

ORDINANCE NO. 3397

AN ORDINANCE AMENDING TITLE 18 OF THE SAN LUIS OBISPO COUNTY CODE,
THE PUBLIC FACILITY FEE ORDINANCE, RELATIVE TO ANNUAL FEE ADJUSTMENT,
AND EXEMPTIONS FOR AFFORDABLE HOUSING UNITS

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

SECTION 1: Section 18.03.010 of the Public Facility Fee Ordinance, Title 18 of the San Luis Obispo County Code, is hereby amended to add new subsection b as follows: *(to establish an annual fee adjustment based on the Construction Cost Index):*

18.03.010 – Imposing Public Facilities Fees.

(b) The public facilities fees imposed by resolution of the board of supervisors shall be automatically adjusted on January 1 of each year. The adjustment shall be calculated by the Department of Planning and Building, based on modifying the adopted value up or down in conformance with the Engineering News-Record September Construction Cost Index, utilizing the following formula:

$$1 + \left(\frac{\text{Current Index} - \text{Prior Year Index}}{\text{Prior Year Index}} \right)$$

SECTION 1: Section 18.03.020 of the Public Facility Fee Ordinance, Title 18 of the San Luis Obispo County Code, is hereby amended to add new subsection 10 as follows: *(to exempt residential units which qualify as very low or lower income affordable housing units):*

18.03.020 – Exemptions

(10) Affordable housing units meeting the definition of extremely low-income, very low-income, and lower-income, as set forth in Land Use Ordinance Section 22.12.070 and Coastal Zone Land Use Ordinance Section 23.04.094.

SECTION 2. This item is not considered a project and therefore the activity is not subject to CEQA.

SECTION 3. 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 4: This ordinance shall take effect and be in full force on and after thirty (30) days from the date of passage thereof. Before the expiration of fifteen (15) days after the adoption of this ordinance by the San Luis Obispo County Board of Supervisors, 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 22nd day of October, 2019, and PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 5th day of November, 2019, by the following roll call vote, to wit:

AYES: Supervisors Bruce S. Gibson, Adam Hill, John Peschong, Lynn Compton and Chairperson Debbie Arnold

NOES: None

ABSENT: None

ABSTAINING: None



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

ATTEST:

WADE HORTON

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

By: T'Ana Christensen

Deputy Clerk