

ORDINANCE NO. 3473

AN ORDINANCE AMENDING TITLE 29 OF THE SAN LUIS OBISPO COUNTY CODE, THE AFFORDABLE HOUSING FUND, TO DISCONTINUE THE COLLECTION OF INCLUSIONARY HOUSING IN-LIEU AND HOUSING IMPACT FEES

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

SECTION I: That Section 29.01.010 of the San Luis Obispo County Code, is hereby amended as follows:

29.01.010 – Purpose and Intent

On June 7, 2022, the San Luis Obispo County Board of Supervisors repealed the Inclusionary Housing provisions of the County's Land Use Ordinance (Title 22 of the County Code, Section 22.12.040) and Coastal Zone Land Use Ordinance (Title 23 of the County Code, Section 23.04.096) to eliminate inclusionary housing In Lieu and Housing Impact fees. As such, all fees established by this Title are eliminated and shall not be applied to or collected from development projects. The provisions of this Title shall remain in effect only to the extent they allow the County to allocate and expend Affordable Housing Fund and Housing Impact Fee account balances that existed prior to June 7, 2022, when the Inclusionary Housing Ordinance was repealed.

- a. It is the intent of the County of San Luis Obispo to create an Affordable Housing Fund, in-lieu fee and housing impact fee as permanent and annually renewable sources of revenue to meet, in part, the housing needs of the County's *very low, low, moderate income* and *workforce* households. There are households which are income eligible and also possess one or more of the following characteristics: (1) they are burdened by paying more than thirty-five percent (35%) of their gross income for housing costs; (2) they live in overcrowded conditions; (3) they live in substandard housing units; (4) they are homeless individuals and families; or (5) they consist of individuals and families with special housing needs such as the elderly, the developmentally disabled, the mentally ill, the physically disabled, single parent households and large families.
- b. The Affordable Housing Fund will serve as a vehicle for addressing very low, low, moderate income and workforce housing needs through a combination of in-lieu fees, housing impact fees and other funds as provided for in these regulations.
- c. It is the intent of the County to foster a mix of family incomes in projects assisted by the Affordable Housing Fund and to disperse affordable housing projects throughout the County, in accordance with its housing policies and its intent to achieve a balance of incomes in all communities so that no single neighborhood experiences a disproportionate concentration of housing units affordable to very low, low, moderate or workforce households.
- d. It is the purpose and intent of this part to preserve and maintain ownership and rental housing units which are affordable to low, very low, moderate income and workforce households and

that are located throughout the County, including federally assisted units and units located in mobile home parks.

- e. It is the further intent of the County to foster and encourage the private sector to join with the public sector and the nonprofit sector to further the goals of this ordinance.

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: That 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 sec. 15061(b)(3), General Rule Exemption].

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.

Introduced at a regular meeting of the Board of Supervisors held on the 17th day of May 2022, and passed and adopted by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 7th day of June 2022, by the following roll call to vote, to wit:

AYES: Supervisors John Peschong, Debbie Arnold, and Lynn Compton
NOES: Supervisor Chairperson Bruce S. Gibson
ABSENT: None
ABSTAIN: Supervisor Dawn Ortiz-Legg



Bruce S. Gibson
Chairperson of the Board of Supervisors

ATTEST:

WADE HORTON
Ex-Officio Clerk of the Board of Supervisors

By: _____
Deputy Clerk

[SEAL]

Approved as to Legal Form and Effect:
RITA L. NEAL
County Counsel

By: Benjamin Dore _____
Deputy County Counsel

Dated: May 3, 2022

The undersigned Deputy Clerk of the Board of Supervisors certifies that, pursuant to Section 25103 of the Government Code, delivery of this document has been made on June 22, 2022.

WADE HORTON
Ex-Officio Clerk of the Board of Supervisors

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 June 22, 2022.

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

By: _____
Deputy Clerk