundcovers, or stable landscape materials and shall be free of any debris for perpetuity.

36. The building plan submittal shall show the limits of the existing catch basin opening and infrastructure for reference.

*Engineering Division – Public Works/Community Development - Subdivision Conditions*

37. The subdivision shall be recorded with a final map. The map preparation and monumentation shall be in accordance with the city’s Subdivision Regulations, Engineering Standards, and the Subdivision Map Act. The parcel map shall use U.S. Customary Units in accordance with the current City Engineering Standards.

38. All map exhibits and legal descriptions shall be prepared by a California Licensed Land Surveyor or Civil Engineer authorized to practice land surveying.

39. Prior to map recordation, Park In-Lieu fees shall be paid for the proposed new dwelling units/lots. Credit for the existing houses to remain will be applicable.

40. A separate subdivision improvement or miscellaneous public improvement plan is not required. The building plan submittal may be used to show some or all of the required private on-site subdivision improvements. Improvements located within the public right-of-way will require a separate encroachment permit and associated inspection fees based on the fee schedule in effect at the time of permit issuance. A separate subdivision improvement plan review fee and subdivision map check fee will be required for the Public Works Department review and inspection of the public subdivision/development improvements and map in accordance with the most current fee resolution.

41. The site development plan submittal shall show any parking, access, utility, site, and/or drainage improvements required to support the proposed subdivision. The building plan submittal shall show all existing public and/or private utilities and improvements shall be approved to the satisfaction of the Community Development Director and Public Works Director prior to recordation of the parcel map. Unless otherwise waived or deferred, the site/utility plan shall include drainage improvements, water, sewer, storm drains, gas, electricity, telephone, cable TV, and any related utility company meters for each parcel if applicable. Any utility relocations, demolitions, and/or other on-site work shall be completed with proper permits and receive final inspection approvals prior to recordation of the parcel map.
42. If “all electric” residences are proposed, gas service may not be required to each parcel. If proposed, a “Notice of Requirements” may be required for concurrent recordation with the map to identify the lack of gas service to any parcel(s).

43. Plans submitted for subdivision shall show the proposed water service lateral(s), meter sizing, and private service laterals, sized in accordance with the approved fire sprinkler plans. Unless a design exception is specifically approved, City Engineering Standards limit a meter manifold to 4 1” water meters. A separate service lateral and meter manifold may be required to accommodate the number of units, fire flow requirements, and the potential addition of a common area landscape meter.

44. Any easements including but not limited to provisions for all public and private utilities, access, grading, drainage, storm drain systems, construction, common driveways, and maintenance of the same shall be shown on the final map and/or shall be recorded separately prior to map recordation if applicable. Said easements may be provided for in part or in total as blanket easements.

45. A 10’ Street Tree easement and 10’ PUE shall be shown and noted on the map along both the Peach and Toro street frontages.

46. A separate public pedestrian easement may be required behind the new or redeveloped driveway approach(es) to accommodate the ADA sidewalk extension(s).

47. The map may be recorded prior to construction of the required public and/or private subdivision improvements. If so, the map conditions or code requirements may be satisfied by the preparation and approval of a subdivision improvement plan. A subdivision agreement and guarantee will be required for this process.

48. An Operation and Maintenance Manual and Private Stormwater Conveyance Agreement shall be provided in conjunction with the development project. The Stormwater Agreement shall be recorded separately or concurrent with the map recordation.

49. The final map shall include reference to the project soils report in accordance with the subdivision regulations. The report may be included on the cover sheet of the map or could be included on an “additional map sheet”.

Utilities Department

50. Plans submitted for a building permit shall label all existing sewer laterals to remain or to be abandoned per City Standards.

51. Plans submitted for a building permit showing sewer and water services shall be in accordance with the engineering design standards in effect at the time the building permit is approved.

52. Plans submitted for a building permit shall clarify the size of existing and proposed water services and water meters for the project.

53. Projects generating more than two cubic yards of total waste shall comply with AB 1826, and local waste management ordinance to reduce greenhouse gas emissions.

54. The building permit submittal shall include the San Luis Garbage Company letter of service within the plan set.
55. The City’s Development Standards for Solid Waste Services require that single family residential projects with interior storage are designed and constructed to include adequate storage space for three 96-gallon waste wheelers. The minimum space required shall be 92” side by 36” deep by 6’ tall. This area shall be depicted on the plans submitted for a building permit or a Conditional Exception Application shall be provided.

56. Plans submitted for a building permit shall show the location of garbage, recycling and organic bins located for pickup.

57. Projects having landscape areas greater than 500 square feet shall provide a Maximum Applied Water Allowance calculation as required by the Water Efficient Landscape Standards; Chapter 17.87 of the City’s Municipal Code.
Indemnification

58. The applicant shall defend, indemnify and hold harmless the City and/or its agents, officers and employees from any claim, action or proceeding against the City and/or its agents, officers or employees to attack, set aside, void or annul, the approval by the City of this project, and all actions relating thereto, including but not limited to environmental review ("Indemnified Claims"). The City shall promptly notify the applicant of any Indemnified Claim upon being presented with the Indemnified Claim and the City shall fully cooperate in the defense against an Indemnified Claim.

Upon motion of Council Member __________________, seconded by Council Member __________________, and on the following roll call vote:

AYES:
NOES:
ABSENT:

The foregoing resolution was adopted this _____ day of _____________________ 2020.

________________________
Mayor Heidi Harmon

ATTEST:

________________________
Teresa Purrington
City Clerk

APPROVED AS TO FORM:

________________________
J. Christine Dietrick
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on ____________________.

________________________
Teresa Purrington
City Clerk
RESOLUTION NO. PC-XXXX-20


WHEREAS, the Cultural Heritage Committee of the City of San Luis Obispo conducted a web based public hearing on June 22, 2020, recommending the Planning Commission find the project consistent with the Historic Preservation Ordinance and Historic Preservation Program Guidelines, pursuant to a proceeding instituted under ARCH-0568-2019, SBDV-0571-2019, and EID-0800-2019, Levi Seligman, applicant; and

WHEREAS, the Architectural Review Commission of the City of San Luis Obispo conducted a web based public hearing on June 6, 2020, recommending the Planning Commission find the project consistent with the Community Design Guidelines, pursuant to a proceeding instituted under ARCH-0568-2019, SBDV-0571-2019, and EID-0800-2019, Levi Seligman, applicant; and

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a web based public hearing on July 22, 2020, pursuant to a proceeding instituted under ARCH-0568-2019, SBDV-0571-2019, and EID-0800-2019, Levi Seligman, applicant; and

WHEREAS, notices of said public hearings were made at the time and in the manner required by law; and

WHEREAS, the Planning Commission of the City of San Luis Obispo has duly considered all evidence, including the testimony of the applicant, interested parties, and evaluation and recommendations by staff, presented at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Luis Obispo as follows:

SECTION 1. Findings. The Planning Commission hereby recommends the City Council approve the project (ARCH-0568-2019, SBDV 0571-2019, & EID-0800-2019), based on the following findings:

1. As conditioned, the project will not be detrimental to the health, safety, and welfare of persons living or working at the site or in the vicinity because the project respects site constraints and
will be compatible with the scale and character of the neighborhood.

2. The project is consistent with Land Use Element Policy 2.2.7 because the project includes infill development and rehabilitation efforts that contribute positively to the existing neighborhood and surrounding area.

3. The project is consistent with Land Use Element Policy 2.8 because the project includes the rehabilitation and maintenance of existing housing and provides additional dwellings that keep with density limits and do not significantly change the existing character of the area in a Downtown residential area.

4. The project is consistent with Land Use Element Policy 2.9 because the project provides Downtown housing that minimizes the need for automobile use and storage of vehicles in surrounding neighborhoods.

5. The project is consistent with Land Use Element Policy 4.2.1 because the project protects existing and provides new residential uses around the Downtown core and contributes to the variety of housing types in the area.

6. The project is consistent with Housing Element policies and programs (6.10 and 6.17) because the project consists of residential infill development.

7. The project is consistent with the Conservation and Open Space Element Policy 4.4.3 because the project promotes higher-density, compact housing to achieve more efficient use of public facilities and services, and to improve the City’s jobs/housing balance.

8. As conditioned, the project is consistent with the Zoning Regulations, since the proposed building design complies with property development standards for height, coverage, and parking, for the Medium Density Residential (R-2) zone.

Architectural Review Findings

9. The project is consistent with the Historic Preservation Ordinance and Historic Preservation Program Guidelines for construction in historic districts because the structures are designed to be architecturally compatible with the districts prevailing character and nearby historic resources. The project is consistent with the scale, massing, rhythm, signature architectural elements, exterior materials, siting and street yard setbacks of the district’s historic structures and does not sharply contrast with, significantly block public views of, or visually detract from, the historic architectural character of historically designated structures located on or adjacent to the project site.

10. As conditioned, the project is consistent with the Community Design Guidelines for Infill Development because the architectural style is complementary to the surrounding neighborhood and is designed consistent with the prevailing setback pattern of the
neighborhood (CDG, Chapter 5.3 & 5.4).

11. As conditioned, the project design is consistent with the Community Design Guidelines by providing a variety of architectural treatments that add visual interest and articulation to the building design that are compatible with the design and scale of the existing structures in the surrounding neighborhood (CDG, Chapter 5.3).

Subdivision Findings

12. The site is physically suited for the type of development allowed in the medium-density (R-2) zone and provides for passive and natural heating or cooling opportunities in the subdivision.

13. The tentative map, as conditioned, will comply with all environmental mitigation measures prescribed herein, and therefore is consistent with the California Environmental Quality Act and the Initial Study-Mitigated Negative Deceleration (IS-MND).

14. The design of the vesting tentative map and proposed improvements are not likely to cause serious health problems or substantial environmental damage since further development or redevelopment of the proposed parcels will occur consistent with the City’s Development Standards, Mitigation Measures, and Conditions of Approval.

15. The project insures safe, orderly development because the project complies with the City’s housing goals and the City’s General Plan to maintain a compact urban form.

Variable Side and Rear Setback in New Subdivision Findings

16. The reduced side and rear setbacks proposed (a setback of five feet where seven is the standard, six feet where eight feet is the standard, seven feet where nine feet is the standard, and eight feet where eleven feet is the standard) are consistent with section 17.70.170. (D.2.c) of the Zoning Regulations, because a separation of at least 10 feet between buildings on adjacent lots will be maintained and an acceptable level of solar exposure will be guaranteed by the proposed setbacks consistent with the solar access standards of General Plan Conservation and Open Space Element Policy 4.5.1. The setbacks are consistent with this policy because most roof areas, nearly all second-story south walls, and most first-story south walls will be unshaded between 10 a.m. and 3 p.m. on the winter solstice.

17. All proposed side and rear building setback exceptions meet the five-foot minimum requirement specified in the Zoning Regulations for the R-2 zone.

18. All setbacks between proposed structures and previously established property lines are consistent with Zoning Regulations Standards for the R-2 Zone.

Tandem Parking Findings
19. As conditioned, the proposed tandem parking for residential use is consistent with section 17.72.090 (C.1) because the spaces are identified for the exclusive use of occupants of a designated dwelling.

20. The proposed tandem parking provides needed flexibly on a site constrained by the location of existing historic structures and existing parking arrangements.

21. The proposed tandem parking is safe and compatible with the surrounding neighborhood because both Peach and Toro Streets are classified as Residential Local streets and are consistent with the current parking arrangement on site and in the neighborhood.

SECTION 2. Environmental Review. An Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental effects of the proposed project. The Planning Commission hereby recommends the City Council adopt the IS/MND, based on incorporation of the following mitigation measures, which will reduce potential environmental impacts to less than significant.

AIR QUALITY

AQ-1 During all construction activities and use of diesel vehicles, the applicant shall implement the following idling control techniques:

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
   a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors if feasible;
   b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
   c. Use of alternative fueled equipment shall be used whenever possible; and,
   d. Signs that specify the no idling requirements shall be posted and enforced at the construction site.

2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
   a. Shall not idle the vehicle’s primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
   b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
Signs must be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2 During all construction and ground-disturbing activities, the applicant shall implement the following particulate matter control measures and detail each measure on the project grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the APCD’s limit of 20% opacity for no greater than 3 minutes in any 60 minute period. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the City Community Development Department prior to commencement of construction. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

a. Reduce the amount of disturbed area where possible.

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the SLOAPCD’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible.

c. All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.

d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities.

e. Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.

f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD.

g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site.

i. All trucks hauling dirt, sand, soil, or other loose materials, are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.

j. “Track Out” is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then
fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code Section 13304. To prevent track out, designate access points and require all employees, subcontractors, and others to use them. Install and operate a “track-out prevention device” where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;

k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.

l. All PM\textsubscript{10} mitigation measures required should be shown on grading and building plans.

m. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the SLOAPCD’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition (Contact Tim Fuhs at 805-781-5912).

AQ-3 Prior to initiation of ground-disturbing activities, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property, including sampling and testing for NOA in full compliance with SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105). This geologic evaluation shall be submitted to the City Community Development Department upon completion. If the geologic evaluation determines that the project would not have the potential to disturb NOA, the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-4 If NOA are determined to be present on-site, proposed earthwork, demolition, and construction activities shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:

a. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
b. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and

c. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

AQ-5 Prior to initiation of demolition activities, the applicant shall implement the following measures to reduce the risk associated with disturbance of ACM and lead-coated materials that may be present within the existing structures onsite:

a. Demolition of the on-site structures shall comply with the procedures required by the National Emission Standards for Hazardous Air Pollutants (40 CFR 61, Subpart M – Asbestos) for the control of asbestos emissions during demolition activities. SLOAPCD is the delegated authority by the U.S. EPA to implement the Federal Asbestos NESHAP. Prior to demolition of on-site structures, SLOAPCD shall be notified, per NESHAP requirements. The project applicant shall submit proof that SLOAPCD has been notified prior to demolition activities to the City Community Development Department.

b. If during the demolition of the existing structures, paint is separated from the construction materials (e.g., chemically or physically), the paint waste shall be evaluated independently from the building material by a qualified hazardous materials inspector to determine its proper management. All hazardous materials shall be handled and disposed of in accordance with local, state, and federal regulations. According to the Department of Toxic Substances Control (DTSC), if the paint is not removed from the building material during demolition (and is not chipping or peeling), the material can be disposed of as non-hazardous construction debris. The landfill operator shall be contacted prior to disposal of lead-based paint materials. If required, all lead work plans shall be submitted to SLOAPCD at least 10 days prior to the start of demolition. The applicant shall submit proof that paint waste has been evaluated by a qualified hazardous waste materials inspector and handled according to their recommendation to the City Community Development Department.

Monitoring Program: Measures AQ-1 and AQ-2 shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections, in coordination with the County of San Luis Obispo Air Pollution Control District, as necessary. The applicant shall submit the geologic evaluation detailed in measure AQ-3 and documentation showing compliance with measures AQ-4 and AQ-5 to the City Community Development Department upon completion and prior to issuance of grading permits.

BIOLOGICAL RESOURCES
BIO-1 If feasible, tree removal associated with any future residential (or accessory) development at the project site shall be scheduled to occur from September 16 to January 31, outside of the typical nesting bird season, to avoid potential impacts to nesting birds. If tree removal or other construction activities are proposed during the nesting season (February 1 through September 15), prior to any ground disturbing activity, surveys for active nests shall be conducted by a qualified biologist within one week prior to the start of activities. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged or the nest is no longer deemed active. A non-disturbance buffer of 50 feet will be placed around non-listed, passerine species, and a 250-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If special-status avian species are identified, no work shall be conducted until an appropriate buffer is determined in consultation with the City and the California Department of Fish and Wildlife and/or the U.S. Fish and Wildlife Service.

Monitoring Program: These conditions and measures shall be noted on all grading and construction plans. The City Community Development Department and Natural Resources Manager shall verify compliance through regular inspections and review of monitoring reports, as necessary.

CULTURAL RESOURCES

CR-1 Cultural Resource Awareness Training. Prior to construction activities, a qualified archaeologist shall conduct a cultural resource awareness training for all construction personnel including the following:

a. Review the types of archaeological artifacts that may be uncovered;
b. Provide examples of common archaeological artifacts to examine;
c. Review what makes an archaeological resource significant to archaeologists and local native Americans;
d. Describe procedures for notifying involved or interested parties in case of a new discovery;
e. Describe reporting requirements and responsibilities of construction personnel;
f. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and
g. Describe procedures that would be followed in the case of discovery of disturbed as well as intact human burials and burial-associated artifacts.

CR-2 If cultural resources are encountered during subsurface earthwork activities, all ground disturbing activities within a 25-foot radius of the find shall cease and the City shall be notified immediately. Work shall not continue until a City-qualified archaeologist assesses
the find and determines the need for further study. If the find includes Native American affiliated materials, a local Native American tribal representative will be contacted to work in conjunction with the City-approved archaeologist to determine the need for further study. A standard inadvertent discovery clause shall be included in every grading and construction contract to inform contractors of this requirement. Any previously unidentified resources found during construction shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria by a qualified archaeologist.

If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan, in conjunction with locally affiliated Native American representative(s) as necessary, that will capture those categories of data for which the site is significant. The archaeologist shall also perform appropriate technical analysis, prepare a comprehensive report, and file it with the Central Coast Information Center (CCIC), located at the University of California, Santa Barbara, and provide for the permanent curation of the recovered materials.

CR-3 In the event that human remains are exposed during earth disturbing activities associated with the project, an immediate halt work order shall be issued and the Community Development Director and locally affiliated Native American representative(s) (as necessary) shall be notified. State Health and Safety Code Section 7050.5 requires that no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission within 24 hours. These requirements shall be printed on all building and grading plans.

**Monitoring Program:** These conditions shall be noted on all grading and construction plans. The City shall review and approve the City-qualified archaeologist consistent with the Archaeological Resource Preservation Program Guidelines.

**HAZARDS AND HAZARDOUS MATERIALS**

Implement Mitigation Measures AQ-3, AQ-4, and AQ-5.

**Monitoring Program:** Measures AQ-1 and AQ-2 shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections, in coordination with the County of San Luis Obispo Air Pollution Control District, as necessary. The applicant shall submit the geologic evaluation detailed in measure AQ-3 and documentation showing compliance with
measures AQ-4 and AQ-5 to the City Community Development Department upon completion and prior to issuance of grading permits.

**NOISE MITIGATION**

**N-1** For the entire duration of the construction phase of the project, the following Best Management Practices (BMPs) shall be adhered to:

1. Stationary construction equipment that generates noise that exceeds 60 dBA at the project boundaries shall be shielded with the most modern noise control devices (i.e. mufflers, lagging, and/or motor enclosures).
2. Impact tools (e.g., jack hammers, pavement breakers, rock drills, etc.) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools.
3. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used.
4. All construction equipment shall have the manufacturers’ recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational.
5. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.).

**N-2** Construction plans shall note construction hours, truck routes, and all construction noise Best Management Practices (BMPs) on project plans, which shall be reviewed and approved by the City Community Development Department prior to issuance of grading/building permits. The City shall provide and post signs stating these restrictions at construction entry sites prior to commencement of construction and maintained throughout the construction phase of the project. All construction workers shall be briefed at a pre-construction meeting on construction hour limitations and how, why, and where BMP measures are to be implemented.

**N-3** Construction activities shall be conducted so that the maximum noise levels at affected properties will not exceed 75 dBA for single-family residences where feasible.

**N-4** For all construction activity at the project site, additional noise attenuation techniques shall be employed as needed to ensure that noise levels are maintained within levels allowed by the City of San Luis Obispo Municipal Code, Title 9, Chapter 9.12 (Noise Control). Such techniques shall include, but are not limited to:

- Sound blankets shall be used on noise-generating equipment.
- Stationary construction equipment that generates noise levels above 65 dBA at the project boundaries shall be shielded with a barrier that meets a sound transmission class (a rating of how well noise barriers attenuate sound) of 25.
• All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
• The movement of construction-related vehicles, with the exception of passenger vehicles, along roadways adjacent to sensitive receptors shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No movement of heavy equipment shall occur on Sundays or official holidays (e.g., Thanksgiving, Labor Day).
• Temporary sound barriers shall be constructed between construction sites and affected uses.

N-5 The project contractor shall inform residents and business operators at properties within 300 feet of the project of proposed construction timelines and noise complaint procedures to minimize potential annoyance related to construction noise. Signs shall be in place prior to and throughout grading and construction activities informing the public that noise-related complaints shall be directed to the construction manager prior to the City’s Community Development Department.

Monitoring Program: These measures shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections.

TRIBAL CULTURAL RESOURCE

Implement Mitigation Measures CR-1 through CR-3.

Monitoring Program: These conditions shall be noted on all grading and construction plans. The City shall review and approve the City-qualified archaeologist consistent with the Archaeological Resource Preservation Program Guidelines.

UTILITIES AND SERVICES SYSTEM

Implement Mitigation Measures AQ-1 through AQ-5, BIO-1, CR-1 through CR-3, and N-1 through N-5.

Monitoring Program: Measures AQ-1 and AQ-2 shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections, in coordination with the County of San Luis Obispo Air Pollution Control District, as necessary. The applicant shall submit the geologic evaluation detailed in measure AQ-3 and documentation showing compliance with
measures AQ-4 and AQ-5 to the City Community Development Department upon completion and prior to issuance of grading permits. BIO-1, CR-1 through CR-3, and N1 through N-5 shall be noted on all grading and construction plans. The City Community Development Department shall verify compliance through regular inspections and review of monitoring reports, as necessary.

SECTION 3. Action. The project conditions of approval do not include mandatory code requirements. Code compliance will be verified during the plan check process, which may include additional requirements applicable to the project. The Planning Commission (PC) hereby grants final approval to the project with incorporation of the following conditions:

Planning Division - Architectural Conditions

1. Final project design and construction drawings submitted for a building permit shall be in substantial compliance with the project plans approved by the PC (ARCH-0568-2019 & SBDV-0571-2019). A separate, full-size sheet shall be included in working drawings submitted for a building permit that lists all conditions and code requirements of project approval as sheet number 2. Reference shall be made in the margin of listed items as to where in plans requirements are addressed. Any change to approved design, colors, materials, landscaping, or other conditions of approval must be approved by the Director or Architectural Review Commission, as deemed appropriate.

2. Plans submitted for a building permit shall call out the colors and materials of all proposed building surfaces and other improvements. Colors and materials shall be consistent with the color and material board submitted with Architectural Review application or reviewed at the Architectural Review Commission hearing on June 6, 2020 and Planning Commission Hearing on July 22, 2020.

3. Plans submitted for a building permit shall include recessed window details and all other details including but not limited to awnings, and railings. Plans shall indicate the type of materials for the window frames and mullions, their dimensions, and colors. Plans shall include the materials and dimensions of all lintels, sills, surrounds, recesses and other related window features. Plans shall demonstrate the use of high-quality materials for all design features that reflect the architectural style of the project and are compatible with the neighborhood character, to the approval of the Community Development Director.

4. All wall-mounted lighting fixtures shall be clearly called out on building elevations included as part of working drawings. All wall-mounted lighting shall complement building architecture. The lighting schedule for the building shall include a graphic representation of the proposed lighting fixtures and cut-sheets on the submitted building plans. The selected fixture(s) shall be shielded to ensure that light is directed downward consistent with the requirements of the City’s Night Sky Preservation standards contained in Chapter 17.70.100 of the Zoning Regulations.
5. A final landscaping plan, including irrigation details and plans, shall be submitted to the Community Development Department along with working drawings. The legend for the landscaping plan shall include the sizes and species of all groundcovers, shrubs, and trees with corresponding symbols for each plant material showing their specific locations on plans.

6. Plans submitted for a building permit shall show no less than five trees to be planted along the north edge of the common drive isle, spaced approximately 35 feet apart, and of a species on the City’s approved street tree list.

7. Plans submitted for a building permit shall show trees or other means of vertical landscaping along the southern edge of the project site to provide privacy and screening between new structures and existing residential properties on Mill Street.

Planning Division – Subdivision Conditions

8. The subdivider shall include on the final map an access and parking easement for the benefit of lot 2 that secures the use of no less than 56.8 feet of the existing driveway between the residences at 1143 Peach Street and 1151 Peach Street, extending from the northwest property line, or an alternative parking scenario acceptable to the Community Development Director to reduce tandem parking.

9. The subdivider shall include on the final map an access and parking easement for the benefit of lot 4 that secures the use of no less than 56.8 feet of the existing driveway between the residences at 1151 Peach Street and 1163 Peach Street, extending from the northwest property line, or an alternative parking scenario acceptable to the Community Development Director to reduce tandem parking.

10. The subdivider shall include on the final map two access and parking easements for the benefit of lot 3 that secures the use of no less than 18.4 feet of the existing driveway between the residences at 1143 and 1151 Peach Street, and the existing driveway between the residences at 1151 and 1163 Peach Street, adjacent to and extending from the new common drive isle, or an alternative parking scenario acceptable to the Community Development Director to reduce tandem parking.

Engineering Division – Public Works/Community Development - Architectural Conditions

11. Except for any proposed “model home(s)”, the subdivision map shall be recorded prior to building permit issuance for new dwellings.

12. The building plan submittal shall show and label all property lines, dedications, public easements, and private easements in accordance with the tract map. The building plans shall show and label all existing and proposed survey monumentation for reference. The plan shall note the required monument preservation or replacement for any disturbed monuments.
13. The building plan submittal shall show and label all existing and proposed frontage improvements and sidewalk furniture located within the public right-of-way to scale on the site plan for reference. Improvements to be shown include but are not limited to curb, gutter & sidewalk, driveway approaches, catch basins, curb ramps, fire hydrants, street lights, utility poles, parking meters, curb and street painting, overhead and underground utility services, utility vaults, water meter vaults, water and sewer services, utility abandonments, street signs, sidewalk underdrains, fences, retaining walls, landscape improvements, and street trees. Plan must differentiate between existing frontage improvements and new frontage improvements. New improvements shall include reference to the applicable Engineering Standards.

14. Prior to building permit issuance, any existing steps, concrete pads, walls, fences, etc. that are located in the right-of-way shall be removed or relocated unless an encroachment agreement is requested and approved by the city.

15. Projects involving the construction of new structures require that complete frontage improvements be installed and that existing improvements be upgraded per City Engineering Standards. Pursuant to Municipal Code 12.16.050, plans submitted for a building permit shall show these improvements.

16. Any sections of damaged or displaced curb, gutter & sidewalk or driveway approach shall be repaired or replaced to the satisfaction of the Public Works Director. All areas to be repaired or replaced shall be shown on the building plan submittal for reference.

17. Sections of damaged curb, gutter, or sidewalk adjacent to the large ficus trees on Peach Street shall be repaired or replaced due to root intrusion to the satisfaction of the Public Works Director. New bulb-outs may be considered to retain existing trees. A site visit shall be arranged with the Community Development and/or Public Works Department to coordinate a site visit with the City Arborist to discuss areas to be repaired and/or replaced. Areas to be repaired or replaced shall be shown on the building plans submittal for reference.

18. The building plan submittal shall show the existing curb ramp at the corner of Peach and Toro and clarify if it complies with current Americans with Disabilities Act (ADA), City Standard #4440, and Cal Trans Standards Plan RSP A88A.

19. The building plan submittal shall show the existing shared driveway curb drop off between 1137 & 1127 Peach Street. Provide details of this curb drop off transition and any treatment features that will be included and installed to mitigate the interface. If a property line fence is proposed, the fence height and line-of-sight analysis shall conform to City standards.

20. The subdivision improvement plans may be included within the building permit plan set. Separate record drawings (as-built) plans may be required at the completion of the project. A separate subdivision improvement plan review fee will be required based on the fee schedule in effect at the time of plan submittal. A separate encroachment permit will be required to cover the required Public Works Department inspections.
21. The building permit submittal shall show and note compliance with the Post Construction Stormwater Regulations and the City’s Drainage Design Manual. This project is considered to be a common plan and is not a single-family residential project for purposes of evaluating the Performance Requirement triggers. The altered and/or replaced frontage improvements shall be included in the area analysis. Unless the net impervious area is less than 5,000 square feet, compliance with Performance Requirement 2 will be required.

22. The building plan submittal shall include an operations and maintenance manual as required for the Post Construction Stormwater improvements, if applicable. A private stormwater conveyance agreement will be required and shall be recorded prior to final inspection approvals.

23. Documents submitted for a building permit shall show compliance with the grading ordinance of the adopted building code, and a summary drainage report or note on building plans shall be provided showing the pre vs. post drainage analysis for the 2 through 100-year storm with plans submitted for a building permit. Improved or diverted drainage shall not be directed across the side or rear property lines unless conveyed in an existing waterway, or a drainage easement.

24. The building plan submittal shall include a complete grading and drainage plan for this project. The plan shall show the existing and proposed contours and/or spot elevations to clearly depict the proposed grading and drainage. The plan shall show and label the high point elevation or grade break at the yard areas and drainage arrows to show the proposed drainage. Plans shall include the finished floor (FF) of the residences/garage, patio finish surface elevations, finish grade elevations, and yard drainage.

25. Plans submitted for a building permit shall show that any improved drainage is directed to a non-erosive outlet and ultimately discharged to the face of curb on Peach Street with an approved sidewalk underdrain, per City Engineering Standards.

26. The building submittal shall include a complete site utility plan. The utility plan shall show all existing and proposed on-site and off-site utilities. Show the location of all overhead and underground utilities along with the location of any utility company meters. Show all existing and proposed improvements located within the public right-of-way if applicable.

27. The building submittal shall show all new wire utilities to serve the development on all ten parcels to be underground. The underground wiring shall be achieved without a net increase in wood utility poles located within the public right-of-way unless otherwise approved by the City and serving utility companies. Interim overhead wiring may be proposed to provide replacement services to the existing residences until the PGE underground service to the subdivision is available for the underground conversion.

28. PG&E and Tele-Com plans shall be provided in conjunction with the building plan submittal and/or subdivision plans. Preliminary plans shall be reviewed by the engineer of record for consistency with the overall design. The final PG&E handout package shall be reviewed and
approved by the engineer of record and the City prior to construction. PG&E, AT&T, and Charter plans shall not be deferred unless specifically approved for deferral by the City.

29. If allowed by PG&E, plans submitted for a building permit shall show and reference a new streetlight to be located on the existing wood joint pole on Toro Street, in accordance with Engineering Standards #1010.G, #7520, and #7910.

30. Plans submitted for a building permit shall show newly provided driveway and parking areas in compliance with the Parking and Driveway Standards for dimensions, maneuverability, slopes, drainage, and materials. Alternate paving material shall be provided consistent with project plans and to the satisfaction of the Planning Division.

31. A final landscape plan shall be included with plans submitted for a building permit and shall show a line-of-sight analysis for new plantings at driveway approaches to the satisfaction of the City Engineer.

32. The building plan submittal shall show all existing trees to be removed and trees to be retained. The plan shall show any neighboring trees with canopies/root zones within the area of construction disturbance. Tree preservation measures shall be shown and noted on the building plans to the satisfaction of the Community Development and Public Works Departments.

33. Safety pruning may be required for any existing street trees depending upon the scope of proposed work and required construction activities. If required, any existing street trees along the property frontage shall be safety pruned to the satisfaction of the City Arborist prior to building permit issuance.

34. Plans submitted for a building permit shall show street trees at an approximate rate of one tree per each 35 lineal feet of frontage. The City Arborist shall approve the proposed tree species based on the location, soils type, and overhead wiring conflicts. The City Arborist shall review and approve the tree species for the newly planted parkway trees prior to acceptance as satisfying the street tree requirement.

35. The building plan shall show the removal of the infilled parkway to provide a tree planting area for new street trees. Parkway plantings shall include provisions for irrigation from the on-site irrigation system. All parkways shall be kept with plantings, groundcovers, or stable landscape materials and shall be free of any debris for perpetuity.

36. The building plan submittal shall show the limits of the existing catch basin opening and infrastructure for reference.
37. The subdivision shall be recorded with a final map. The map preparation and monumentation shall be in accordance with the city’s Subdivision Regulations, Engineering Standards, and the Subdivision Map Act. The parcel map shall use U.S. Customary Units in accordance with the current City Engineering Standards.

38. All map exhibits and legal descriptions shall be prepared by a California Licensed Land Surveyor or Civil Engineer authorized to practice land surveying.

39. Prior to map recordation, Park In-Lieu fees shall be paid for the proposed new dwelling units/lots. Credit for the existing houses to remain will be applicable.

40. A separate subdivision improvement or miscellaneous public improvement plan is not required. The building plan submittal may be used to show some or all of the required private on-site subdivision improvements. Improvements located within the public right-of-way will require a separate encroachment permit and associated inspection fees based on the fee schedule in effect at the time of permit issuance. A separate subdivision improvement plan review fee and subdivision map check fee will be required for the Public Works Department review and inspection of the public subdivision/development improvements and map in accordance with the most current fee resolution.

41. The site development plan submittal shall show any parking, access, utility, site, and/or drainage improvements required to support the proposed subdivision. The building plan submittal shall show all existing public and/or private utilities and improvements shall be approved to the satisfaction of the Community Development Director and Public Works Director prior to recordation of the parcel map. Unless otherwise waived or deferred, the site/utility plan shall include drainage improvements, water, sewer, storm drains, gas, electricity, telephone, cable TV, and any related utility company meters for each parcel if applicable. Any utility relocations, demolitions, and/or other on-site work shall be completed with proper permits and receive final inspection approvals prior to recordation of the parcel map.

42. If “all electric” residences are proposed, gas service may not be required to each parcel. If proposed, a “Notice of Requirements” may be required for concurrent recordation with the map to identify the lack of gas service to any parcel(s).

43. Plans submitted for subdivision shall show the proposed water service lateral(s), meter sizing, and private service laterals, sized in accordance with the approved fire sprinkler plans. Unless a design exception is specifically approved, City Engineering Standards limit a meter manifold to 4 1” water meters. A separate service lateral and meter manifold may be required to accommodate the number of units, fire flow requirements, and the potential addition of a common area landscape meter.

44. Any easements including but not limited to provisions for all public and private utilities, access, grading, drainage, storm drain systems, construction, common driveways, and maintenance of the same shall be shown on the final map and/or shall be recorded separately.
prior to map recordation if applicable. Said easements may be provided for in part or in total as blanket easements.

45. A 10’ Street Tree easement and 10’ PUE shall be shown and noted on the map along both the Peach and Toro street frontages.

46. A separate public pedestrian easement may be required behind the new or redeveloped driveway approach(es) to accommodate the ADA sidewalk extension(s).

47. The map may be recorded prior to construction of the required public and/or private subdivision improvements. If so, the map conditions or code requirements may be satisfied by the preparation and approval of a subdivision improvement plan. A subdivision agreement and guarantee will be required for this process.

48. An Operation and Maintenance Manual and Private Stormwater Conveyance Agreement shall be provided in conjunction with the development project. The Stormwater Agreement shall be recorded separately or concurrent with the map recordation.

49. The final map shall include reference to the project soils report in accordance with the subdivision regulations. The report may be included on the cover sheet of the map or could be included on an “additional map sheet”.

Utilities Department

50. Plans submitted for a building permit shall label all existing sewer laterals to remain or to be abandoned per City Standards.

51. Plans submitted for a building permit showing sewer and water services shall be in accordance with the engineering design standards in effect at the time the building permit is approved.

52. Plans submitted for a building permit shall clarify the size of existing and proposed water services and water meters for the project.

53. Projects generating more than two cubic yards of total waste shall comply with AB 1826, and local waste management ordinance to reduce greenhouse gas emissions.

54. The building permit submittal shall include the San Luis Garbage Company letter of service within the plan set.

55. The City’s Development Standards for Solid Waste Services require that single family residential projects with interior storage are designed and constructed to include adequate storage space for three 96-gallon waste wheelers. The minimum space required shall be 92” side by 36” deep by 6’ tall. This area shall be depicted on the plans submitted for a building permit or a Conditional Exception Application shall be provided.
56. Plans submitted for a building permit shall show the location of garbage, recycling and organic bins located for pickup.

57. Projects having landscape areas greater than 500 square feet shall provide a Maximum Applied Water Allowance calculation as required by the Water Efficient Landscape Standards; Chapter 17.87 of the City’s Municipal Code.

Indemnification

58. The applicant shall defend, indemnify and hold harmless the City and/or its agents, officers and employees from any claim, action or proceeding against the City and/or its agents, officers or employees to attack, set aside, void or annul, the approval by the City of this project, and all actions relating thereto, including but not limited to environmental review (“Indemnified Claims”). The City shall promptly notify the applicant of any Indemnified Claim upon being presented with the Indemnified Claim and the City shall fully cooperate in the defense against an Indemnified Claim.

On motion by ________________, seconded by ________________, and on the following roll call vote:

AYES:
NOES:
REFRAIN:
ABSENT:

The foregoing resolution was passed and adopted this 22nd day of July, 2020.

_____________________________
Brian Leveille, Secretary
Planning Commission
FROM: Greg Hermann, Deputy City Manager
Prepared By: Ryan Betz, Assistant to the City Manager

SUBJECT: INTRODUCE AN ORDINANCE AMENDING CHAPTER 2.14, REVENUE ENHANCEMENT OVERSIGHT COMMISSION, OF THE MUNICIPAL CODE

RECOMMENDATION

1. Introduce an Ordinance (Attachment A) amending Chapter 2.14, Revenue Enhancement Oversight Commission, of the Municipal Code; and
2. Direct staff to return to the City Council for the second reading of the ordinance as part of the certification of results of the General Municipal Election of November 3, 2020.

DISCUSSION

Background
On July 21, 2020, the City Council approved the placement of a ballot measure question to the voters whether to amend Chapter 3.15 of the Municipal Code with a Community Services and Investment Local Transactions (Sales) and Use Tax on the November 3, 2020 ballot.

At that meeting, the Council directed staff to return with proposed amendments to Chapter 2.14, Revenue Enhancement Oversight Commission, of the Municipal Code. That chapter established a five-member citizen advisory body, the Revenue Enhancement Oversight Commission (REOC), to review, report, and make recommendations to the City Council on the use of the half-cent, local general sales tax. The REOC is also responsible for reviewing an audit report of the use of the funds, approving the annual community report and report in brief before it is distributed to every household within the City, and holding an annual citizen oversight meeting to gather input from the community on the use of the funds prior to making recommendations to the City Council as part of the budget process. Every two years, as part of the Financial Plan process, the REOC joins the City Council as part of the Community Forum to receive input on the community’s top priorities and use of the Local Revenue Measure. Annual reports showing the audited expenditures for the Local Revenue Measure can be found on the City’s website. The REOC plays an important role of citizen oversight, input, and accountability and is a best practice commonly found in other cities with a local revenue measure.
Proposed Amendments to Chapter 2.14
Based on Council direction, the intent of the proposed amendments to Chapter 2.14 is to broaden community member representation on the REOC and to build in additional accountability and community engagement opportunities to ensure spending priorities align with the community’s and City Council’s vision for long-term investment. Specifically, the proposed amendments cover several sections of Chapter 2.14, Revenue Enhancement Oversight Commission, of the Municipal Code (Attachment A). Section 2.14.020 adds language to the desired experience for residents being considered by the City Council to be appointed to the REOC. The following amendment is proposed:

2.14.020 Members and appointment
The REOC shall consist of five members who are residents of the city. Members shall be appointed by the whole city council through a public application and appointment process. When recruiting members, the city will seek members who have experience with finance, budgeting, municipal accounting or represent a sales tax generating business.

The next proposed amendment, in section 2.14.040, adds a section directing the REOC to recommend long-term community service and investment priorities to the City Council every eight years. The following amendment is proposed:

2.14.040 Powers and duties
G. Long-Term Priority Setting. Every eight years, the City will incorporate a long-term priority setting exercise into the Financial Plan development process to determine the long-term community services and investment priorities for the use of Local Revenue Measure funds. This exercise shall include receiving input from residents, community members, and the REOC regarding spending priorities with priorities being set by the City Council as a part of the development of the Financial Plan.

The remaining proposed amendments are administrative in nature and will not go into effect unless the ballot measure is approved by the voters as part of the November 3, 2020 general election.

Previous Council or Advisory Body Action
1. July 21, 2020 City Council Meeting

Policy Context
The recommended amendment to 2.14.020, Members and appointment, is consistent with the language in the City of San Luis Obispo’s Advisory Body Handbook (Section 1(C)) regarding membership qualifications and the appointment process. The language states the City of San Luis Obispo encourages participation of a wide variety of its citizens through service on an advisory body. Additionally, the recommended amendment to 2.14.040, Powers and duties, is consistent with language in the adopted Fiscal Responsibility Philosophy (Resolution No. 10546 (2014 Series)) regarding community input and aligning investment in the community.¹

¹ 2014, Fiscal Responsibility Philosophy Section 2 – Definition. Fiscal responsibility is the balanced approach to providing the infrastructure maintenance and services that preserve and enhance the quality of life in our community as identified and prioritized through community input.
Public Engagement
This item is on the agenda for the September 1, 2020 City Council meeting and will follow all required postings and notifications. The public may have an opportunity to comment on this item at or before the meeting.

CONCURRENCE
The City Attorney and Director of Finance concur with the staff recommendation.

ENVIRONMENTAL REVIEW
The California Environmental Quality Act does not apply to the recommended action in this report, because the action does not constitute a “Project” under CEQA Guidelines Sec. 15378.

FISCAL IMPACT
Budgeted: Yes Funding Identified: Yes Budget Year: 2020-21

Fiscal Analysis:

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This item does not have any direct costs, however, should the ballot measure be approved by the voters as part of the November 3, 2020 general election, the measure is projected to provide approximately $21,600,000 annually in revenue and could be used for general community services and infrastructure needs.

Section 3 (D) – Aligned Investments. The City shall allocate resources in alignment with community needs and priorities for maintaining and/or adding capital projects, assets, or services.
ALTERNATIVES

1. *The Council may choose to deny the proposed amendments.* Staff does not recommend this based upon a desire to broaden community member representation on the REOC and to build in additional accountability and community engagement opportunities to ensure the spending priorities align with the community and City Council’s vision for long-term investment.

2. *The Council may choose to modify the proposed amendments.* Should the Council choose to modify the proposed amendments, staff requests direction on the specific language to be modified.

Attachments:

a - Draft Ordinance
ORDINANCE NO. ______ (2020 SERIES)


REVENUE ENHANCEMENT OVERSIGHT COMMISSION

WHEREAS, the City of San Luis Obispo (City) is a municipal corporation duly organized under the California Constitution and laws of the State of California; and

WHEREAS, on July 21, 2020, the City Council adopted Resolution No. 11145, submitting to the voters a question whether to extend the existing, voter-approved local transaction (sales) and use tax at a 1.5¢ rate, until ended by voters. The resolution also stated that any extension and enhancement of existing, voter-approved funding will continue to require a citizen revenue enhancement oversight commission (REOC) to ensure funds are spent consistent with the community’s priorities; and

WHEREAS, the REOC reviews revenues and expenditures from the local transaction (sales) and use tax, reports to the community and the City Council about the City’s stewardship of these revenues, and recommends expenditures to the City Council that are consistent with the purpose of the general purpose tax and the preferences of the City residents; and

WHEREAS, the City Council desires to expand the qualifications of candidates to be appointed on the REOC to broaden the views and representation of the community; and

WHEREAS, the City's voter-approved local transaction (sales) and use tax includes substantial accountability measures including: requirements for independent annual financial audits; integration of use of funds into the City's budget and goal-setting process; annual community reports; and annual citizen engagement meetings; and

WHEREAS, the City recognizes the importance of periodically reviewing the long-term community services and investment priorities to align with the community’s priorities; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of San Luis Obispo, as follows:

SECTION 1. Chapter 2.14 of the City's Municipal Code is hereby amended and re-enacted in full to read as follows:
Chapter 2.14
REVENUE ENHANCEMENT OVERSIGHT COMMISSION

2.14.010 Commission established and purpose.

The Revenue Enhancement Oversight Commission (REOC) is hereby established to review, report, and make recommendations regarding the use of revenues collected through the city’s voter-approved general purpose, one and a half-percent sales tax authorized by Chapter 3.15. The REOC is authorized to review the sales tax revenues and expenditures, report on the city’s stewardship of this general purpose tax and provide recommendations directly to the City Council regarding expenditures of these tax revenues as an integral part of the budget process. The establishment of the REOC shall be effective upon voter approval of a revenue enhancement measure to be proposed in November 2020 and shall continue in existence as long as Chapter 3.15, adopted by such measure, is in effect.


The REOC shall consist of five members who are residents of the city. Members shall be appointed by the whole city council through a public application and appointment process. When recruiting members, the city will seek members that have experience with finance, budgeting, municipal accounting or represent a sales tax generating business.


A. Terms. Of the members first appointed, three shall be appointed for the term of three years, and two shall be appointed for two-year terms. Subsequent appointments to the REOC shall be for three years. Vacancies during the term shall be filled by the city council for the unexpired portion of the term. Members may be removed by the city council with or without cause by a majority vote of the city council.


The REOC shall meet a minimum of four times per year to perform its duties, as follows:

A. Generally. The REOC shall have the authority to conduct public hearings as directed by the city council or city policy. The REOC shall exercise the duties conferred upon it by this chapter, and as necessary to achieve its purpose.

B. Annual Community Report. The REOC shall conduct a public hearing annually to review and take public testimony on the essential community services and investment measure annual report.

C. Annual Audit. The REOC shall meet annually to review the audited financial statements contained in the comprehensive annual financial report for the essential community services and investment measure.
D. Annual Citizen Oversight Meeting. The REOC shall hold an annual essential community services and investment measure community forum for the purpose of taking input from residents and community members on preferences for the use of the revenues generated by the essential community services and investment tax.

E. Budget Recommendations. The REOC shall meet for the purpose of making recommendations to the city council regarding the uses of revenue generated by the essential community services and investment measure. The REOC shall take into consideration the input provided by residents and community members during the annual citizen oversight meeting, the purpose of the essential community services and investment, the major city goals established by the city council, and the amount of revenue available from past fiscal years, and projected to be available during the next fiscal year, in making its budget recommendations to the council.

F. Outreach and Education. The REOC shall be authorized to perform outreach and educational activities so that residents and community members are informed about the costs and benefits associated with the collection and use of revenue generated by the essential community services and investment.
G. **Long-Term Community Services and Investment Priorities.** Every eight years, the City will incorporate a long-term priority setting exercise into the Financial Plan development process to determine the long-term community services and investment priorities for the use of Local Revenue Measure funds. This exercise shall include receiving input from residents, community members, and the REOC regarding spending priorities with priorities being set by the City Council as a part of the development of the Financial Plan.

**INTRODUCED** on the ____ day of ___________ 2020 **AND FINALLY ADOPTED** on the ____ day of ___________ 2020 by the Council of the City of San Luis Obispo on the following vote:

AYES:
NOES:
ABSENT:

____________________________________
Mayor Heidi Harmon

ATTEST:

____________________________________
Teresa Purrington
City Clerk

APPROVED AS TO FORM:

____________________________________
J. Christine Dietrick
City Attorney

**IN WITNESS WHEREOF,** I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on ________________.

____________________________________
Teresa Purrington
City Clerk