

ORDINANCE NO. 1749 (2025 SERIES)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, REVOKING THE PLANNED DEVELOPMENT OVERLAY (ORDINANCE NO. 1687 [2020 SERIES]), RELATED TO A DEVELOPMENT PROJECT PROPOSED AT 1144 CHORRO STREET, AND AMENDING THE ZONING MAP TO REZONE THE SEVEN (7) ASSOCIATED PROPERTIES FROM C-D-PD AND C-D-H-PD TO C-D AND C-D-H, RESPECTIVELY. THE PROJECT IS EXEMPT FROM ENVIRONMENTAL REVIEW (CEQA) (1144 CHORRO STREET; 895, 898, AND 973 HIGUERA STREET; 876 AND 890 MARSH STREET; AND 868 AND 870 MONTEREY STREET; PDEV-0428-2023)

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 review with consideration of the 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, and 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, and 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 Ordinance and Historic Preservation Program Guidelines, pursuant to a proceeding instituted under ARCH-1687-2018, PDEV-0509-2019, and EID-0475-2019; Mark Rawson, applicant; and

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a web-based public hearing on July 8, 2020, recommending approval of the project with direction to the City Council for consistency with the General Plan and Zoning Regulations, pursuant to a proceeding instituted under ARCH-1687-2018, PDEV-0509-2019, and EID-0475-2019; Mark Rawson, applicant; and

WHEREAS, the City Council of the City of San Luis Obispo conducted a web-based public hearing on August 18, 2020, introducing an ordinance amending the Zoning Regulations Map to change the zoning designation of seven (7) properties from C-D-H to C-D-H-PD and C-D to C-D-PD for a PD Overlay; and approving the development of a six-story mixed-use building consisting of approximately 30,000 square feet of commercial/office space and 50 residential dwelling units pursuant to a proceeding instituted under ARCH-1687-2018, PDEV-0509-2019 and EID-0475-2019; Mark Rawson, applicant; and

WHEREAS, the City Council of the City of San Luis Obispo conducted a web-based public hearing on September 1, 2020, approving the PD Overlay for seven (7) properties within the Downtown Commercial Zone and adopting an ordinance (Ordinance No. 1687 [2020 Series]) amending the Zoning Regulations Map to change the zoning designation of the associated properties from C-D to C-D-PD and C-D-H to C-D-H-PD pursuant to a proceeding instituted under PDEV-0509-2019 and EID-0475-2019; Mark Rawson, applicant; and

WHEREAS, the City Council's approval of a six-story mixed-use development consisting of approximately 30,000 square feet of commercial/office space and 50 residential dwelling units, instituted under ARCH-1687-2018, PDEV-0509-2019 and EID-0475-2019, expired on August 28, 2024, and the property owner of 1144 Chorro Street does not wish to re-initiate; and

WHEREAS, the City's Community Development Department received a complete application submittal on May 15, 2025, confirming that all affected owners of the seven (7) associated properties are in agreement and requesting to revoke the PD Overlay, related to the development project proposed at 1144 Chorro, instituted under PDEV-0428-2023; 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, San Luis Obispo, California on July 9, 2025, recommending the City Council revoke the PD Overlay related to the development project proposed at 1144 Chorro and amend the Zoning Map to rezone the seven (7) associated properties from C-D-PD and C-D-H-PD to C-D and C-D-H, pursuant to a proceeding under PDEV-0428-2023; Copeland Properties, Jamestown Premier Retail LP, and NKT Commercial, applicants; and

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, San Luis Obispo, California on August 19, 2025, for the purpose of introducing an Ordinance to revoke the PD Overlay related to the development project proposed at 1144 Chorro and amend the Zoning Map to rezone the seven (7) associated properties from C-D-PD and C-D-H-PD to C-D and C-D-H, pursuant to a proceeding under PDEV-0428-2023; Copeland Properties, Jamestown Premier Retail LP, and NKT Commercial, applicants; and

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

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

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

SECTION 1. Findings. Based upon all evidence, the City Council revokes the Planned Development Overlay, related to the development project at 1144 Chorro Street, because the required findings previously made for Ordinance No. 1687 (2020 Series) would no longer be applicable and/or met, based on the following:

1. The purpose of adopting this PD Overlay in 2020 was to facilitate a specific accompanying project at 1144 Chorro Street;
2. Approval of that accompanying project at 1144 Chorro Street (ARCH-1687-2018, PDEV-0509-2019, and EID-0475-2019) has expired;
3. Any community benefits and mandatory project features required of, or resulting from, the development project would no longer occur because the accompanying project approval has expired and the property owner of 1144 Chorro Street does not wish to re-initiate;
4. All current owners of the seven (7) affected properties do not wish to re-initiate the project as previously approved;
5. The property owner of 1144 Chorro Street has actively pursued entitlement and building permit approvals for different uses at the property;
6. The PD Overlay encumbers seven (7) properties in downtown, not under common ownership, by referring to an expired project approval on the Zoning Map; and
7. Revocation of the PD Overlay would amend and clean up the Zoning Map by removing the reference to an expired project approval and its associated requirements (e.g., mitigation measures from the environmental review; deviations allowed by the PD overlay; conditions of approval, etc.). Revocation would provide clarity in applicable regulations of the affected properties and remove unnecessary restrictions on development thereof.

SECTION 2. Environmental Determination. The project is exempt from environmental review under Section 15061(b)(3) (General Rule Exemption) of the California Environmental Quality Act (CEQA) Guidelines. This “Common Sense” exemption states that CEQA only applies to projects that have the potential for causing significant effect on the environment. Since the scope of this request is limited to an amendment on the zoning map and does not facilitate any development project, it would not have an effect on the environment. Additionally, the mitigation measures required as part of the PD Overlay adoption in 2020 were only applicable to the development project for 1144 Chorro Street as proposed at the time. Should there be any development proposed on 1144 Chorro Street or any of the other affected properties, those projects would be evaluated on an individual basis for consistency and compliance with all applicable regulations in effect at that time, including environmental review.

SECTION 3. Action. The City Council hereby adopts an ordinance to revoke the PD Overlay, related to a development project proposed at 1144 Chorro Street, and rezone the seven (7) associated properties from C-D-PD and C-D-H-PD to C-D and C-D-H, respectively, as shown in Exhibit A and incorporated herein.

EXHIBIT A



Proposed Zoning Map with the C-D and C-D-H Zones

SECTION 4. A summary of this ordinance, together with the names of the Council members voting for and against, shall be published at least five (5) days prior to its final passage, in the New Times, a newspaper published and circulated in this City. The Ordinance shall be effective 30 days after its final passage.

INTRODUCED on the 19th day of August 2025, **AND FINALLY ADOPTED** by the Council of the City of San Luis Obispo on the 2nd day of September 2025, on the following vote:

AYES:
NOES:
RECUSED:
ABSENT:

Mayor Erica A. Stewart

ATTEST:

Teresa Purrington,
City Clerk

APPROVED AS TO FORM:

J. Christine Dietrick,
City Attorney

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

Teresa Purrington,
City Clerk

O _____