

## RESOLUTION R-2013-031

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH AMENDING 1993 GENERAL PLAN/LOCAL COASTAL PLAN LAND USE ELEMENT BACKGROUND FOR PLANNING AREA A, THE BLUFFS/SUNSET PALISADES AND POLICIES LU-A-1, LU-A-2, LU-A-3, LU-A-6, LU-A-12 AND BACKGROUND FOR PLANNING AREA B, SOUTH PALISADES AND POLICIES LU-B-1, LU-B-3, LU-B-4, LU-B-6, AND LU-B-8.**

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**WHEREAS**, the City Council held a duly noticed public hearing on May 21, 2013 at which all interested persons were given the opportunity to be heard on the following amendments to the 1993 General Plan/Local Coastal Plan Land Use element, specifically Background for Planning Area A, The Bluffs/Sunset Palisades and Policies LU-A-1, LU-A2, LU-A3, LU-A6, LU-A11, LU-A12; Background for Planning Area B, South Palisades and Policies LU-B-1, LU-B2, LU-B3, LU-B4, LU-B6, and LU-B8 (the project).

**NOW, THEREFORE BE IT RESOLVED** by the City Council as follows:

#### **SECTION 1. FINDINGS**

- 1) An environmental initial study was completed for the Project and a Negative Declaration was adopted in **Resolution No. R-2013-030** for the project on May 21, 2013.
- 2) No factors will create potential for significant environmental impacts because of the project.
- 3) The project is consistent with the goals and policies of the General Plan/Local Coastal Program.
- 4) The project complies with the public access and public recreation policies of Chapter 3 (commencing with section 30220) of the California Coastal Act of 1976.

#### **SECTION 2. ACTIONS**

##### **THE CITY COUNCIL DOES HEREBY:**

- 1) Approve amendments to General Plan/Local Coastal Plan Background for Planning Area A, The Bluffs/Sunset Palisades and Policies LU-A-1, LU-A2, LU-A3, LU-A6, LU-A11, LU-A12; Background for Planning Area B, South Palisades and Policies LU-B-1, LU-B2, LU-B3, LU-B4, LU-B6, and LU-B8.
- 2) Certify the project is intended to be carried out in a manner fully in compliance with Division 20 of the Public Resources Code, otherwise known as the Coastal Act.

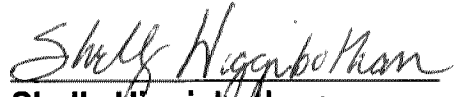
- 3) Approves the project as noted in Exhibit A.
- 4) Directs staff to forward the project to the California Coastal Commission for certification. The amendments shall take effect immediately upon Coastal Commission certification, consistent with Public Resources Code Sections 30512, 30513 and 30519.

**UPON MOTION OF** Council Member Vardas seconded by Mayor Pro Tem Waage the foregoing resolution was adopted by the City Council of the City of Pismo Beach this 21st day of May 2013, by the following vote:

**AYES: 4 Council Members: Vardas, Waage, Howell, Higginbotham**  
**NOES: 0**  
**ABSENT: 0**  
**RECUSE: 1 Council Member Reiss**

**Approved:**

**Attest:**



**Shelly Higginbotham**  
**Mayor**



**Elaina Cano, CMC**  
**City Clerk**

## EXHIBIT A

### The Bluffs/Sunset Palisades Planning Areas – A-1 & A-2

#### **Background**

The Bluffs/Sunset Palisades area is an ocean oriented, low profile residential neighborhood with a backdrop of the coastal foothills. The planning area is almost totally developed in low-density residential use with only a few scattered vacant residential lots. It includes the Ontario Ridge area, now known as The Bluffs, which was annexed to the City in 1990 and has been developed since 1992.

#### The Bluffs

The bluff top area along the ocean fronting Bluffs subdivision consist of a 9-acre open space/recreational parcel under ownership of The Bluffs homeowners association but with public access rights. The base of this bluff area includes an intertidal habitat and natural resource area, which should be protected. There is no public access to this sensitive area. Damage by wave conditions is possible and bluff erosion is an ongoing process. Fifty-three acres of land on the upper slopes of The Bluffs are in permanent open space.

#### Sunset Palisades

The Sunset Palisades neighborhood extends from Highway 101 to the ocean and is comprised of land on both sides of Shell Beach Road, 6 acres of private open space in a gated community as well as the 5.7 acre Palisades public park. Archaeological resources are evident in the area.

The property between Shell Beach Road and U.S. Highway 101 has historically been utilized as open space with limited residential development. This area is subjected to high noise levels from both U.S. Highway 101 and Shell Beach Road.

The bluff tops along the Sunset Palisades stretch of coast are primarily under private ownership.

Homes along these ocean fronting bluffs have provided their own stairways to small beaches. Some of these have been damaged in past storms. Seawalls to protect an existing structure are permitted only if there is no other less environmentally damaging alternative.

#### **The Bluffs Policies**

#### **LU- Concept**

- A-1** The Bluffs is designated Low Density residential Development and Open Space with an emphasis on preservation of the natural setting and with public access and recreation along the ocean bluffs.

**LU- Upper Slopes and Hillsides**

**A-2** The upper slopes and hillsides of The Bluffs are subject to an open space easement and restricted to agricultural open space for limited cattle grazing. No structures are permitted in this area. See Conservation/Open Space, Coastal Foothills.

**LU- Blufftop Park**

**A-3** The bluff top park, owned by The Bluffs homeowners association includes public walking and bicycle trails and public parking spaces to assure public access to the bluff top and lateral access across the entire Bluffs area. The Bluffs Drive area shall remain clearly and conspicuously posted for public access and use. The management of lateral bluff-top access within the City should be coordinated with the County of San Luis Obispo to assure continuity of access to the Cave Landing Road area. Extremely steep, unstable bluffs preclude vertical access to the beach from within the City.

<b>Sunset Palisades Policies</b>
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**LU- Concept**

**A-6**

Sunset Palisades, an area of existing homes with scattered vacant lots, is designated for Low Density Residential development. The emphasis is on maintaining coastal views, open space and protecting the coastal bluffs and intertidal habitat area. Infill development shall be compatible with the existing community.

**LU- Beach Access and Bluff Protection**

**A-11**

The coastal tidal and subtidal areas should be protected by limiting vertical access-ways to the rocky beach and inter-tidal areas. Lateral Beach access dedication shall be required as a condition of approval of discretionary permits on ocean front parcels pursuant to Policy PR-22. No new public or private beach stairways shall be allowed; however existing stairways are utilized for ocean emergencies, animal rescue, fire fighting access and public safety. If nonconforming existing stairways are damaged, they may be repaired if a hazardous condition results from the damage. All structures shall be set back a minimum of 25 feet from the top of the bluff in accordance with the requirements of Policy S-3. Appropriate erosion control measures shall be required for any project along the bluff-tops.

**LU- Topaz Street and Encanto Street**

**A-12**

The Topaz Street and Encanto Street undeveloped accesses shall be developed as coastal viewpoints rather than as stairways. (See Park & Recreation Element, Figure PR-3, No. 2 & 3. See also Design Element D-13, Freeway Landscaping.) Low-lying

drought tolerant prickly vegetation, which will deter undesignated access paths, should be planted at the top of the bluff. Park benches are recommended to encourage use of these areas as viewpoints. Attractive railings should be used to protect the bluffs rather than chain link fencing. The Topaz cul-de-sac may be eliminated in favor of a pocket park or expanded viewpoint. The access points should be maintained so that the landscaping of abutting properties does not intrude on them.

## **South Palisades Planning Area B**

### **Background**

The South Palisades Planning Area includes clustered multi-family and single family residential development. Each parcel in this area includes 60 percent of open space, preservation of views from U.S. Freeway 101 to the ocean, and a 100 ft wide lateral access dedication to the City for public parks and open space along the entire cliff. The ocean bluffs range in height from 40-50 feet at the north end to 80 feet at the south end of the planning area. San Luis Obispo County has an easement from the toe of the bluff to the mean high tide line. A sandy beach extends for most of the length of the oceanfront in this area. One public stairway to the beach below exists and one more public stairway is planned.

### **LU- Concept B-1**

The South Palisades area is designated for Medium Density Residential development. The entire area is one neighborhood with an emphasis on open space and scenic corridors. A 100 ft wide lateral bluff-top open space area/access-way is the focus for the area.

### **LU- Lateral Bluff-top Open Space and Access B-3**

The width of the lateral bluff-top conservation/open space and access dedication requirement set forth in Policy PR-23 shall be increased to a distance equal to the 100-year bluff retreat line plus 100 ft. for all development on the shoreline in this planning area. Future park improvements and trail/bicycle path amenities shall be funded by new development in this area.

### **LU- Road System B-4**

A loop road system is required and will provide public access to the linear bluff-top park and visual access to the ocean. Where the loop road system is infeasible due to bluff retreat, a cul-de-sac may be constructed for remaining parcels that have not yet developed. The loop system or cul-de-sac will be funded by future development and will provide for bicycle paths, which shall connect with the bluff top trail along the lateral blufftop conservation/open space and access dedication requirement noted in Policy LU-B-3. Future development in this area shall be subject to the requirements of Design element Figure D-4.

### **LU- Stairway Access to the Beach**

**B-6**

One new stairway access to the beach shall be provided. (See Parks, Recreation & Access Element, Table PR-4 and Figure PR-3.) All developments within the South Palisades Planning Area shall contribute fees for construction of the stairways. The city may require, as a condition of approval of development projects, the installation of beach stairways, with reimbursement as fees are collected.

As part of the public access at the drainage swale, parking spaces should be provided in several small lots. (See Parks, Recreation & Access Element, Figure PR-3, Access #6 and Policy PR-26, Specific Access Points.)

**LU- Public Parking****B-8**

All existing public on-street and off-street parking spaces, including the 255 spaces identified in this area in a 2008 field survey, shall be maintained. Additionally, adequate signing notifying the public of the public parking opportunities and identifying the location of the access-way shall be provided.