



"Making a Difference"

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

MEETING DATE August 9, 2007	CONTACT/PHONE Ted Bench 805-781-5701	APPLICANT County of San Luis Obispo	FILE NO. LRP2005-00010: A, B, C & D
SUBJECT Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend sections of the land use ordinances and general plan in order to: 1) revise residential development standards and 2) require a minimum density of 20 units/acre on selected Residential Multi-Family zoned lots throughout the unincorporated areas of the County.			
<p>Amendment revisions for residential development standards include the following: allow a 20-foot front setback on the Residential Single Family (RSF) and Residential Multi-Family (RMF) zoned properties less than one acre in size; reduce the number of required guest parking spaces by one space on development of 15 units or less within the RMF land use category; establish a lot coverage ratio for multi family structures of 35% for low, 45% for medium, and 60% for high density residential development, thereby eliminating maximum floor area and minimum open space requirements; allow multi-family projects to be built on pre-existing parcels no less than 4,000 square feet in size in the RMF land use category instead of the current 6,000 square foot requirement; and allow a 5,000 square foot minimum parcel size in the RSF land use category instead of the current 6,000 square foot requirement. The following County documents may be affected:</p> <ul style="list-style-type: none">• Title 22, sections 22.10.140, 22.18.050, 22.10.130, 22.10.110, 22.22.080, 22.10.155, 22.52.080• Title 23, sections 23.04.108, 23.04.166, 23.04.084, 23.04.044, 23.04.028, 23.04.370, 23.05.044• Inland Area Plans including: Salinas River Area Plan (San Miguel Urban Area Standards - 22.104.070, Santa Margarita Urban Area Standards - 22.104.080, Templeton Urban Area Standards - 22.104.090); San Luis Bay Area Plan (Arroyo Grande Urban Area Standards - 22.106.040, Oceano Urban Area Standards, including Halcyon- 22.106.070); South County Area Plan (Nipomo Urban Area Standards - 22.112.080)• Coastal Area Plans including: North Coast Area Plan (Cambria Urban Area Standards); Estero Area Plan (Los Osos Urban Area Standards)• Oceano Specific Plan• Templeton Design Plan <p>Amendment revisions for the requirement of a 20 units/acre minimum density will be proposed on 37 lots located in the Residential Multi-Family land use category in the unincorporated areas of the County. The following County documents may be affected:</p> <ul style="list-style-type: none">• Title 22, sections 22.112.080 (South County Area Plan - Nipomo Urban Area), 22.104.070 (Salinas River Area Plan - San Miguel Urban Area Standards), 22.104.090 (Salinas River Area Plan - Templeton Urban Area Standards), 22.106.070 (San Luis Bay Area Plan - Oceano Urban Area Standards)• Coastal Area Plans including: San Luis Bay-Coastal Area Plan (Avila Beach), San Luis Bay-Coastal Area Plan (Oceano), North Coast Area Plan (Cambria Urban Area Standards); Estero Area Plan (Los Osos Urban Area Standards) <p>This ordinance amendment affects all land in the Residential-Single Family and Residential Multi-Family land use categories in planning areas of the county that are outside of the jurisdictions of the incorporated cities.</p>			

<p>RECOMMENDED ACTION Adopt the resolution recommending to the Board of Supervisors:</p> <ol style="list-style-type: none"> 1. Certify the Environmental Impact Report in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approval of Land Use Ordinance, Coastal Zone Land Use Ordinance, Oceano Specific Plan and Templeton Design Plan amendments LRP2005-00010 as shown in Exhibits LRP2005-00010:A, B, C, and D based on the recommended findings listed in this report. 			
<p>ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is evidence that the project may have a significant effect on the environment, and therefore a Final Environmental Impact Report (FEIR) was prepared (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) for this project. The FEIR addresses potential impacts on: Agricultural Resources, Air Quality, Cultural Resources, Hydrology and Water Quality, Geologic Hazards, Noise, Public Services and Utilities, Transportation and Circulation, and Water Resources. Mitigation measures are proposed to address these impacts and are included as conditions of approval. Overriding considerations were determined necessary based on significant and unavoidable impacts associated with Biological Resources</p>			
<p>LAND USE CATEGORY Residential Single Family and Residential Multi Family</p>	<p>COMBINING DESIGNATION N/A</p>	<p>ASSESSOR PARCEL NUMBER N/A</p>	<p>SUPERVISOR DISTRICT(S) ① ② ③ ④ ⑤ All</p>
<p>PLANNING AREA STANDARDS: See project description above.</p>			
<p>EXISTING USES: N/A</p>			
<p>SURROUNDING LAND USE CATEGORIES AND USES: N/A</p>			
<p>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: All Advisory Groups</p>			
<p>TOPOGRAPHY: N/A</p>		<p>VEGETATION: N/A</p>	
<p>PROPOSED SERVICES: Water supply: N/A Sewage Disposal: N/A Fire Protection: N/A</p>		<p>ACCEPTANCE DATE: N/A</p>	
<p>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</p>			

PROJECT BRIEF

The purpose of this package of affordable housing ordinances is to allow higher residential density in urban areas. It would amend the County's existing ordinances to do the following:

- Reduce the front setback from 25 feet to 20 feet in Residential Single and Multi-Family categories.

- Reduce guest parking by one space in residential multi-family projects of 15 units or less.
- Replace the floor area ratio (FAR) requirement with a lot coverage requirement for multi-family projects.
- Reduce the required lot size for multi-family projects from 6,000 square feet to 4,000 square feet.
- Reduce the required lot size for subdivisions in the Residential Single Family category from 6,000 square feet to 5,000 square feet.
- Require a minimum density of 20 units/acre on selected lots within the Residential Multi-Family category.

These amendments would apply only to Residential Single Family and Residential Multi-Family zoned parcels in the County. They offer design flexibility and do not add any affordable housing requirements.

LEGISLATIVE HISTORY

This ordinance amendment was authorized for processing through the adoption of the Housing Element (as amended on July 20, 2004) of the County of San Luis Obispo's General Plan.

AUTHORITY

Land Use Ordinance Amendment

The Land Use Element sets forth the authority by which the Land Use Ordinance can be amended. The guidelines that your Commission and the Board of Supervisors should use when considering ordinance amendments are provided in Part I - Framework For Planning, Chapter 6.A - Guidelines for Amendments to Land Use Ordinance.

The proposed affordable housing ordinance amendments are consistent with these guidelines. The proposed amendments that are attached to this report would: (1) implement Housing Element Program HE 1.4: Revise Residential Development Standards; (2) implement Housing Element Program HE 1.10: Establish Minimum Residential Multi-Family Densities; and (3) support the County's Smart Growth policies by encouraging denser, in-fill development in urban areas of the County.

COMMUNITY ADVISORY GROUP COMMENTS:

The Department received comments from Community Advisory Groups during staff presentations to the advisory groups and in response to the Environmental Impact Report. Staff responded to concerns regarding compatibility between smaller lots and communities by adding residential design standards for housing on small lots. The South County Advisory Council (SCAC) commented on the EIR in a letter (dated March 27, 2007). A summary of the concerns expressed in that letter and staff's response appears below:

1. SCAC: reducing the minimum lot size from 6,000 square feet to 5,000 square feet in the Residential Single Family would impact the community resources (i.e., water). Staff response: subdivisions (with or without smaller lots) will not be permitted without prior approval from the community services district.
2. SCAC: where the allowable density is now 10 units/acre on Residential Multi-Family parcels, SCAC supports an increase to 15 units/acre. Staff response: land within the Residential Multi-Family category is seldom developed to the allowable density. After careful review of selected parcels in or adjacent to high intensity urban areas throughout the County, staff is recommending a minimum density of 20 units/acre on those parcels.
3. SCAC: recommends strong design standards for residential multi-family projects. Staff response: Nipomo urban area has design standards for such projects, but other areas may not. Staff is not proposing additional multi-family design standards at this time.

4. SCAC: does not support reduction of open space requirements in multi-family projects. Staff response: the existing floor area ratio and proposed lot coverage ratio have comparable open space requirements. The amendment will include a requirement for usable common area.

STAFF COMMENTS

The attached exhibits show proposed deletions with ~~strikeout~~ and proposed additions with **redline**. The four exhibits are arranged as follows:

- LRP2005-00010:A - Land Use Ordinance (LUO)
- LRP2005-00010:B - Coastal Zone Land Use Ordinance (CZLUO)
- LRP2005-00010:C - Coastal Zone Area Plans
- LRP2005-00010:D - Oceano Specific Plan and Templeton Design Plan

Background

In July, 2004, the County amended its Housing Element to include the following two programs:

- Program HE 1.4 - Revise Residential Development Standards.
The County will revise its development standards for multi-family housing and single-family to encourage well-designed housing at relatively high residential densities (10-26 units/acre).

- Program HE 1.10 - Establishment of Minimum Residential Densities.

The County will consider requiring minimum densities of between 15 and 25 units per acre for multi-family developments in some areas, to encourage more affordable housing in locations near employment, shopping, schools, parks and transportation systems.

Staff reviewed the development standards of several jurisdictions, and in October, 2005, staff issued the Residential Development Standards Concept Paper and held public workshops. Staff also reviewed all Residential Multi-Family zoned parcels within the County's urban areas. A concept paper was issued in March 2006. Staff selected parcels that could support higher density residential development. Initially, 50 parcels were selected. Upon further review, staff is now recommending that 37 parcels receive the 20 units/acre development standard.

The potential impacts of the proposed ordinance amendments have been identified and analyzed in an Environmental Impact Report (EIR). This EIR also addresses the potential impacts that could occur if the County were to adopt an inclusionary housing ordinance. The draft EIR was distributed to community advisory groups, community service districts, home builders associations, environmental groups and housing advocates. Public comments were addressed in the final environmental impact report (FEIR). The FEIR is available to the public, and its mitigation measures have been incorporated both in the proposed amendments and in the attached Mitigation Monitoring and Reporting Program.

County staff sought and received public input on the proposed amendments through distribution of the concept papers and the environmental impact report, at meetings with interested parties and at presentations to community advisory groups. The public's input has helped staff to identify specific housing needs and to prepare the proposed ordinance amendments.

Ordinance Amendments

Any change to a basic design standard causes a ripple effect through other county documents. For example, changing the setback standard in the Land Use Ordinance requires consideration and changes in all other documents that have setback standards, such as area plans, specific plans, design plans and the Coastal Zone Land Use Ordinance. The attachments to this report contain the recommended changes. The proposed ordinance amendments are described below:

- ! Reduce the front setback from 25 feet to 20 feet in Residential Single Family and Residential Multi-Family categories on parcels that are less than one acre in size. This amendment would encourage denser urban development without significant impacts.
- ! Reduce the guest parking requirement in residential multi-family projects by one space on small projects with 15 units or less. Parking requirements consume much of the site area in multi-family development, so this standard would help smaller projects to meet their parking requirement.
- ! Replace the floor area ratio (FAR) with a lot coverage ratio for multi-family projects. Projects on small lots are limited to small floor areas. This amendment would allow such projects to add floor space above the footprint of the first floor. Height and parking constraints will still limit the size of multi-family projects. Staff found that other jurisdictions typically use the lot coverage ratio instead of FAR.

The open space requirement is being removed. Community advisory groups have suggested that there should still be some requirement for usable open area (to avoid the paved-over syndrome). Staff has responded by adding a requirement for usable common area in multi-family projects.

The amended ordinance (residential density ordinance) appears below:

Determining allowable density. The allowable density, ~~maximum floor area and minimum open area and lot coverage ratio~~ for a multiple-family project ~~shall be~~ shall be as shown in the following table (all area figures are expressed as percentages of the total usable site area). A minimum of ~~6,000~~ 4,000 square feet of site area is required to establish more than one dwelling unit, in compliance with Section 22.10.110.C (Minimum Site Area - Multi-Family Dwellings):

Intensity Factor	Maximum number of units per acre	Maximum floor area (1) lot coverage ratio (1)	Minimum open area (2)
Low	15	35%	55%
Medium	26	48% 45%	45%
High	38	65% 60%	40%

Notes:

(1) The gross ~~floor area~~ footprint area of all residential structures, ~~including upper stories, but not~~ and residential accessory structures including garages and carports (but not swimming pools).

(2) Includes required setbacks, and all areas of the site except buildings and parking spaces.

Common open space. Site design shall provide a varied distribution of buildings, separated by usable private and common open spaces and parking areas. Common area open space shall include at least one usable, active recreation area with the following area and features for every number of dwelling units listed:

<u>Minimum Dwelling Units</u>	<u>Minimum Area</u>	<u>Features</u>
<u>4</u>	<u>250 sf</u>	<u>Table with benches, shade and playground equipment, for every 4 units.</u>
<u>40</u>	<u>300 sf</u>	<u>Provide features above plus enclosed sheltered mail delivery point at vehicle and pedestrian focal points, in compliance with Postal Service regulations for multi-family dwellings.</u>
<u>60</u>	<u>800 sf</u>	<u>Provide features above plus enclosed common room(s) with recreation equipment, meeting furniture and kitchen for every 60 subsequent units.</u>

Examples: An eight-unit project would have at least 500 square feet of usable outdoor area, with two tables with benches and shades and playground equipment. A 100-unit project would have a combination of passive and active playground areas totaling 6,250 square feet, enclosed mail rooms, and an enclosed common room.

- ! Reduce the required lot size for multi-family projects from 6,000 square feet to 4,000 square feet. There are 180 lots in the Residential Multi-Family category that are between 4,000 and 6,000 square feet in size. Most of them are in the coastal communities (e.g., Cambria, Avila Beach and Oceano.) Allowing these lots to have multi-family units, such as duplexes, would allow as many as 87 additional housing units to be built.
- ! Reduce the required lot size for subdivisions in the Residential Single Family category from 6,000 square feet to 5,000 square feet. This amendment would allow as many as 2105 additional single family lots to be created. However, it is unlikely that all future subdivisions will be developed entirely with 5,000 square foot lots, and lot sizes are also affected by environmental constraints and a lack of urban utilities or resources. Some communities face little impact because they have little available vacant land in the Residential Single Family category (i.e., Templeton). The planning areas which have the largest amount of available land that could be influenced by this amendment are South County, North Coast, and Estero.

If a future inclusionary housing ordinance is adopted with a density bonus provision, then on-site lots could be created that are under 5,000 square feet in size. Staff proposes that residential development standards be adopted to encourage compatibility between small residential lots and existing communities. Please see below:

Permit Requirement and Design Standards. In the Residential Single Family category, a Conditional Use Permit shall be approved concurrently with the tentative subdivision map for any land division with parcels of less than 6,000 square feet in size. The purpose of the Conditional Use Permit is to establish, to the

satisfaction of the Review Authority, that land divisions with parcels of less than 6,000 square feet in size shall be developed in conformance with the design standards and guidelines of this subsection.

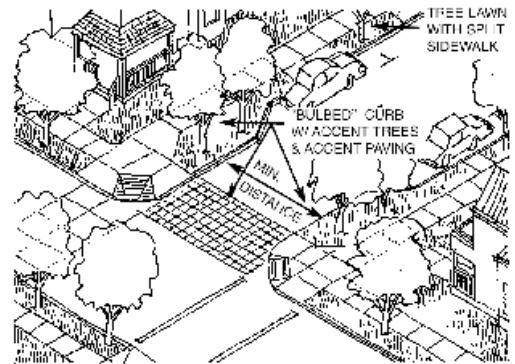
As used in this subsection, a *standard* is used to indicate mandatory requirements and a *guideline* is used to indicate that among several possibilities one is recommended as particularly suitable, without mentioning or excluding other alternatives. In the case of a guideline, the land division application shall state why the proposal is better than the guideline set forth in this subsection. An adjustment to the design standards may be approved by the Review Authority pursuant to Section 22.70.030 when a subdivided parcel is constrained

by limited site area, physical site constraints or natural features that make application of the design standards infeasible.

1. Site Design.

a. Access. (Standard). The project shall connect with adjacent residential and commercial areas, by both car and pedestrian/bike access where such access is feasible. Alleys access is encouraged. Where an alley is being created to provide access, the alley may be included in the net site area.

b. Public and Private Streets. (Standard). All on-site streets shall provide special design features such as bulb-out intersections, neckdown curbs and separated sidewalks with street trees. Neckdown curbs and decorative paving shall be incorporated at crosswalks, entries, parks, tot lots and open space areas.



"Bulbed" intersection

c. Public Streets. (Guideline).

A minimum of one public street should be constructed for any development over 12 units or one acre, to connect to existing or future streets in order to create a neighborhood network. This street should connect to adjacent roads at a minimum of two locations creating a through street whenever feasible.

d. Street Design. (Guideline). New public and private streets should be designed to create a connected patterns with a variety of linear and curvilinear forms for aesthetic interest, environmental sensitivity and efficient use of land. A "grid" layout is encouraged; however, the grid may be occasionally interrupted (while still remaining in compliance with the design criteria in the Real Property Division Ordinance) in order to prevent "cut-through" traffic in neighborhoods.

e. Vistas. (Guideline). Streets, walkways, trails, vehicular and pedestrian access routes should focus on important vistas such: as community buildings, mountains, trees, and open spaces.



Desirable Vistas & Connections to Amenities

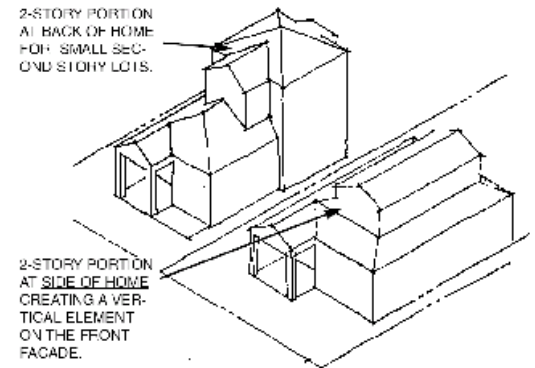
2. Lot and Building Design. The design of the subdivision shall comply with all standards as set forth in Title 21 of this code, except where the following subsections provide relief to those standards or where relief is granted pursuant to the Conditional Use Permit and Title 21 Section 21.03.020 - Adjustments.

a. Lot Width (Standard). The minimum lot width for each parcel shall be not less than thirty-five feet at the front yard setback and not less than seventy feet in depth, provided that corner parcels permit structures to conform to the setback line of each street.

b. Lot Coverage (Standard). The coverage of each residential parcel by structures shall not exceed fifty percent (50%) of the total area of the parcel. Cluster division lot coverage is authorized pursuant to Section 22.22.140.

c. Backyards. (Standard) The minimum dimension of a backyard shall be 15 feet by 20 feet. Where substantial grading is not necessary this area shall be reasonably flat and usable.

d. One and Two Story Requirements. (Standard). For land divisions with five or more parcels, at least 25 percent of the residences shall be one story (a maximum of 16 feet in height) and scattered evenly throughout the project. For the remaining residences, designs for two story residences shall include a variety sizes and shapes. The second story area should generally be located in the rear or to one side of the of the house, creating a bay or vertical element on the front facade. To ensure variation when viewed from the street, different two story designs shall be scattered throughout the project. It is recommended that the following size limits for second story floor area be used:



Variations and orientation in building heights

- (1) At least 25 percent of the residences shall have one story (maximum height of 16 feet above grade).
- (2) A maximum of 25 percent of the residences may have a small second story area that covers up to 30 percent of the first story.
- (3) A maximum of 25 percent of the residences may have a medium second story area that covers up to 60 percent of the first story.
- (4) A maximum of 25 percent of the residences should have a second story area that covers up to 100 percent of the first story.

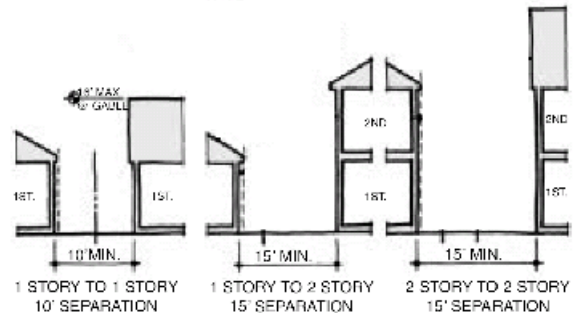
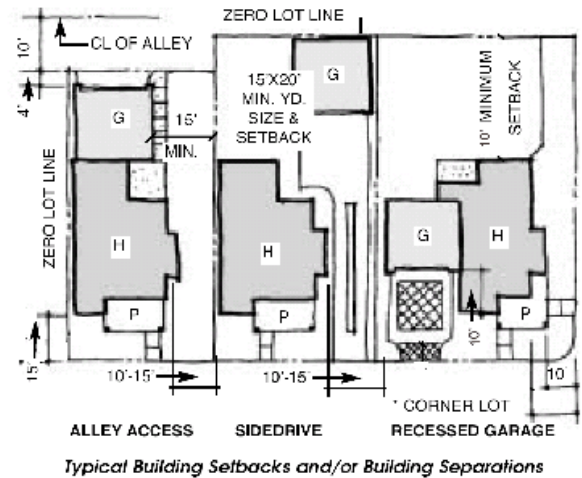
e. Massing. (Guideline). Building should be broken into three or four distinct elements: entry, main building, single story element, and the roof.

f. Perimeter Building Orientation. (Guideline). Buildings located on the perimeter of the site should be designed to face existing streets.

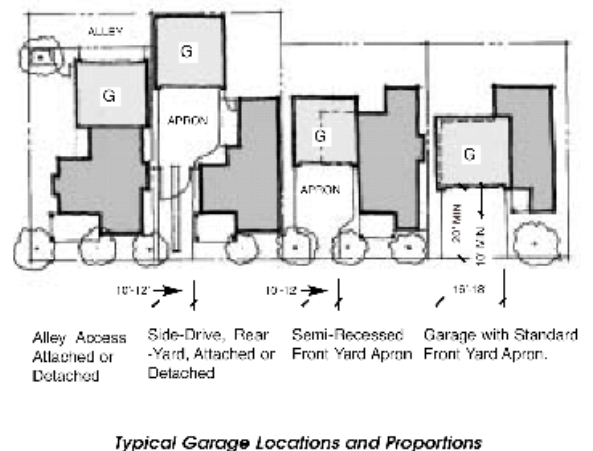
g. Setbacks (Guideline). Setbacks shall be as set forth in Section 22.10.140 except as follows, but in no case shall be less than required by the Uniform Building Code:

- (1) Front setback. The minimum front setback should be 15 feet. Required on-site parking shall not extend outside of the parcel or into any public right-of-way. Setbacks for cluster divisions authorized under section 22.22.140 shall be set through land use permit approval.

- (2) Side setback. The minimum combined side setbacks should be 10 feet for single story units, and 15 feet for two story units. Dwelling units should be separated by at least 10 feet except for structures sharing common walls.
- (3) Rear setback. The minimum rear setback should be 10 feet.
- (4) Garages along an alley should be setback 4 feet from the property line.
- (5) Zero lot line design consistent with Section 22.10.140.E.2.6.c is encouraged where feasible.



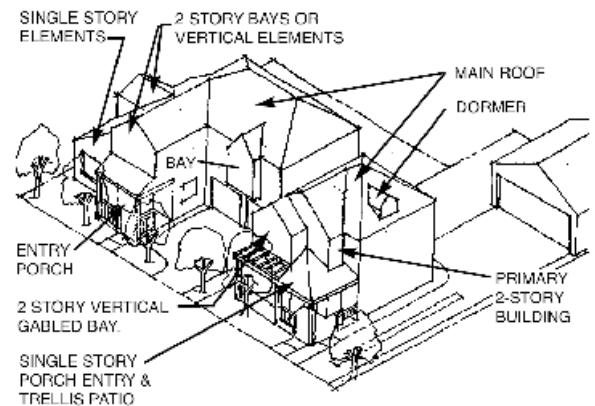
h. Garage Location. (Guideline). Garages, either attached or detached, should be located a minimum of 10 feet behind the main facade line of the residence. To create articulation when viewed from the street garages on adjacent lots should not be in identical locations and should vary from one another by a front setback of at least five feet. To prevent partial encroachment of on-site parking over any parcel boundaries or into any public right-of-way, all garages and other parking structures shall be located 20 feet or more, or four feet or less, from any front or rear lot line or public right-of-way.



i Materials. (Guideline). For land divisions with five or more parcels, there should be different material and color palettes that use various materials for the exterior of the residences and color palettes for both the exterior and trim of the residences as follows:

<u>Number of Proposed Lots</u>	<u>Minimum Number of Material and Color Palettes</u>
<u>5-10</u>	<u>2</u>
<u>11-20</u>	<u>3</u>
<u>21 +</u>	<u>4</u>

j. Entry/Porch. (Guideline). Locate the dwelling entries and porches on the front street facade. Entry porches should extend along 50 percent of the residence's primary front building facade. The porch should be a covered, one story element.



Example of single-story covered entry porch with building oriented toward the street

3. Walls and Fencing

a. Sound Walls. (Standard) Sound walls should have sectional or undulating surface areas rather than a single monotonous design, with periodic entries for bike and walk paths. Frontage roads, landscaped berms and open space are preferred in lieu of sound walls whenever possible.

b. Retaining Walls. (Guideline) Retaining walls should be no larger than three feet tall. On steep slopes a stepped wall arrangement should be used.

c. Fencing. (Guideline) Partially transparent fencing should be used to add interest while maintaining privacy. Fencing should not exceed five feet tall from finish grade wherever feasible.

! Require a minimum density of 20 units/acre on selected lots within the Residential Multi-Family category.

Staff reviewed all Residential Multi-Family zoned parcels within the County's urban areas. A concept paper was issued in March 2006. Staff selected parcels that could support higher density residential development. These are parcels located near parks, schools, high capacity urban infrastructure and roadway systems, and that have usable site area that is free of significant environmental constraints. Initially, 50 parcels were selected. Upon further review, staff is now recommending that 37 parcels receive the 20 units/acre development standard.

The 50 parcels are listed below by assessor's parcel numbers and community. The first part of the list has the 37 parcels that are recommended to receive the 20 units/acre requirement. The second part has the 13 parcels that are "off the list" and are not recommended to receive the 20 units/acre requirement. The maps showing the 37 recommended lots appear in the attachments to this staff report (LRP2005-00010:A and LRP2005-00010:C).

37 RMF parcels recommended to receive the 20 units/acre minimum density requirement.

061-044-012 - Oceano	074-293-010 - Los Osos
062-087-001 - Oceano	074-293-016 - Los Osos
062-082-002 - Oceano	074-263-044 - Los Osos
013-151-034 - Cambria	074-223-004 - Los Osos
013-151-023 - Cambria	074-294-016 - Los Osos
092-130-012 - Nipomo	021-241-001 - San Miguel
092-130-014 - Nipomo	021-241-017 - San Miguel
092-130-019 - Nipomo	021-241-020 - San Miguel
092-130-047 - Nipomo	021-401-011 - San Miguel
092-130-048 - Nipomo	021-322-009 - San Miguel
092-130-049 - Nipomo	021-322-013 - San Miguel
092-130-050 - Nipomo	021-302-010 - San Miguel
092-130-051 - Nipomo	021-331-001 - San Miguel
092-130-052 - Nipomo	021-231-024 - San Miguel
092-130-061 - Nipomo	021-151-043 - San Miguel
092-141-035 - Nipomo	021-302-008 - San Miguel
092-141-036 - Nipomo	041-091-007 - Templeton
092-141-037 - Nipomo	041-091-022 - Templeton
090-123-019 - Nipomo	

13 RMF parcels NOT recommended to receive the 20 units/acre minimum density requirement ("off the list").

076-201-062 - Avila Beach	092-130-043 - Nipomo	040-289-013 - Templeton
023-441-008 - Cambria	092-130-044 - Nipomo	
013-151-044 - Cambria	090-123-021 - Nipomo	
074-229-004 - Los Osos	092-130-079 - Nipomo	
074-229-024 - Los Osos	062-089-014 - Oceano	
074-229-026 - Los Osos	062-271-038 - Oceano	

The “stock” language that appears below is used throughout the attached ordinance amendment.

Minimum Density Areas. The following standards apply only to the areas as shown on Figures 104-56, 104-57, and 104-58 within the Residential Multi-Family land use category.

a. Minimum Density - residential development. A minimum density of 20 units per acre of total usable site area is required. A higher density may be allowed if it can be designed in compliance with the design and density standards of this Title. The following area(s) shall be excluded when calculating the project's usable site area. These area(s) shall be incorporated into the project's designated open space area(s).

(1) Excluded Areas: Portions of the site determined by the County Review Authority to have unmitigable environmental resource constraints (i.e., endangered species, flood hazard) pursuant to the County's environmental data base or pursuant to an environmental analysis prepared by a qualified consultant and submitted by the applicant.

b. Lot coverage. The lot coverage ratio shall be calculated based on the total usable site area. A maximum lot coverage ratio of 45 percent is allowed for sites with low and medium intensity factors, and a maximum lot coverage ratio of 60 percent is allowed for sites with a high intensity factor consistent with Section 22.10.130.B - Multi-Family Dwellings.



Figure 104-57 - RMF - 20 du/acre - 12th and River Streets - San Miguel

Planning Commission Study Session - July 12, 2007

The Planning Commission held a study session on July 12, 2007 and discussed staff work on preparation of the affordable housing ordinances. The Planning Commission asked questions regarding the Environmental Impact Report, the proposed inclusionary housing ordinance, as well as the fees and parking requirements for affordable housing projects.

Staff contacted Peter Brown, the Housing Programs Manager for the City of San Luis Obispo. He provided the following information regarding fee waivers for affordable housing projects:

- a. Nonprofit developers - the City waives all development/permit processing fees. But may not waive some impact/public facilities fees. Example: park fees and encroachment fees might not be waived for some projects.
- b. For-profit developers - the City does not waive fees for any part of the project, not even for the required inclusionary housing units. If the developers voluntarily add more inclusionary units then fees may be waived on the additional inclusionary units, but not the required inclusionary units.
- c. Secondary dwellings - the City Council approved a waiver of certain fees for secondary dwellings that will be deed restricted as affordable units.

Staff is not prepared at this time to propose amendments to the County's fee schedules or parking standards for affordable housing projects. Questions regarding the proposed inclusionary housing ordinance will be address when staff submits the draft ordinance to the Planning Commission for consideration.

Summary

The purpose of this package of affordable housing ordinances is to allow higher residential density in urban areas. More housing units may lead to lower unit sales prices. The attached ordinance amendments apply only to Residential Single Family and Residential Multi-Family zoned parcels in the County. They offer design flexibility and do not add any affordable housing requirements.

The amendments support the county's Smart Growth policies by encouraging denser urban development. Pursuant to the environmental impact report an additional 2,285 dwelling units could conceivably be built under the new residential development standards. However, build-out projections are seldom reached in the County's residential single family and multi-family areas.

Please consider the attached amendments and recommend that the Board of Supervisors approve them.

FINDINGS

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is evidence that the project may have a significant effect on the environment, and therefore a Final Environmental Impact Report (FEIR) was prepared (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) for this project. The FEIR addresses potential impacts on: Agricultural Resources, Air Quality, Cultural Resources, Hydrology and Water Quality, Geologic Hazards, Noise, Public Services and Utilities, Transportation and Circulation, and Water Resources. Mitigation measures are proposed to address these impacts and are included as conditions of approval. Overriding considerations were determined necessary based on significant and unavoidable impacts associated with Biological Resources
- B. The proposed land use ordinance amendments are consistent with the Land Use Element, Housing Element and other adopted elements of the general plan because the changes are consistent with the general goals of the Land Use Element, the Housing Element, and the County adopted Smart Growth policies.
- C. The proposed land use ordinance amendments are consistent with, and implement, Housing Element Programs:
 - Program HE 1.4: Revise Residential Development Standards.
 - Program HE 1.10: Establishment of Minimum Residential Densities.
- D. The proposed land use ordinance amendments are consistent with the guidelines for amendments to the Land Use Ordinance because the modifications will ensure that future development assists in reducing the potential loss of existing affordable housing units within the County.
- E. The proposed land use ordinance amendments will protect the public health, safety and welfare of the area residents by reducing the potential loss of the existing, affordable housing stock within the County.