

ORDINANCE NO. 3432

AN ORDINANCE AMENDING TITLE 23 OF THE SAN LUIS OBISPO COUNTY CODE, THE COASTAL ZONE LAND USE ORDINANCE, BY AMENDING SECTION 23.08.165

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

SECTION 1: Section 23.0.165 (Residential Vacation Rentals) of Title 23 of the San Luis Obispo County Code, is hereby amended to read as follows:

23.08.165 – Residential Vacation Rentals

The Residential Vacation Rental is the use of an existing residence, or a new residential structure that has been constructed in conformance with all standards applicable to residential development, as a rental for transient use. This definition does not include the single tenancy rental of the entire residence for periods of thirty consecutive days or longer. Rental of a residence shall not exceed four individual tenancies per calendar month as defined in Subsection d. The use of residential property as a vacation rental within the Cambria, ~~and~~ Cayucos, ~~and~~ Avila Beach, ~~and~~ Los Osos urban reserve lines shall comply with the following standards ...

SECTION 2: Section 23.08.165.b of Title 23 of the San Luis Obispo County Code, is hereby amended to read as follows:

- b. Permit requirements.** Zoning Clearance, Business License and Transient Occupancy Tax Registration is required for each residential vacation rental. Where water or sewage disposal is provided by a community system, evidence shall be submitted with the application for a Zoning Clearance to show that the service provider(s) has been informed of the proposed use of the property as a vacation rental, and has confirmed that there is adequate service capacity available to accommodate this use. Except that in Los Osos, a Minor Use Permit is required instead of a Zoning Clearance.

SECTION 3: Section 23.08.165.c.4 of Title 23 of the San Luis Obispo County Code, is hereby added to read as follows:

(4) Los Osos.

- (i) The number of residential vacation rentals established and active (valid and unexpired business license) shall not exceed 55.
- (ii) A Minor Use Permit for the establishment of a residential vacation rental shall only be approved and issued for a natural person, limited liability company, or personal or family trust. A natural person, limited liability company, or personal or family trust shall not maintain any financial interest in more than one (1) residential vacation rental. A Minor Use Permit for the establishment of a residential vacation rental shall become voided upon the transfer of property ownership.
- (iii) Residential vacation rentals shall only be established within an existing single-family dwelling. Residential vacation rentals shall not be allowed in multi-family dwelling structures and mobilehome parks.

(iv) Within all residential land use categories, no residential vacation rental shall be located within 500 feet of another parcel with a residential vacation rental and/or other visitor-serving accommodation. Distances shall be measured from the closest property line of the existing residential vacation rental and/or other visitor-serving accommodation to the closest property line of the parcel containing the proposed residential vacation rental.

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: Before the expiration of 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.

SECTION 6: This Ordinance shall become effective thirty (30) days after its enactment by the Board of Supervisors.

SECTION 7: This Ordinance shall become operative immediately only upon certification of the Amendments by the California Coastal Commission, as may be certified with suggested modifications by the California Coastal Commission and accepted and agreed to by the Board of Supervisors.

SECTION 8: This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines Section 15061(b)(3), General Rule Exemption]

SECTION 9: In accordance with Government Code Section 25131, after reading the title of this Ordinance, further reading of the Ordinance in full is waived.

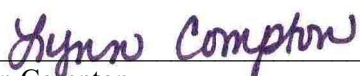
RECOMMENDED at a hearing meeting of the San Luis Obispo County Planning Commission held on the 9th day of July, 2020, and PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 15th day of December, 2020, by the following roll call to vote, to wit:

AYES: Supervisors Bruce S. Gibson, Dawn Ortiz-Legg, and John Peschong

NOES: Supervisors Debbie Arnold and Chairperson Lynn Compton

ABSENT: None

ABSTAINING: None



Lynn Compton
Chairperson of the Board of Supervisors

ATTEST:

WADE HORTON
Ex-Officio Clerk of the Board of Supervisors

By: T'Ana Christiansen
Deputy Clerk