



Brian Pedrotti
Department of Planning and Building
976 Osos Street Rm. 200
San Luis Obispo, CA 93408
March 6, 2013

Reference: LRP2009-00009 Planned Developments, County-wide Referral

Dear Mr. Pedrotti,

We believe this ordinance is really intended to gut the application of setbacks, height, open space, and other development standards.

Our position regarding this has not changed. We do not want smaller minimum lot sizes, and we do not want clustering. While the latter sounds good on paper, it does not work out as planned. almost two decades of observation shows "Open space" parcels, left to the oversight of Homeowners' associations are prone to neglect and liability issues and open to future "reconsideration" by Planning in the direction of further subdivision and development. See the loose standards for maintenance of "open space" illustrated by item F1 discussed below.

Page 4 of 23, Item F1: **Design Standards.** Open Space parcel required the open space parcel shall not be developed with structural uses **except** as follows: (1) in the Rural Lands, Residential Rural and Residential Suburban land use categories, agriculture accessory buildings: (2) in the Recreation Residential Suburban Single Family and Residential Multi-Family land use categories: community buildings, community residential accessory structures, parking structures, parking spaces and driveways.

Parking structures, parking spaces, or driveways are not open spaces compatible for children to play in, to toss a frisbee, or get together for an outdoor portable barbeque. This is a misuse of what open space is supposed to provide.

Page 5 of 13 – Item 2. Guarantee of open space. The required open space parcel shall be maintained as open space as long as the clustered lots exist, or such other period designated through Conditional Use Permit approval. Such period shall be guaranteed by open space easement. The open space parcel shall in held in common by the homeowners, owned by one of the lot owners with an easement for the benefit of all lot owners, or dedicated in fee or partial fee title to a quasi-public agency. This negates the “perpetuity” that was the rule.

Remember that Homeowners Associations and/or CC&Rs are only as strong as the leaders. Court action brought by the homeowners seldom happens. We cannot count on Homeowner organizations to maintain the open space.

Finally, the County does not enforce any violation of the restrictions on "open space parcels." An example is Callender Grove, where owners are not allowed to erect anything on their “open space” half acre, yet four owners have built walls on their portion of the "open space," and the county has not forced the owners to remove them in spite of complaints by locals.

Under 22.22.140: Cluster Division:

Page 4 of 23, Item D: Lot size: There is no reason why Residential Single-Family buildable lots SF should be lowered from 2,000 sq. ft. to 1,750 sq. ft. We do not desire the creation of another Los Angeles County.

The intention to provide flexibility in the application of setbacks, height

and other development standards, provides loopholes that undo any good intentions.

22.22.145 Planned Development. These specific standards are meant to provide an incentive for creative design yet, ultimately, include reduced minimum lot sizes and reduced common areas. This goes against all our community goals.

For these reasons, the SCAC does not recommend supporting the proposed modifications to development standards in this ordinance.

By direction of the South County Advisory Council,

Istar Holliday, Corresponding Secretary