



Planning Commission  
AGENDA

Wednesday, December 13, 2023, 6:00 p.m.

Council Chambers, 990 Palm Street, San Luis Obispo

The Planning Commission holds in-person meetings. Zoom participation will not be supported at this time. Planning Commission meetings can be viewed remotely on Channel 20 and the City's YouTube Channel: <http://youtube.slo.city>

**INSTRUCTIONS FOR PUBLIC COMMENT:**

**Public Comment prior to the meeting (must be received 3 hours in advance of the meeting):**

**Mail - Delivered by the U.S. Postal Service.** Address letters to the City Clerk's Office at 990 Palm Street, San Luis Obispo, California, 93401.

**Email - Submit Public Comments via email to [advisorybodies@slocity.org](mailto:advisorybodies@slocity.org).** In the body of your email, please include the date of the meeting and the item number (if applicable). Emails *will not* be read aloud during the meeting.

**Voicemail - Call (805) 781-7164 and leave a voicemail.** Please state and spell your name, the agenda item number you are calling about, and leave your comment. Verbal comments must be limited to 3 minutes. Voicemails *will not* be played during the meeting.

*\*All correspondence will be archived and distributed to members, however, submissions received after the deadline may not be processed until the following day.*

**Public Comment during the meeting:**

**Meetings are held in-person.** To provide public comment during the meeting, you must be present at the meeting location.

**Electronic Visual Aid Presentation.** To conform with the City's Network Access and Use Policy, Chapter 1.3.8 of the Council Policies & Procedures Manual, members of the public who desire to utilize electronic visual aids to supplement their oral presentation are encouraged to provide display-ready material to the City Clerk by 12:00 p.m. on the day of the meeting. Contact the City Clerk's Office at [cityclerk@slocity.org](mailto:cityclerk@slocity.org) or (805) 781-7114.

**1. CALL TO ORDER**

Chair Munoz-Morris will call the Regular Meeting of the Planning Commission to order.

**2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

At this time, people may address the Commission about items not on the agenda. Comments are limited to three minutes per person. Items raised at this time are generally referred to staff and, if action by the Commission is necessary, may be scheduled for a future meeting.

**3. CONSENT**

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 Planning Commission to pull an item for discussion. The public may comment on any and all items on the Consent Agenda within the three-minute time limit.

**3.a CONSIDERATION OF MINUTES - SEPTEMBER 6, 2023 PLANNING COMMISSION MINUTES**

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Recommendation:

To approve the Planning Commission Special Meeting Minutes of September 6, 2023.

**3.b 1166 HIGUERA STREET (GENP-0555-2023) GENERAL PLAN CONFORMANCE OF A CITY SURFACE PARKING LOT**

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Recommendation:

Adopt a Draft Resolution determining General Plan conformance for the acquisition of property located at 1166 Higuera Street (GENP-0555-2023).

#### 4. PUBLIC HEARINGS

Note: Any court challenge to the action taken on public hearing items on this agenda may be limited to considering only those issues raised at the public hearing or in written correspondence delivered to the City of San Luis Obispo at, or prior to, the public hearing. If you wish to speak, please give your name and address for the record. Please limit your comments to three minutes; consultant and project presentations limited to six minutes.

- 4.a     4240 & 4280 EARTHWOOD LANE AND 165 CESSNA COURT (ARCH-0197-2023) REVIEW OF THE MULTI-FAMILY HIGH DENSITY RESIDENTIAL (R-4) COMPONENT IN PHASE 3 OF THE AVILA RANCH DEVELOPMENT PROJECT     15

*\*This item has been pulled from the agenda by staff and continued to a date certain, the January 24, 2024 Planning Commission Meeting.*

- 4.b     1166 HIGUERA STREET (USE-0559-2023) REQUEST FOR A CONDITIONAL USE PERMIT TO ESTABLISH A CITY PARKING FACILITY (I.E., SURFACE PARKING LOT) FOR PAID PUBLIC PARKING. THE PROJECT IS EXEMPT FROM ENVIRONMENTAL REVIEW.     17

Recommendation:

Adopt the Draft Resolution approving the project, based on the findings and subject to the conditions of approval. The project is categorically exempt from environmental review under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

#### 5. COMMENT AND DISCUSSION

- 5.a     STAFF UPDATES AND AGENDA FORECAST

Receive a brief update from Deputy Community Development Director Tyler Corey.

## 6. ADJOURNMENT

The next Regular Meeting of the Planning Commission is scheduled for **January 24, 2024 at 6:00 p.m. in the Council Chambers** at City Hall, 990 Palm Street, San Luis Obispo. The Regular Meetings of December 27, 2023 and January 10, 2024 will be cancelled.

LISTENING ASSISTIVE DEVICES for the hearing impaired--see the 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) 781-7114 at least 48 hours before the meeting, if possible. Telecommunications Device for the Deaf (805) 781-7410.

Planning Commission meetings are televised live on Charter Channel 20 and on the City's YouTube Channel: [www.youtube.com/CityofSanLuisObispo](http://www.youtube.com/CityofSanLuisObispo). Agenda related writings or documents provided to the Planning Commission are available for public inspection on the City's website:

<https://www.slocity.org/government/mayor-and-city-council/agendas-and-minutes>.



## Planning Commission Minutes

September 6, 2023, 6:00 p.m.

Council Chambers, 990 Palm Street, San Luis Obispo

Planning Commissioners Present: Commissioner Dave Houghton, Commissioner Bob Jorgensen, Commissioner Steve Kahn, Commissioner Eric Tolle, Vice Chair Justin Cooley, Chair Juan Munoz-Morris (*arrived at 6:18 p.m.*)

Planning Commissioners Absent: Commissioner Lindsay Ringer

City Staff Present: Community Development Director Timmi Tway, Deputy Community Development Director Tyler Corey, Assistant City Attorney Markie Kersten, Deputy City Clerk Megan Wilbanks

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### 1. CALL TO ORDER

A Special Meeting of the San Luis Obispo Planning Commission was called to order on September 6, 2023 at 6:00 p.m. in the Council Chambers at City Hall, 990 Palm Street, San Luis Obispo, by Vice Chair Cooley.

### 2. PUBLIC COMMENT FOR ITEMS ON THE AGENDA ONLY

*\*As there was only one Public Hearing item on this agenda, 1700 Palm Street (DIR-0378-2023), public comment was accepted after the staff presentation.*

### 3. CONSENT

#### 3.a CONSIDERATION OF MINUTES - JULY 12, 2023 PLANNING COMMISSION MINUTES

**Motion By** Commissioner Houghton

**Second By** Commissioner Kahn

To approve the Planning Commission Minutes of July 12, 2023.

Ayes (4): Commissioner Houghton, Commissioner Jorgensen, Commissioner Kahn, and Vice Chair Cooley

Abstained (1): Commissioner Tolle

Absent (2): Commissioner Ringer, and Chair Munoz-Morris

CARRIED (4 to 0)

#### 4. PUBLIC HEARING

*Chair Munoz-Morris joined the meeting at 6:18 p.m.*

- 4.a 1700 PALM STREET (DIR-0378-2023) REVIEW OF AN INTERIM SAFE PARKING LOCATION AS PART OF THE ROTATING OVERNIGHT SAFE PARKING PROGRAM THAT INCLUDES THE TEMPORARY CLOSURE OF A PORTION OF PALM STREET ADJACENT TO THE SLO VETERAN'S HALL

Community Action Partnership of San Luis Obispo (CAPSLO) has withdrawn their application for the 1700 Palm Street location. Therefore, there is no application for use of Palm Street as an interim Safe Parking location under consideration by the Planning Commission and no action was taken by the Planning Commission.

Homeless Response Manager Daisy Wiberg and Housing Coordinator Kyle Bell provided an overview of the rotating safe parking program and responded to Commission inquiries.

Vice Chair Cooley opened the Public Hearing

Public Comments:

Zach Moody

Steve Jarrett

Gilbert Rojo

Mark Adams

Lynn Hamilton

Roger Larson

Volonakis

Anne Wyatt

Tom Nulman

Filon R.

Myles Couch

Jack Lahey

Kathie Walker

*--End of Public Comment--*

Vice Chair Cooley closed the Public Hearing

Planning Commissioners provided the following feedback on the Rotating Overnight Safe Parking Program:

- Recommend increasing the funding for the Rotating Overnight Safe Parking Program; allocating \$60,000 annually may not sufficiently cover the costs for this type of program to be successful.
- Consider assigning City staff as supplemental support for the program administrator to conduct "drive-by" site visits throughout the operating hours (7pm - 7am).
- The Planning Commission recognizes that applications of this type are typically reviewed by the Community Development Director with minimal public outreach or need for a public hearing. However, it was requested that the next application for this specific purpose be reviewed by the Planning Commission, with *increased* outreach such as expanding the radius for postcard notification to residents located beyond 300-feet, when appropriate, of the proposed site and solicit feedback from the neighborhood as early as possible in the process.

## **5. COMMENT AND DISCUSSION**

### **5.a STAFF UPDATES AND AGENDA FORECAST**

Deputy Community Development Director Tyler Corey provided the following update of upcoming projects:

- The September 13<sup>th</sup> Planning Commission Meeting will be canceled.
- Currently, staff does not have any items scheduled for the September 27<sup>th</sup> Planning Commission meeting, but that is subject to change. If the meeting is canceled, a notice will be published one week in advance of the meeting date.
- Tentatively scheduled for the October 11<sup>th</sup> Planning Commission Meeting, is review of an ordinance to address changes to state housing law.

**6. ADJOURNMENT**

The meeting was adjourned at 7:32 p.m. The next Regular Meeting of the Planning Commission is scheduled for September 27, 2023 at 6:00 p.m. in the Council Chambers at City Hall, 990 Palm Street, San Luis Obispo. The Regular Meeting on September 13, 2023 will be cancelled.

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APPROVED BY PLANNING COMMISSION: XX/XX/2023



## PLANNING COMMISSION AGENDA REPORT

**SUBJECT:** REVIEW OF GENERAL PLAN CONFORMITY REPORT FOR ACQUISITION OF PROPERTY LOCATED AT 1166 HIGUERA STREET FOR A CITY PARKING FACILITY. PROJECT IS EXEMPT FROM ENVIRONMENTAL REVIEW.

**BY:** Hannah Hanh, Associate Planner  
 Phone Number: (805) 781-7432  
 Email: [hhanh@slocity.org](mailto:hhanh@slocity.org)

**FROM:** Tyler Corey, Deputy Director  
 Phone Number: (805) 781-7169  
 Email: [tcorey@slocity.org](mailto:tcorey@slocity.org)

**APPLICANT:** City of San Luis Obispo

**REPRESENTATIVES:** Whitney McDonald, Assistant City Manager  
 Rebecca Bernstorff, Business Services and Administrative Manager

### RECOMMENDATION

Adopt a Draft Resolution determining General Plan conformance for the acquisition of property located at 1166 Higuera Street (GENP-0555-2023).

### 1.0 COMMISSION'S PURVIEW

California [Government Code Section 65402](#) requires the local planning agency to make a finding of General Plan conformance whenever a governmental entity proposes to acquire or dispose of a property. Specifically, Government Code Section 65402(c) requires the location, purpose, and extent of real property acquisition and disposition be submitted to and reported upon by the planning agency having jurisdiction as to conformity with the City's General Plan.

### 2.0 SUMMARY

The property being considered for acquisition by the City is approximately 0.49 acre in size and located at 1166 Higuera Street (APN 002-436-022) in the Retail Commercial zone (Figure 1 – Project Site). The property is currently being considered for a City parking facility.



**Figure 1 – Project Site**

### 3.0 PREVIOUS REVIEW

Pursuant to authorization provided by the City Council on July 18, 2023 and October 17, 2023, staff pursued and completed negotiations with the seller. On [November 14, 2023](#), the City Council reviewed and approved the purchase and authorized execution of the Purchase and Sale Agreement for the property at 1166 Higuera Street ([Resolution](#)).

### 4.0 PROJECT ANALYSIS

Staff has evaluated the proposed acquisition of 1166 Higuera Street for a City parking facility and found it in conformance with the General Plan and Zoning Regulations as described in the following discussion.

#### 4.1 Consistency with the General Plan

The project site is located in the General Retail (GR) land use designation, which the [Land Use Element](#) (LUE) describes as intended for the provision of goods and services adequate to meet most of the needs of the City and nearby County residents as well as tourists and travelers (Table 1 – General Plan Land Use Designations). Allowable land uses within this land use designation include a wide range of retail sales, restaurants, professional and personal services, and public and quasi-public uses. The acquisition of the property for a City parking facility (i.e., surface parking lot) would provide public parking to support existing and proposed uses within the vicinity.

The project site is also located in the Upper Monterey Special Focus Area, which has an emphasis on revitalization and enhancement (LUE Policy 8.2.2). Detailed actions for Policy 8.2.2 state the City would investigate opportunities to improve its connectivity and promote development in the Upper Monterey Area, including development of an Upper Monterey Area Master Plan. In addition, the project site is located in Block 23 of the [Downtown Concept Plan](#) (LUE Program 4.25), where parking is envisioned along Higuera Street to support redevelopment of structures, at least two stories in height, in the vicinity. The strategic purchase and use of the property would advance the preceding policy and program by facilitating improved access and parking for subsequent development within the Upper Monterey Area.

#### 4.2 Consistency with the Zoning Regulations

The project site is located in the Commercial Retail (C-R) zone, which [Chapter 17.30](#) describes as intended to accommodate a wide range of retail sales; business, personal, and professional services; recreation; entertainment; transient lodging; and limited residential uses to meet the needs of the community and traveling public. The City is proposing to acquire the property for a public parking facility to facilitate access to uses within the vicinity. Per [Table 2-1](#) (Uses Allowed by Zone), establishment of a parking facility requires approval of a Conditional Use Permit (CUP). An application for a CUP to establish the parking facility has been submitted by the City and is being reviewed by the Planning Commission on December 13, 2023. As part of the project, there would be minimal improvements to the existing parking lot (e.g., installation of signage, striping, wheel spots, and pay stations; landscape improvements and repair; and demolition of an uninhabitable structure).

## **5.0 ENVIRONMENTAL REVIEW**

CEQA Guidelines Section 15061(b)(3) states a project is exempt from environmental review if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty there is no possibility that the activity in question would have a significant effect on the environment. The determination of General Plan conformity for the acquisition of land for public parking facility use by the City of San Luis Obispo is not subject to CEQA because it is a policy review of whether acquiring the land conforms with the General Plan. In addition, the application for a CUP to establish a City parking facility at the site, including minimal site improvements to prepare the property for paid public parking use, is also exempt from environmental review under Section 15301 (Existing Facilities) of the CEQA Guidelines because the project is limited to the improvement, maintenance, and operation of a surface parking lot that involves negligible expansion of the former use.

## **6.0 OTHER DEPARTMENT COMMENTS**

There is concurrence from the Administration Department on the recommendation to determine General Plan conformance for the acquisition of property located at 1166 Higuera Street for a City parking facility.

## **7.0 ALTERNATIVES**

1. Continue consideration of the proposal with direction to staff on items needed or necessary information to make a decision on the General Plan conformity.
2. Deny that the proposed acquisition of 1166 Higuera is in conformance with the General Plan based on findings of inconsistency with the General Plan.

## **8.0 ATTACHMENTS**

A - Draft Planning Commission Resolution determining General Plan conformance for the acquisition of property at 1166 Higuera Street for City public parking facility use



## RESOLUTION NO. PC-XXXX-23

**A RESOLUTION OF THE CITY OF SAN LUIS OBISPO PLANNING COMMISSION DETERMINING GENERAL PLAN CONFORMANCE FOR ACQUISITION OF PROPERTY LOCATED AT 1166 HIGUERA FOR A CITY PARKING FACILITY. THE PROJECT IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE GENERAL RULE OF SECTION 15061(B)(3) OF THE CEQA GUIDELINES AS REPRESENTED IN THE STAFF REPORT AND ATTACHMENTS DATED DECEMBER 13, 2023 (1166 HIGUERA STREET, GENP-0555-2023)**

**WHEREAS**, the Planning Commission of the City of San Luis Obispo conducted a public hearing in the Council Chamber of City Hall, 990 Palm Street, on December 13, 2023, pursuant to a proceeding instituted under GENP-0555-2023 as required by California Government Code Section 65402; City of San Luis Obispo, applicant; and

**WHEREAS**, the Planning Commission of the City of San Luis Obispo has duly considered all evidence, including recommendations by staff, presented at said hearing; 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 Planning Commission of the City of San Luis Obispo as follows:

**SECTION 1. Finding.** The Planning Commission makes the following finding:

1. The acquisition of property for a City parking facility will not harm the general health, safety, and welfare of people living or working in the vicinity because the project is consistent with the General Plan and Zoning Regulations.

**SECTION 2. Environmental Review.** CEQA Guidelines Section 15061(b)(3) states a project is exempt from environmental review if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty there is no possibility that the activity in question would have a significant effect on the environment. The determination of General Plan conformity for the acquisition of land for public parking facility use by the City of San Luis Obispo is not subject to CEQA because it is a policy review of whether acquiring the land conforms with the General Plan. In addition, the application for a Conditional Use Permit to establish a City parking facility at the site, including minimal site improvements to prepare the property for paid public parking use, is also exempt from environmental review under Section 15301 (Existing Facilities) of the CEQA Guidelines because the project is limited to the improvement, maintenance, and operation of a surface parking lot that involves negligible expansion of the former use.

**SECTION 3. Action.** The Planning Commission does find and report that GENP-0555-2023 conforms to the General Plan of the City of San Luis Obispo pursuant to Government Code Section 65402.

On motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and on the following roll call vote:

AYES:  
NOES:  
REFRAIN:  
ABSENT:

The foregoing resolution was passed and adopted this 13<sup>th</sup> day of December 2023.

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Tyler Corey, Secretary  
Planning Commission



## Planning Commission Agenda Correspondence

**DATE:** December 5, 2023

**TO:** Chair and Commissioners

**FROM:** Callie Taylor, Associate Planner

**VIA:** Tyler Corey, Deputy Community Development Director

**SUBJECT:** ITEM 4A - 4240 & 4280 EARTHWOOD LANE AND 165 CESSNA COURT (ARCH-0197-2023) REVIEW OF THE MULTI-FAMILY HIGH DENSITY RESIDENTIAL (R-4) COMPONENT IN PHASE 3 OF THE AVILA RANCH DEVELOPMENT PROJECT

### Discussion

Review of the proposed multi-family, density bonus housing development within the R-4 zoned portion (Phase 3) of the Avila Ranch Development Plan is being continued to a date certain, the January 24, 2024 Planning Commission Meeting.





## PLANNING COMMISSION AGENDA REPORT

**SUBJECT:** REQUEST FOR A CONDITIONAL USE PERMIT TO ESTABLISH A CITY PARKING FACILITY (I.E., SURFACE PARKING LOT) FOR PAID PUBLIC PARKING. THE PROJECT IS EXEMPT FROM ENVIRONMENTAL REVIEW.

**PROJECT ADDRESS:** 1166 Higuera Street    **BY:** Hannah Hanh, Associate Planner  
 Phone Number: (805) 781-7432  
 Email: [hhanh@slocity.org](mailto:hhanh@slocity.org)

**FILE NUMBER:** USE-0559-2023

**FROM:** Tyler Corey, Deputy Director

### RECOMMENDATION

Adopt the Draft Resolution approving the project, based on the findings and subject to the conditions of approval. The project is categorically exempt from environmental review under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

### SITE DATA

<b>Applicant</b>	City of San Luis Obispo
<b>Zone</b>	Retail Commercial (C-R)
<b>General Plan Land Use</b>	General Retail (GR)
<b>Site Area</b>	0.49 acre
<b>Environmental Status</b>	Categorically exempt from environmental review under CEQA Guidelines Section 15301 (Existing Facilities)



**Figure 1 – Project Site**

### SUMMARY

The City of San Luis Obispo (City) applied for a Conditional Use Permit to establish a parking facility (i.e., surface parking lot) for paid public parking at 1166 Higuera Street. The project site is an approximate 0.49-acre parcel located at the intersection of Higuera Street and Toro Street and contains two (2) existing structures and site improvements. Minor improvements would be required to prepare the property for use as paid public parking, including parking lot improvements (e.g., installation of signage, striping, wheel stops, pay stations, etc.), landscape improvements (e.g., reconstruction of planter areas, etc.), and demolition of an existing uninhabitable structure (formerly used as a tattoo shop).

USE-0559-2023 (1166 Higuera Street)  
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## 1.0 PLANNING COMMISSION'S PURVIEW

The Planning Commission's role is to review the project for consistency with the [General Plan](#), [Zoning Regulations](#), and applicable City development standards and regulations. Per [Table 2-1](#) (Uses Allowed by Zone), establishment of a parking facility (e.g., surface parking lot) requires approval of a Conditional Use Permit in the Retail Commercial (C-R) zone.

## 2.0 PROJECT INFORMATION

### 2.1 Project Site Statistics

<b>Present Development and Uses</b>	Developed property with two (2) existing structures and site improvements, including access, parking, and landscaping.
<b>Topography</b>	Located on a minor slope, but the property has been improved to be flat
<b>Access</b>	Higuera Street
<b>Surrounding Zones and Uses</b>	<b>North:</b> C-R zone / restaurant, office, and vehicle sales uses <b>South:</b> C-R and O zones / office, residential, and school uses <b>East:</b> C-R zone / restaurant and office uses <b>West:</b> C-R Zone / office and business service uses

### 2.2 Previous City Council Action

On July 18, 2023 and October 17, 2023, City staff met with the City Council in closed sessions to seek authorization to pursue property negotiations and to discuss purchase terms of the project site. There were no reportable actions taken at these meetings.

On [November 14, 2023](#), the City Council reviewed the completed negotiations between City staff and the seller, and approved the purchase and authorized execution of the Purchase and Sale Agreement for the project site ([Resolution](#)). As part of this decision, the City Council indicated that acquisition of the property is intended for an interim public parking lot and future uses of the property would be determined through outreach and engagement with property owners and businesses in the Upper Monterey Area. Future public outreach and engagement would be to confirm the scope in pursuing an area plan consistent with Land Use Element Policy 8.2.2, which is currently detailed as follows:

*In the Upper Monterey Area, the emphasis will be on revitalization and enhancement. The area above Johnson shall have an emphasis on land use compatibility and neighbor preservation. The following actions will be pursued in this area.*

- A. *The City shall investigate adding the Upper Monterey area to the Downtown Parking District, thereby allowing in-lieu payment towards common parking facilities.*

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- B. The City shall integrate a new Downtown Transit Center in the Upper Monterey area and provide enhanced connectivity to the center from the Upper Monterey area.*
- C. The City will work with hotels in the Upper Monterey area to provide shuttle service to the Downtown and Downtown Transit Center.*
- D. The City will promote restaurant development in the Upper Monterey area, and include outdoor dining opportunities and other public activities oriented toward Monterey Street. North of California, these types of activities shall be prohibited on the creek side of buildings.*
- E. The City will evaluate reconfiguring Monterey Street in this area to enhance bicycle and pedestrian connectivity to Downtown and to Cal Poly.*
- F. The City will work with local hotels and Cal Poly to develop enhanced meeting rooms and conference facilities. These types of facilities would not be located on the east side of Monterey north of California Street, nor is a stand-alone conference center appropriate for this area.*
- G. The City will work with developers to assemble adjacent properties into lots of suitable size for redevelopment limited to areas southwest of California Street.*
- H. The City will develop an Upper Monterey area master plan and design guide that will provide guidance on street enhancements, façade improvement programs, and pedestrian enhancement along Monterey Street. As part of this effort, the City will investigate the ability to apply form-based codes to guide future development and will involve residents in adjoining areas as well as business and property owners along Monterey Street as part of the public review process in development of the master plan/design guide. Particular attention will be given to creek protection, noise, safety, light and glare, and privacy impacts to adjoining neighborhoods.*

Following authorization by the City Council to purchase the property, but prior to the close of escrow, the Planning Commission is to review the following two (2) requests on December 13, 2023:

1. Determination of General Plan conformance as required per California Government Code Section 65402, and
2. Conditional Use Permit to establish a City parking facility for paid public parking in the C-R zone.

Escrow is scheduled to close at the end of December 2023.

### 2.3 Project Description

The City is requesting a Conditional Use Permit to establish a parking facility (i.e., surface parking lot) for paid public parking at 1166 Higuera Street. The project site is an approximate 0.49-acre parcel located at the intersection of Higuera Street and Toro Street and contains two (2) existing structures and a parking lot (Attachment B – Existing Site Layout). As of recent, the existing structures have been used for private storage and the parking lot has served as private off-site parking for nearby businesses.

Minor improvements would be required to prepare the property for use as public parking, including parking lot improvements (e.g., installation of signage, striping, wheel stops, pay stations, etc.), landscape improvements (e.g., reconstruction of planter areas, etc.), and demolition of an existing unhabitable two-story structure (formerly used as a tattoo shop). The current parking lot layout consists of 44 standard and two (2) accessible spaces. However, efforts to increase the number of spaces and maximum use of the site would be made upon development of the site improvement plans. The other one-story structure to remain is anticipated for storage use.

### 3.0 PROJECT ANALYSIS

Approval of the Conditional Use Permit to establish the parking facility is subject to requirements, outlined in [Section 17.110.060](#) (Criteria for Approval) and [Section 17.110.070](#) (Required Findings), for consistency with the General Plan and Zoning Regulations and for compatibility with existing and future land uses in the vicinity. Staff has evaluated the project against applicable policies and standards and found it to be in compliance as discussed in this analysis.

#### 3.1 Consistency with the General Plan

The project site is located in the General Retail (GR) land use designation, which the [Land Use Element](#) (LUE) describes as intended for the provision of goods and services adequate to meet most of the needs of the City and nearby County residents as well as tourists and travelers (Table 1 – General Plan Land Use Designations). Allowable land uses within this land use designation include a wide range of retail sales, restaurants, professional and personal services, and public and quasi-public uses. As proposed, the City parking facility would facilitate paid public parking to support the operation of existing and proposed uses in the vicinity.

The project site is also located in the Upper Monterey Special Focus Area, which has an emphasis on revitalization and enhancement (LUE Policy 8.2.2). Detailed actions for Policy 8.2.2 state the City would investigate opportunities to improve its connectivity and promote development, including the initiation of an Upper Monterey Area Master Plan to guide future enhancements and improvements. As indicated in the approval by the City Council to purchase the property on November 14, 2023, the project site would be utilized as an interim parking facility and advance this policy by increasing parking supply in the Upper Monterey Area to support development and economic revitalization. Future uses of the project site would be determined through outreach and engagement with property owners and businesses in the Upper Monterey Area to confirm the scope in pursuing an area plan.

Additionally, the project site is located in Block 23 of the [Downtown Concept Plan](#) (LUE Program 4.25), where parking is envisioned along Higuera Street to support development and redevelopment of structures, at least two stories in height, in the vicinity. Strategic use of the project site as parking would result in improved access and facilitate development within the Upper Monterey Area.

### 3.2 Consistency with the Zoning Regulations

The project site is located in the Commercial Retail (C-R) zone, which [Chapter 17.30](#) (C-R Zone) describes as intended to accommodate a wide range of retail sales; business, personal, and professional services; recreation; entertainment; transient lodging; and limited residential uses to meet the needs of the community, region, and traveling public. Per [Table 2-1](#) (Uses Allowed by Zone), the establishment of a parking facility requires approval of a Conditional Use Permit in the C-R zone. The City is proposing to establish a parking facility for paid public parking and facilitate improved access to existing and proposed uses within the vicinity.

To implement the project, there would be minor improvements to the existing property (e.g., installation of parking signage, striping, wheel stops, and pay stations; landscape improvements; and demolition of an uninhabitable structure). As summarized in Table 1 (Project Compliance with Zoning Regulations) below, applicable development standards of [Table 2-17](#) (C-R Zone Development Standards) and [Table 3-4](#) (Parking Requirements by Use) would remain unchanged or meet minimum or maximum requirements because the project is limited to the use of, and minor improvements to, an existing parking lot and no new construction is proposed.

Table 1 – Project Compliance with Zoning Regulations		
Development Standard	Requirement	Existing / Proposed
Maximum Residential Density	36 units per acre	N/A – no residential proposed
Minimum Front Setback	None	0 feet
Minimum Side / Rear Setbacks	None	0 feet
Minimum Streetside Setback	None	0 feet
Maximum Building Height	45 feet	Existing one-story structure to remain is less than 45 feet in height
Maximum Lot Coverage	100%	Existing structure to remain covers less than 100% of the lot
Maximum Floor Area Ratio (FAR)	3.0	Existing one-story structure to remain results in less than 3.0 FAR

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Minimum Lot Area	9,000 SF	N/A – no new lots proposed
Edge Conditions	N/A – no new construction proposed	
Minimum Number of Parking Spaces	None	46 spaces

No deviations from development standards are requested as allowed by [Section 17.86.200](#) (Parking as a Primary Use).

#### 4.0 ENVIRONMENTAL REVIEW

The project is exempt under Section 15301 (Existing Facilities) of the CEQA Guidelines because it includes the operation, repair, maintenance, permitting, leasing, licensing, and minor alteration of an existing developed property. The project includes the use of an existing parking lot with minor repairs and alterations and does not include construction of additional building square footage. Minor improvements would be limited to (a) parking lot improvements (e.g., installation of parking signage, striping, wheel stops, pay stations, etc.), (b) landscape improvements (e.g., reconstruction of planter areas, etc.), and (c) demolition of an existing uninhabitable structure. Therefore, the project involves negligible expansion to the former use.

#### 5.0 OTHER DEPARTMENT / DIVISION REVIEW

As part of the due diligence process for the purchase of the property, the project has been reviewed by Community Development, Mobility Services, Economic Development, Finance, and Capital Improvement Program. If the Conditional Use Permit is approved, minor site improvements to implement the project will be reviewed for compliance with relevant code requirements and engineering standards as part of the building and/or grading permit review.

#### 6.0 ALTERNATIVES

1. Continue project. An action to continue the item should include a detailed list of additional information or analysis required to make a decision.
2. Deny the project. An action denying the project should include findings that cite the basis for denial and should reference inconsistency with the General Plan, Zoning Regulations, or other policy documents.

#### 7.0 ATTACHMENTS

- A. Draft Resolution approving the project, based on the findings and subject to the conditions of approval
- B. Existing Site Layout

## RESOLUTION NO. PC-XXXX-23

**A RESOLUTION OF THE CITY OF SAN LUIS OBISPO PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT TO ESTABLISH A CITY PARKING FACILITY (I.E., SURFACE PARKING LOT) AT 1166 HIGUERA STREET. THE PROJECT IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15301 (EXISTING FACILITIES) OF THE CEQA GUIDELINES AS REPRESENTED IN THE STAFF REPORT AND ATTACHMENTS DATED DECEMBER 13, 2023 (1166 HIGUERA STREET, USE-0559-2023)**

**WHEREAS**, the City Council of the City of San Luis Obispo conducted a public hearing in the Council Chamber of City Hall, 990 Palm Street, on November 14, 2023, approving the purchase and authorizing execution of the purchase and sale agreement for the property located at 1166 Higuera Street for a City parking facility; City of San Luis Obispo, applicant; and

**WHEREAS**, future uses of the property at 1166 Higuera Street will be determined through public outreach and engagement with property owners and businesses in the Upper Monterey Area to confirm the scope in pursuing an area plan; and

**WHEREAS**, the Planning Commission of the City of San Luis Obispo conducted a public hearing in the Council Chamber of City Hall, 990 Palm Street, on December 13, 2023, determining General Plan conformance for acquisition of the property located at 1166 Higuera Street, pursuant to a proceeding instituted under GENP-0555-2023 as required by California Government Code Section 65402; City of San Luis Obispo, applicant; and

**WHEREAS**, the Planning Commission of the City of San Luis Obispo conducted a public hearing in the Council Chamber of City Hall, 990 Palm Street, on December 13, 2023, for the review of a Conditional Use Permit to establish a City parking facility (i.e., surface parking lot) at 1166 Higuera Street, pursuant to a proceeding instituted under USE-0559-2023; City of San Luis Obispo, applicant; and

**WHEREAS**, the Planning Commission of the City of San Luis Obispo has duly considered all evidence, including recommendations by staff, presented at said hearing; 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 Planning Commission of the City of San Luis Obispo as follows:

**SECTION 1. Finding.** The Planning Commission hereby grants final approval for the project (USE-0559-2023), based on the following findings:



1. The project is consistent with the General Plan because it is an allowable use that would facilitate paid public parking to support the operation of existing and proposed uses in the vicinity. In addition, the project would advance Land Use Element Policy 8.2.2 and Program 4.25 by increasing parking supply and access to support development and economic revitalization in the Upper Monterey Area.
2. The proposed parking facility use is conditionally permitted in the Retail Commercial zone and complies with applicable provisions of the Zoning Regulations and Municipal Code.
3. The design, location, size, and operating characteristics of the project will be compatible with the existing and future land uses in the vicinity because the proposed parking facility would utilize an existing developed property with minor improvements to prepare the property for use as public parking. Additionally, the increased public parking supply would support the operations of existing and proposed uses in the vicinity.
4. The site is physically suitable in terms of (a) its design, location, shape, size, and operating characteristics of the project; (b) traffic generation and the provision of public and emergency vehicle (e.g., fire and medical) access; (c) Public protection services (e.g., fire protection, police protection, etc.); and (d) the provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.). The project is surrounded by other developed properties with compatible uses, has access to the City's circulation system, and would be served by City utilities. The project utilizes an existing developed property and does not include activities that would generate service or utility demands beyond those anticipated with uses permitted in the vicinity.
5. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project would utilize an existing developed property for the parking facility. Minor improvements to the site are proposed, and relevant code requirements will be reviewed for compliance at the time of building and/or grading permit application.

**SECTION 2. Environmental Review.** The project is exempt under Section 15301 (Existing Facilities) of the CEQA Guidelines because it includes the operation, repair, maintenance, permitting, leasing, licensing, and minor alteration of an existing developed property. The project includes the use of an existing parking lot with minor repairs and alterations and does not include construction of additional building square footage. Minor improvements would be limited to (a) parking lot improvements (e.g., installation of parking signage, striping, wheel stops, pay stations, etc.), (b) landscape improvements (e.g., reconstruction of planter areas, etc.), and (c) demolition of an existing uninhabitable structure. Therefore, the project involves negligible expansion to the former use.



**SECTION 3. Action.** The Planning Commission hereby grants final approval to the project with incorporation of the following conditions:

1. Plans submitted for the building and/or grading permit application(s) for the minor site improvements shall be in substantial conformance with the project description represented in the Planning Commission Staff Report dated December 13, 2023.
2. The Conditional Use Permit shall be reviewed by the Community Development Director for compliance with conditions of approval, or to determine whether a modification to the Conditional Use Permit is necessary upon significant change to the project description represented in the Planning Commission Staff Report dated December 13, 2023 or in the event of a change in ownership which may result in deviation from the project description.

On motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and on the following roll call vote:

AYES:

NOES:

REFRAIN:

ABSENT:

The foregoing resolution was passed and adopted this 13<sup>th</sup> day of December 2023.

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Tyler Corey, Secretary  
Planning Commission



# 1166 HIGUERA PARKING LAYOUT

