Department Name: Community Development  
Cost Center: 4003  
For Agenda of: September 1, 2020  
Placement: Consent  
Estimated Time: N/A

FROM: Michael Codron, Community Development Director  
Prepared By: Kyle Bell, Associate Planner

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.

Figure 1: PD-Overlay Boundaries
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 ________________.