

ORDINANCE NO. 3489
AN ORDINANCE AMENDING TITLE 26 OF THE SAN LUIS OBISPO
COUNTY CODE, THE GROWTH MANAGEMENT ORDINANCE, TO REMOVE FISCAL YEAR
REFERENCES FOR THE NIPOMO MESA AND CAMBRIA GROWTH RATE LIMITS

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

SECTION 1: Section 26.01.070.(8). of the Growth Management Ordinance, Title 26 of the San Luis Obispo County Code, is hereby amended as follows:

- (8) 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, 2022, through June 30, 2023,~~ 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.(10). of the Growth Management Ordinance, Title 26 of the San Luis Obispo County Code, is hereby amended as follows:

- (10) Communities with Existing Waiting Lists. The following communities have waiting lists for development. Those waiting lists are administered by the specified community service provider(s) and the issuance of allocations by the county shall be in accordance with the provisions of the local waiting lists, as specified below.
- a. Cambria. The Cambria Community Services District (CCSD) has an existing waiting list for water service permits. The CCSD is allocating resources in compliance with its own resource management policies and ordinances, so as to be compatible with the resource management system of the county general plan and to carry out the county's purposes, goals and objectives. In recognition of the management policies in place, the allocation of dwelling units in Cambria shall be conducted as follows:
1. Allocation Limit. The annual number of new dwelling units to be allocated shall not exceed 2.3 percent of the total number of dwelling units within the community services district boundary within the urban reserve line as designated in the county general plan. The dwelling units to be allocated shall be taken from those applicants next in line on the community waiting list. The number of allocated units may be reduced if the resources are not available to support the maximum number of potential allocations, as described below. Any dwelling unit allocations not utilized by Cambria shall

become available for countywide allocation in accordance with the provisions of this title.

- i. ~~Allocation for the years July 1, 2021 through June 30, 2024. 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, the 2012-2014 Resource Summary Report approved by the board of supervisors on May 5, 2015, the 2014-2016 Biennial Summary Report of the Resource Management System approved by the board of supervisors on May 16, 2017, and the 2016-2018 Resource Summary Report approved by the Board of Supervisors on December 15, 2020, t~~The maximum annual allocation shall be set at zero percent per fiscal year ~~for the period from July 1, 2021 through June 30, 2024,~~ 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 eight grandfathered allocations for new residences in Cambria each fiscal year ~~in the period from July 1, 2021 through June 30, 2024.~~
 - ii. "Grandfathered" Units in Cambria. Of the total number of dwelling units to be allowed in Cambria each year, the Cambria Community Services District shall reserve eight allocations for parcels certified by the district as having "grandfathered" right to water service and "will serve" letters will be issued to such applicants on a first-come-first-served basis. These grandfathered units shall be allocated as follows: four units for Tract 1804 and four for the remaining units on the grandfather list. This increase shall be re-evaluated once the Cambria Community Services District has lifted the current moratorium on development that is not considered as grandfathered or active meter status.
 - iii. Transfer of Allocations in Cambria. Residential allocations may be transferred within the CCSD as long as any such transfer conforms with District Ordinance 1-93, as may be amended from time to time by the district relating to retirement of development rights.
2. 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 eight grandfathered allocations for new residences in Cambria each fiscal year ~~in the period from July 1, 2018 through June 30, 2021~~. 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 3: 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 4: 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 5: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Within 15 days after adoption of this amendment, a summary shall be published once in a newspaper of general circulation 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 18th day of April, 2023, and PASSED and ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 16th day of May, 2023, by the following roll call vote, to wit:

AYES: Supervisors Bruce S. Gibson, Dawn Ortiz-Legg, Jimmy Paulding,
Debbie Arnold and Chairperson John Peschong

NOES: None

ABSENT: None

ABSTAINING: None



John Peschong
Chair of the Board of Supervisors

ATTEST:

JOHN NILON
Interim Ex-Officio Clerk of the Board of Supervisors

By: Niki Martin
Deputy Clerk