

ORDINANCE NO. 3455

AN ORDINANCE AMENDING TITLE 22 OF SAN LUIS OBISPO COUNTY CODE TO REMOVE THE MISSION GARDENS SITE DENSITY LIMITATION FROM SECTION 22.104.060 SAN MIGUEL COMMUNITY STANDARDS

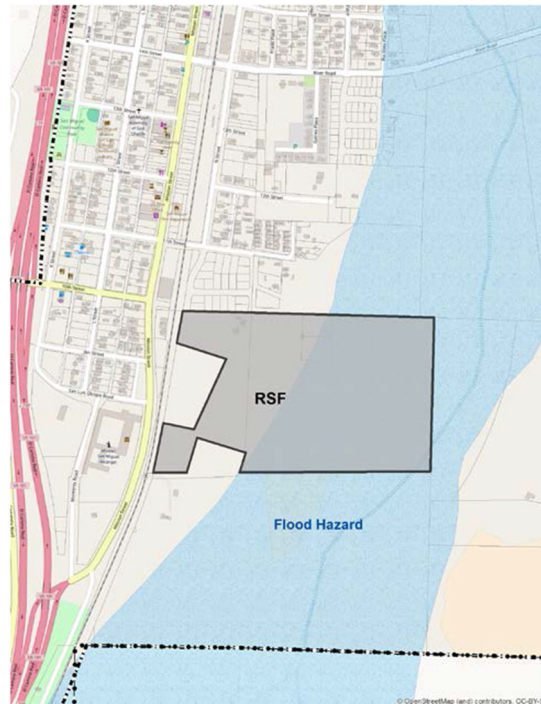
The Board of Supervisors of the County of San Luis Obispo, State of California, does ordain as follows:

SECTION I: That Section 22.104.060 of the San Miguel Community Plan Appendix A and Title 22 of the San Luis Obispo County Code be amended as follows:

**Chapter 22.104.060 – San Miguel Community Standards.**

**J. Residential Single Family (RSF) Land Use Category**

**4. Mission Gardens Site (Figure 104-11).** The following standards apply only the Mission Gardens site, as shown in Figure 104-11.



**Figure 104-11 – RSF – Mission Gardens Site**

~~a. Density limitation. Maximum number of residential parcels is limited to 60.~~

**b.a. Cluster requirement.** Land divisions shall be clustered west of the Flood Hazard (FH) combining designation.

**c.b. Open space requirement.** Flood hazard areas and areas reserved to reduce noise, protect visual resources, or to preserve cultural resources shall remain in open space.

SECTION II: 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 III: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of San Luis Obispo, State of California.

SECTION IV: A Mitigated Negative Declaration (SCH 2021060438) was prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et. seq. for the proposed amendment to Section 22.104.060.J.4.a. of Title 22 of the County Code and the San Miguel Community Plan.

SECTION V: In accordance with Government Code Section 25131, after reading the title of this Ordinance, further reading of the Ordinance in full is waived.

Recommended at a regular meeting of the San Luis Obispo County Planning Commission held on the 22nd day of July, 2021, and passed and adopted by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 24<sup>th</sup> day of August, 2021, by the following roll call to vote, to wit:

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

NOES: None

ABSENT: None

ABSTAINING: None

*Lynn Compton*

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Lynn Compton  
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: \_\_\_\_\_  
Deputy Clerk

**STATE OF CALIFORNIA ) ss.**  
**COUNTY OF SAN LUIS OBISPO)**

I, **WADE HORTON**, Ex-Officio Clerk of the Board of Supervisors thereof, do hereby certify the foregoing to be a full, true and correct copy of an order entered in the minutes of said Board of Supervisors, and now remaining of record in my office.

Witness, my hand and seal of said Board of Supervisors on September 20, 2021.

**WADE HORTON,**  
Ex-Officio Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy Clerk