

**IN THE BOARD OF SUPERVISORS**  
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

\_\_\_\_\_ day \_\_\_\_\_, 20\_\_

**PRESENT:** Supervisors

**ABSENT:**

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RENDERING A FINAL DETERMINATION AND INTERPRETATION ON RURAL RECREATION USES PURSUANT TO SECTION 22.02.030 OF THE LAND USE ORDINANCE, TITLE 22 OF THE COUNTY CODE, INCLUDING INITIATING AMENDMENTS TO THE LAND USE ORDINANCE (TITLE 22 OF THE COUNTY CODE), THE COASTAL ZONE FRAMEWORK FOR PLANNING AND THE COASTAL ZONE LAND USE ORDINANCE (TITLE 23 OF THE COUNTY CODE),

The following resolution is now offered and read:

WHEREAS, the County Planning Commission of the County of San Luis Obispo (“Planning Commission”) did, on the 26th day of January, 2012, hold a hearing for the interpretation of outdoor rural recreation uses not specifically listed in the County Code; and

WHEREAS, the hearing was held pursuant to the Land Use Ordinance Section 22.02.030, which requires the Planning Commission to forward a resolution of its interpretation to the Board of Supervisors of the County of San Luis Obispo (“Board of Supervisors”) so that the Board may render a final decision and interpretation; and

WHEREAS, the Planning Commission’s resolution interpreting the Land Use Ordinance concerning outdoor rural recreation uses recommends initiating amendments to the Land Use Ordinance; and

WHEREAS, the Board of Supervisors did, on the 13th day of March, 2012, hold a hearing for the interpretation of the Land Use Ordinance concerning outdoor rural recreation uses not specifically listed in the County Code; and

WHEREAS, on March 13, 2012, the Board of Supervisors duly considered the findings and interpretation of the Planning Commission on the interpretation of outdoor rural recreation uses, and the request from the Department of Planning and Building to initiate amendments to the Inland and Coastal Zone Land Use Ordinances, Titles 22 and 23 of the County Code; and

WHEREAS, at said hearing, the Board of Supervisors heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to the request for interpretation.

Attachment 1

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct and valid.
2. The Board of Supervisors makes the following interpretations, and directs the Department of Planning and Building to initiate the following amendments pursuant to the County Code:
  - a. Use the Rural Recreation and Camping land use definition for Zip Lines, Bungee Jumping, Mountain Bike Courses, Cable Ski Lakes and other active rural recreation uses by amending the Land Use Ordinance – Article 8 and the Coastal Zone Framework for Planning to add these uses in the definition of Rural Recreation and Camping. Amend the Land Use Ordinance – Article 8 and the Coastal Zone Framework for Planning to add Bicycle Motocross (BMX) courses to Off Road Vehicle Courses. Amend the Land Use Ordinance – Article 8 and the Coastal Zone Framework for Planning to add Giant Swings to Outdoor Sports and Recreation. During the amendment process, any of the specific uses may be recommended to be added to other existing land use definitions.
  - b. Amend the Land Use Ordinance – Table 2-2 and Coastal Zone Framework for Planning Table O to add permit requirements for other rural recreation uses. Until such time as the amendments are adopted, the Department of Planning and Building shall evaluate on a case by case basis, subject to appeal pursuant to County Code, other rural recreational uses to determine if they are accessory to an existing primary use based on the size, scale and context of the proposed use, its operation and if it is consistent with the definition of Use, Accessory in Article 8 of the Land Use Ordinance and the Coastal Zone Framework for Planning. Other rural recreational uses that are not accessory to a primary use are not permitted until after the Land Use Ordinance amendments have been completed.
  - c. Amend the Land Use Ordinance – Chapter 22.30 and the Coastal Zone Land Use Ordinance Chapter 8 to add special standards for the establishment of other rural recreational uses, as appropriate. This would include establishing special findings for these uses in the Agriculture land use category.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

\_\_\_\_\_  
Chairperson of the Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN  
County Counsel

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By: Deputy County Counsel

Dated: March 1, 2012