

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 5/17/2016	(3) CONTACT/PHONE Jo Manson, Planner III/ (805) 781-4660	
(4) SUBJECT Hearing to consider an amendment to the Growth Management Ordinance, Title 26 of the County Code, to update the fiscal year references for the maximum number of new dwelling units allowed for the Nipomo Mesa area for FY 2016-17 and extension of the allocation waiting list for Los Osos; exempt from the California Environmental Quality Act (CEQA). Districts 2 and 4			
(5) RECOMMENDED ACTION It is recommended that the Board adopt the ordinance to approve the amendments to Title 26 of the County Code, Growth Management Ordinance as set forth in Attachment 2.			
(6) FUNDING SOURCE(S) Department Budget	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT { } Consent { } Presentation <input checked="" type="checkbox"/> Hearing (Time Est. <u>30 minutes</u> ) { } Board Business (Time Est. <u>    </u> )			
(11) EXECUTED DOCUMENTS { } Resolutions { } Contracts <input checked="" type="checkbox"/> Ordinances { } N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: { } 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? N/A	(16) AGENDA ITEM HISTORY { } N/A Date: <u>4/19/16, Item #3 (introduction)</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 2 District 4			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Jo Manson, Planner III

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 5/17/2016

SUBJECT: Hearing to consider an amendment to the Growth Management Ordinance, Title 26 of the County Code, to update the fiscal year references for the maximum number of new dwelling units allowed for the Nipomo Mesa area for FY 2016-17 and extension of the allocation waiting list for Los Osos; exempt from the California Environmental Quality Act (CEQA). Districts 2 and 4

## **RECOMMENDATION**

It is recommended that the Board adopt the ordinance to approve the amendments to Title 26 of the County Code, Growth Management Ordinance as set forth in Attachment 2.

## **DISCUSSION**

On August 12, 2008 the Board of Supervisors adopted changes to the Growth Management Ordinance (GMO), Title 26 of the County Code, to provide clean up and housekeeping updates of outdated references and information, and simplification for better understanding and efficiency. These changes have been implemented (Ordinance No. 3155). During preparation of the clean up amendments planning staff identified that amendments to Section 26.01.070, General Procedures, were necessary prior to June 30, 2009, June 30, 2010, June 30, 2011, June 30, 2012, June 30, 2013, June 30, 2014 and June 30, 2015 and the changes have been implemented (Ordinance Nos. 3178, 3194, 3213, 3227, 3241, 3260 and 3298). Planning staff have identified two (2) amendments to Section 26.01.070, General Procedures that are necessary prior to June 30, 2016. This staff report addresses the proposed amendments to the Growth Management Ordinance that were introduced April 19, 2016.

The proposed ordinance which specifies the exact text to be revised and new text to be inserted by Section for approval by the Board is in Attachment 1. The proposed ordinance for adoption today is in Attachment 2.

## **BACKGROUND**

Attachment 1 shows proposed revisions to the Growth Management Ordinance, Title 26 of the County Code. Proposed text marked for deletion has a ~~strikeout~~ and the proposed text to be inserted is underlined. The proposed revisions are described below:

1. Section 26.01.070, h. - The current text regarding the maximum number of new dwelling units allowed in the Nipomo Mesa area refers to "...the period of July 1, 2015 through June 30, 2016...". The proposed text changes refer to "...the period of July 1, 201516 through June 30, 201617".

*Why the above text is proposed for change: The current text will soon be outdated and needs to be revised to address the upcoming Fiscal Year 2016-2017. Each fiscal year the date references require revision to stay current with the upcoming fiscal year period.*

2. Section 26.01.070, k. (1) (c) - On May 21, 2013 (Ordinance No. 3241) the Board of Supervisors adopted the current text regarding the Los Osos allocation waiting list. At that time 2016 was an estimated completion date for

the community sewer system. The proposed text changes state “All deferred allocations will be retained on the waiting list for Los Osos through June 30, 2016~~9~~, at which time all unused allocations will be considered expired.”

*Why the above text is proposed for change: The Los Osos Wastewater project cannot serve vacant parcels until the County amends the Estero Area Plan – Los Osos Urban Area (now referred to as the Los Osos Community Plan) to incorporate the following: a sustainable buildout target that indicates that there is water available to support such development (buildout) without impacts to wetlands and habitats; and a Community-wide Habitat Conservation Plan (HCP) for the long-term preservation of sensitive habitats. The County is currently working on the Los Osos Community Plan and the Community-wide HCP. The Los Osos Groundwater Basin Management Plan (BMP) was approved on October 14, 2015. The BMP still needs to be funded and implemented. Although the County is working on the Los Osos Community Plan and the HCP, until the BMP is funded and implemented, new development will not be able to occur. Therefore, a revised date of June 30, 2019 is proposed which extends the Los Osos allocation waiting list beyond June 30, 2016 and provides additional time for completion of the Los Osos Community Plan, the Community-wide HCP, as well as a funded and implemented BMP.*

#### **OTHER AGENCY INVOLVEMENT/IMPACT**

Referrals were sent to the Los Osos Community Advisory Council, South County Advisory Council, Los Osos Community Services District and the Nipomo Community Services District. No comments were received. County Counsel has reviewed and approved the proposed ordinance as to form and codification.

#### **FINANCIAL CONSIDERATIONS**

The proposed ordinance amendment is covered by the current department budget as a county-initiated amendment.

#### **RESULTS**

Adoption of the proposed ordinance will allow the amendment to become effective in 30 days. Denial of any of the amendments will mean that the proposed amendment would not become effective and the growth rate would revert to the Countywide growth rate. This item is consistent with the countywide goal of promoting well governed communities.

#### **ATTACHMENTS**

1. Proposed Ordinance showing additions and deletions
2. Ordinance for Adoption
3. Notice of General Rule Exemption