

Attachment 1e

EXHIBIT LRP2014-00002:C

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE, THE LAND USE ORDINANCE, SECTIONS 22.06.030, 22.12.080, 22.30.060 AND CHAPTERS 22.10 AND 22.52

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

SECTION 1: Section 22.06.030, Table 2-2 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended by adding a reference to Section 22.30.480 to the Single-Family Dwellings land use in the column labeled Specific use Standards.

SECTION 2: Sections 22.10.070.E, 22.10.080.A.5, 22.10.080.C.Note(3), 22.10.080.D, 22.10.140.A.2, 22.10.140.D.2.d, 22.10.140.E.3.b, 22.10.140.E.4.b, 22.10.140.E.6.b(4), 22.10.140.G.3, 22.10.140.H.1.b, 22.10.140.H.2, 22.10.140.H.3, 22.10.140.H.4.b.(2), 22.30.310.A.5, 22.30.310.B.4, 22.30.410.C, 22.30.430.F, 22.30.600.A.2, , 22.52.040.A, 22.52.170.J.4, 22.62.030.A.1.c, 22.72.060.B.2.b, and 22.113.060.C.1 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, are hereby amended to replace instances of “Uniform Building Code” with “California Building Standards Code.”

SECTION 3: Section 22.12.080.k.2. of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended to read as follows:

2. **Level of Severity III (LOS III) for water supply.** In communities with a certified Level of Severity III (LOS III) for water supply, whenever the use of inclusionary density bonus units allowed by this ordinance will cause a development project to exceed the residential density otherwise allowed by County ordinances, then prior to project approval, the decision-making body shall find substantial evidence to support a conclusion that the estimated non-agricultural water demand of the density bonus units will not exceed the estimated non-agricultural water demand of the project without the density bonus units.

SECTION 4: Sections 22.30.060.D and 22.30.060.E of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, are hereby amended to replace instances of “Appendix Chapter 11 of the Uniform Building Code” with “Title 19 of the County Code.”

SECTION 5: Sections 22.52.040.A, 22.52.090.E.3, 22.52.150.A.1, 22.52.150.A.2, and 22.52.150.A.3 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, are hereby amended to replace instances of “the 1997 Uniform Building Code Appendix Chapter 33” with “Title 19 of the County Code.”

SECTION 6: Section 22.52.170.G of Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

- G. **Testing.** The Director may also require that the applicant pay for testing to be performed by an independent, approved testing laboratory and that the civil engineer issue an opinion to ensure compliance with this ordinance, permit conditions, and/or accordance with the provisions of

Title 19 of the County Code. The Building Official shall inspect or provide for adequate inspection of the project by appropriate professionals at the various stages of work and at any more frequent intervals necessary to determine that adequate control is being exercised by the professional consultants.

SECTION 7. This project is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment (Government Code 15061(b)(3)). It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment because no new development is authorized, no increase in density will occur, no change in allowed uses is proposed or authorized and no physical change to the environment will occur. Therefore the activity is not subject to CEQA.

SECTION 8. 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 9: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, 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 10: In accordance with Government Code Section 25131, after reading of the title of the ordinance, further reading of the ordinance in full is waived.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the _____ day of _____, 20____, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

Chairman of the Board of Supervisors,
County of San Luis Obispo,
State of California

ATTEST:

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

[SEAL]

ORDINANCE CODE PROVISIONS APPROVED
AS TO FORM AND CODIFICATION:

RITA L. NEAL
County Counsel

By: 
Assistant County Counsel

Dated: December 3, 2014