ORDINANCE NO. 3298

AN ORDINANCE AMENDING TITLE 26 OF THE SAN LUIS OBISPO COUNTY CODE, THE GROWTH MANAGEMENT ORDINANCE

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 26.01.070, h. of the Growth Management Ordinance, Title 26 of the San Luis Obispo County Code, is hereby amended as follows:

h. Maximum number of new dwelling units allowed in the Nipomo Mesa area. The maximum number of new dwelling units allowed in the Nipomo Mesa area (see Figure 1) for the period of July 1, 2015 through June 30, 2016 shall not exceed a 1.8 percent increase in the number of existing dwelling units from the previous fiscal year.

SECTION 2: Section 26.01.070, j. (1) (a) (i) of the Growth Management Ordinance, Title 26 of the San Luis Obispo County Code, is hereby amended as follows:

(i) Allocation for the years July 1, 2015 through June 30, 2018. Based on the County 2005 Resource Management System (RMS) Annual Report approved by the Board of Supervisors on December 20, 2005, the County 2008 Resource Management System (RMS) Annual Report approved by the Board of Supervisors on February 10, 2009, the 2009-2010 Resource Management System (RMS) Resource Summary Report approved by the Board of Supervisors on April 26, 2011, the 2010-2012 Resource Summary Report approved by the Board of Supervisors on March 12, 2013 and the 2012-2014 Resource Summary Report approved by the Board of Supervisors on May 5, 2015, the Maximum Annual Allocation shall be set at 0% per fiscal year for the period from July 1, 2015 through June 30, 2018, resulting in no new allocation requests other than those accompanied by an intent-to-serve letter from the Cambria Community Services District for transferred meters and 8 grandfathered Allocations for new residences in Cambria each fiscal year in the period from July 1, 2015 through June 30, 2018.

SECTION 3: Section 26.01.070, j. (1) (b) of the Growth Management Ordinance, Title 26 of the San Luis Obispo County Code, is hereby amended as follows:

b. Freezing of existing waiting lists. In order to eventually eliminate the need for an individual community waiting list for services, the CCSD list that exists as of December 31, 1990, shall be frozen for purposes of administering this title. The County shall obtain a certified copy of the waiting list and all future allocations within the community shall come from the certified list. Any applicant wishing to apply for a dwelling unit allocation that is not on the certified list shall apply to the county for placement on the county's waiting list for Requests for Allocation. However, per section (a) (i) above, no new allocation requests other than those accompanied by an intent-to-serve letter from the Cambria Community Services District for transferred meters and 8 grandfathered Allocations for new residences in Cambria each fiscal year in the period from July 1, 2015 through June 30, 2018. At the point in the future when the existing community waiting list is exhausted, all future requests for new dwelling units shall be added to the county's waiting list on a first-come-first-served basis and all allocations for new dwelling units in the unincorporated county shall be made from the county waiting list.

SECTION 4: That the activity is covered by a general rule exemption (State CEQA Guidelines section 15061(b)(3)) from the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 5: If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 6: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

INTRODUCED at a regular meeting of the Board of Supervisors held on the 5th day of May, 2015, and PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 19th day of May, 2015, by the following roll call vote, to wit:

AYES: Supervisors Bruce S. Gibson, Lynn Compton, Frank R. Mecham, Adam Hill and Chairperson Debbie Arnold
NOES: None
ABSENT: None
ABSTAINING: None

Debbie Arnold
Chairman of the Board of Supervisors,
County of San Luis Obispo,
State of California

ATTEST:

TOMMY GONG
County Clerk and Ex-Officio Clerk
of the Board of Supervisors County of
San Luis Obispo, State of California

By: Annette Ramirez
Deputy Clerk