

EXHIBIT LRP 2005-00010:A

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE, THE LAND USE ORDINANCE, CHAPTER 22.10, 22.12, 22.18, AND 22.22 BY AMENDING VARIOUS SECTIONS RELATING TO SINGLE FAMILY AND MULTI FAMILY LOT SIZES, ALLOWED DENSITY AND DESIGN STANDARDS

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

SECTION 1: Chapter 22.10 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended by adding Section 22.10.155 as follows:

22.10.155 - Telecommuting

A. New land divisions. To the extent feasible, residences constructed on new land divisions shall have internal wiring/cabling that allows telecommuting, teleconferencing and telelearning to occur simultaneously in at least three locations in each residence. All land division applications, except for the condominium subdivision of existing residential units, shall be conditioned to require these improvements.

SECTION 2: Section 22.10.110C of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

C. Required area. The following land uses shall be located only on sites with the minimum areas specified, unless other minimum site area requirements are established by Chapter 22.30 for specific uses, by Chapter 22.14 for combining designations or by planning area standards in Article 9.

| Type of Land Use | Minimum Site Area |
|---|---|
| Agricultural, Resource, and Open Space Uses | None required |
| Industry, Manufacturing & Processing, Warehousing | None required except as follows |
| Food and beverage products | 5 acres for tallow works and rendering plants; none required otherwise. |
| Metal industries, primary | 5 acres |
| Paving materials | 1 acre |
| Petroleum refining and related activities | 20 acres for refineries and tank farms; 20,000 sf for petroleum product distributors where all storage is underground or within a building. |
| Wholesaling and distribution | None required |

| | |
|--|---|
| Recreation, Education & Public Assembly Uses | None required except as follows |
| | ORV courses 20 acres, or larger as required by Conditional Use Permit approval |
| | Public assembly & entertainment 20,000 sf. A theater within a shopping center or parking district may have the minimum area combined with other uses and common parking facilities. |
| Residential Uses | Multi-family dwellings 6,000 4,000 square feet for two units. Minimum site area for a <u>Additional units are allowed consistent with is established by</u> Section 22.10.130.B (Multi-Family Dwellings). |
| | Single-family dwellings 1,750 sf (1) |
| | Mobile homes As required by Section 22.30.450 (Residential -Mobile Homes). |
| | Retail Trade Uses None required |

SECTION 3: Section 22.10.130B of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

B. Multi-family dwellings. The number of multiple family dwellings allowed on a single lot or adjoining lots is based upon the "intensity factor" of the site. The intensity factor will be either low, medium or high, based upon the type of street serving the site, the sewer service provided, and the distance of the site from the central business district. The intensity factor determines the maximum number of units allowed, ~~the maximum floor area for all units in the project and minimum areas for landscaping and pedestrian use and the maximum lot coverage ratio.~~ A multi-family project must satisfy the floor area and open area standards of this Section, as well as all applicable requirements for parking, setbacks and height. (Multi-Family dwellings in the Recreation Category are subject to Section 22.30.500 (Residential Uses in the Recreation Land Use Category.)

1. Determining intensity factor. The intensity factor is the lowest obtained from any of the following criteria:

| Criteria | Intensity Factor | | |
|---------------------|------------------|--------|------|
| | Low | Medium | High |
| Type of road access | Unpaved road | ✓ | |

| | | | | |
|----------------------|---------------------------------|---|---|---|
| | Paved local street | | ✓ | |
| | Paved collector or arterial (1) | | | ✓ |
| Sewer service | On-site septic | ✓ | | |
| | Community sewer | | | ✓ |
| Distance from CBD(2) | More than 1 mile | ✓ | | |
| | 1 mile or less | | ✓ | |
| | Less than 1,000 ft | | | ✓ |

Notes:

- (1) Site access may be from a cross street where the site abuts a collector or arterial.
- (2) Straight-line distance from central business district (CBD).

2. Determining allowable density. The allowable density, ~~maximum floor area and minimum open area~~ and lot coverage ratio for a multiple-family project shall be as shown in the following table (all area figures are expressed as percentages of the total usable site area). A minimum of ~~6,000~~ 4,000 square feet of site area is required to establish more than one dwelling unit, in compliance with Section 22.10.110.C (Minimum Site Area - Multi-Family Dwellings):

| Intensity Factor | Maximum number of units per acre | Maximum floor area lot coverage ratio (1) | Minimum open area (2) |
|-------------------------|---|--|------------------------------|
| Low | 15 | 35% | 55% |
| Medium | 26 | 48 45% | 45% |
| High | 38 | 65 60% | 40% |

Notes:

- (1) The gross ~~floor area~~ footprint area of all residential structures, ~~including upper stories, but not~~ and residential accessory structures including garages and carports (but not swimming pools).
- (2) ~~Includes required setbacks, and all areas of the site except buildings and parking spaces.~~

3. Common open space. Site design for multi-family projects shall provide a varied distribution of buildings, separated by usable private and common open spaces and parking areas. Common area open space shall include at least one usable, active recreation area with the following area and features as follows:

| Number of Dwelling Units | Minimum Area per Unit | Features (1) |
|---------------------------------|------------------------------|--|
| <u>4</u> | <u>250 sf</u> | Table with benches, shade and <u>playground equipment</u> , for every 4 units. |

| | | |
|-----------|---------------|---|
| <u>40</u> | <u>300 sf</u> | Above plus enclosed sheltered mail delivery point at vehicle and pedestrian focal points, in compliance with Postal Service regulations for multi-family dwellings. |
| <u>60</u> | <u>800 sf</u> | Above plus enclosed common room(s) with recreation equipment, meeting furniture and kitchen for every 60 subsequent units. |

Notes:

(1) **Examples:** An eight-unit project would have at least 500 square feet of usable outdoor area, with tables and benches, shade and playground equipment. A 100-unit project would have a combination of passive and active playground areas totaling 6,250 square feet, enclosed mail rooms, and an enclosed common room.

SECTION 4: Section 22.10.140D of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

D. Front setbacks. The front setback is established parallel or concentric to the front property line. Front setback landscape and fencing standards are in Chapter 22.16, and Section 22.10.080, respectively.

1. **Basic front setback requirement.** All structures with a height greater than three feet shall be set back a minimum of 25 feet from the nearest point on the front property line; except where this Section establishes other requirements or where otherwise provided by Chapter 22.20 (Signs) or Section 22.10.080 (Fencing and Screening).
2. **Residential uses.** All residential uses except for second-story dwellings over a commercial or office use shall have a minimum front setback of 25 feet, except as follows:
 - a. **Residential Single and Multi-Family Categories.** Lots less than one acre in size that are located in either the Residential Single or Multi-Family land use categories may have a front setback of 20 feet, except where a smaller front setback is allowed by Section 22.22.080.D, by Chapter 22.12 (Affordable Housing Incentives) for density bonus development or by Section 22.22.140 for Cluster Divisions.
 - ab. **Shallow lots.** The front setback shall be a minimum of 20 feet for any legally-created lot with an average depth less than 90 feet.
 - bc. **Sloping lot adjustment.** In any case where the elevation of the natural grade on a lot at a point 50 feet from the centerline of the adjacent street right-of-way is seven feet above or below the elevation of the centerline, required parking (including a private garage) may be located, at the discretion of the applicant, as close as five feet to the street property line, in compliance with Section 22.70.030 (Adjustment), provided that portions of the dwelling other than the garage shall be established at the setback otherwise required.
 - ed. **Variable setback block.** Where a residential block is partially developed with single-family dwellings having less than the required front setbacks, and no uniform front setback is established by a planning area standard, the front setback may be adjusted (Section 22.70.030) at the option of the applicant, as follows:

- (1) **Prerequisites for adjustment.** Adjustment may be granted only when 25 percent of the lots on the block with the same frontage are developed, and the entire block is within a single land use category.
- (2) **Allowed adjustment.** The normally required minimum front setback shall be reduced to the average of the front setbacks of the existing dwellings (which include attached garages but not detached garages), to a minimum of 10 feet.

de. Planned development or cluster division. Where a new residential land division is proposed as a planned development, condominium or cluster division (Section 22.22.140), front setbacks may be determined through Conditional Use Permit approval, provided that in no case shall setbacks be allowed that are less than the minimum required by the Uniform Building Code.

ef. Lots with parkways. Where a lot is fronted by a fixed-width parkway between the curb and sidewalk, or meandering sidewalk that varies the parkway separation between the curb and the sidewalk, and where in either case the parkway is landscaped with one or more street tree for each 50 feet of frontage, and turf or low maintenance plants, the front setback may be reduced to a minimum of 15 feet for all portions of the residence except the garage. The garage shall have a minimum front setback of 25 feet.

SECTION 5: Section 22.12.040D.2. of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

- 2. **Minimum parcel size and maximum number of units per acre.** The minimum parcel size required in the Residential Single-Family land use category by Section 22.22.080 ~~may be decreased,~~ or the ~~maximum floor area~~ maximum number of units per acre and the maximum lot coverage ratio permitted in the Residential Multi-Family land use category by Section 22.10.130.B, ~~may be decreased~~ may be increased by the same percentage that the density may be increased under this Section; except that where an applicant has requested only a 25 percent increase in density, and no other incentives or concessions have been granted, the minimum parcel size may be decreased or ~~maximum floor area~~ the maximum number of units per acre and the maximum lot coverage ratio may be increased by only 25 percent.

SECTION 6: Section 22.18.050.C.5 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

5. Residential Uses:

| USE | PARKING SPACES REQUIRED | PARKING LOT TURNOVER | LOADING BAY INTENSITY |
|-----|-------------------------|----------------------|-----------------------|
|-----|-------------------------|----------------------|-----------------------|

| | | | |
|--|--|------|------|
| Single-Family Dwellings (Including mobile homes, on individual lots.) | 2 per dwelling | Low | N.A. |
| Multi-Family Dwellings (including for the purpose of parking calculations, condominiums and other attached ownership dwellings.) | <u>Resident Parking:</u> 1 per one bedroom or studio unit, 1.5 per two bedroom unit, 2 per three or more bedrooms, plus <u>Guest Parking:</u> 1 space, plus 1 for each 4 units, or fraction thereof beyond the first four. Guest parking may be reduced by one space for projects of 15 units or less. In no case shall there be less than one guest space. | Low | N.A. |
| Nursing and Personal Care | 1 per 4 beds | N.A. | N.A. |
| Group Quarters (including boarding houses, rooming houses, dormitories, and organizational houses.) | 1 per bed, plus 1 per 8 beds. | Low | N.A. |

SECTION 7: Section 22.22.080 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

22.22.080 - Residential Single-Family and Multi-Family Categories

The minimum parcel size is based upon the type of public road serving the property proposed for division, terrain features, and the type of sewage disposal facilities to be used for the parcels to be created. Minimum parcel size is determined by applying the three tests of this Section to the features of the parcels to be created. The allowable minimum size is the **largest area** obtained from any of the tests, except as provided by ~~Subsection D:~~ Subsection E for condominium-type projects, and except for cluster divisions in compliance with Section 22.22.140. Community water service is a prerequisite to land division in the Residential Single-Family and Multi-Family categories in every case.

- A. Lot access test.** The lot size test considers both the type of public roadway providing vehicular access to the site and roads to be constructed with the land division. If more than one public street would serve a proposed parcel, this access standard shall be applied only to the street that actually provides vehicular access.

| Road Type (1) | Minimum Parcel Size |
|---------------|---------------------|
| Arterial | 20,000 sf |
| Collector | 10,000 sf |

| | |
|--|--|
| Local Residential Single Family Residential Multi-Family | 6,000 5,000_sf <u>6,000 sf</u> |
|--|--|

Notes:

- (1) As identified by the Land Use Element (Part II).

B. Slope test. Site slope shall be measured as an average for each proposed parcel, as defined in Article 8 (Definitions - Slope).

| Average Slope | Minimum Parcel Size | |
|--|---|---|
| | Outside GSA | Inside GSA (1) |
| Over 30% 16-30% 0-15% - Residential Single Family <u>0-15% - Residential Multi-Family</u> | 20,000 Sq. Ft. 8,500 Sq. Ft. 6,000 5,000 Sq. Ft. <u>6,000 Sq. Ft.</u> | 1 Acre 15,000 Sq. Ft. 6,000 5,000 Sq. Ft. 6,000 Sq. Ft. |

Notes:

1. Geologic Study Area combining designation.

C. Sewer test. The sewer test considers the type of sewage treatment facilities that will serve the proposed parcels.

| Sewage Facility | Minimum Parcel Size |
|--|--|
| Community Sewer Residential Single Family Residential Multi-Family | 6,000 5,000 Sq. Ft. <u>6,000 Sq. Ft.</u> |
| Septic Tank Leaching Capacity: 0-5 Minutes/Inch 5+ Minutes/Inch | 20,000 Sq. Ft. 1 Acre |

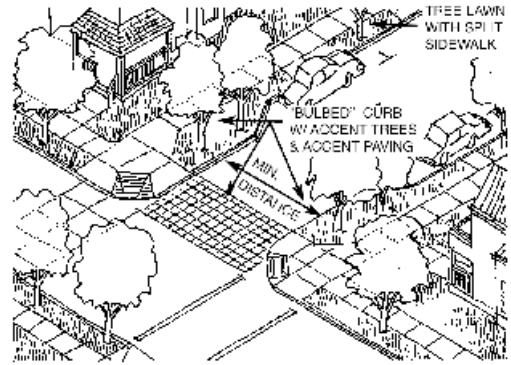
D. Permit Requirement and Design Standards. In the Residential Single Family category, a Conditional Use Permit shall be approved concurrently with the tentative subdivision map for any land division with parcels of less than 6,000 square feet in size. The purpose of the Conditional Use Permit is to establish, to the satisfaction of the Review Authority, that land divisions with parcels of less than 6,000 square feet in size shall be developed in conformance with the design standards and guidelines of this subsection.

As used in this subsection, a *standard* is used to indicate mandatory requirements and a *guideline* is used to indicate that among several possibilities one is recommended as particularly suitable, without mentioning or excluding other alternatives. In the case of a guideline, the land division application shall state why the proposal is better than the guideline set forth in this subsection. An adjustment to the design standards may be approved by the Review Authority pursuant to Section 22.70.030 when a subdivided parcel is constrained by limited site area, physical site constraints or natural features that make application of the design standards infeasible.

1. Site Design.

a. Access. (Standard). The project shall connect with adjacent residential and commercial areas, by both car and pedestrian/bike access where such access is feasible. Alley access is encouraged. Where an alley is being created to provide access, the alley may be included in the net site area.

b. Public and Private Streets. (Standard). All on-site streets shall provide special design features such as bulb-out intersections, neckdown curbs and separated sidewalks with street trees. Neckdown curbs and decorative paving shall be incorporated at crosswalks, entries, parks, tot lots and open space areas.



"Bulbed" intersection

c. Public Streets. (Guideline). A minimum of one public street should be constructed for any development over 12 units or one acre, to connect to existing or future streets in order to create a neighborhood network. This street should connect to adjacent roads at a minimum of two locations creating a through street whenever feasible.

d. Street Design. (Guideline). New public and private streets should be designed to create a connected patterns with a variety of linear and curvilinear forms for aesthetic interest, environmental sensitivity and efficient use of land. A "grid" layout is encouraged; however, the grid may be occasionally interrupted (while still remaining in compliance with the design criteria in the Real Property Division Ordinance) in order to prevent "cut-through" traffic in neighborhoods.

e. Vistas. (Guideline). Streets, walkways, trails, vehicular and pedestrian access routes should focus on important vistas such: as community buildings, mountains, trees, and open spaces.



Desirable Vistas & Connections to Amenities

2. Lot and Building Design. The design of the subdivision shall comply with all standards as set forth in Title 21 of this code, except where the following subsections provide relief to those standards or where relief is granted pursuant to the Conditional Use Permit and Title 21 Section 21.03.020 - Adjustments.

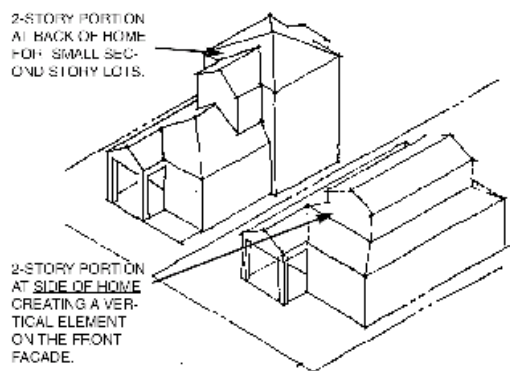
a. Lot Width (Standard). The minimum lot width for each parcel shall be not less than thirty-five feet at the front yard setback and not less than seventy feet in depth, provided that corner parcels permit structures to conform to the setback line of each street.

b. Lot Coverage (Standard). The coverage of each residential parcel by structures shall not exceed fifty percent (50%) of the total area of the parcel. Cluster division lot coverage is authorized pursuant to Section 22.22.140.

c. Backyards. (Standard) The minimum dimension of a backyard shall be 15 feet by 20 feet. Where substantial grading is not necessary this area shall be reasonably flat and usable.

d. One and Two Story Requirements.

(Standard). For land divisions with five or more parcels, at least 25 percent of the residences shall be one story (a maximum of 16 feet in height) and scattered evenly throughout the project. For the remaining residences, designs for two story residences shall include a variety sizes and shapes. The second story area should generally be located in the rear or to one side of the house, creating a bay or vertical element on the front facade. To ensure variation when viewed from the street, different two



Variations and orientation in building heights

story designs shall be scattered throughout the project. It is recommended that the following size limits for second story floor area be used:

- (1) At least 25 percent of the residences shall have one story (maximum height of 16 feet above grade).
- (2) A maximum of 25 percent of the residences may have a small second story area that covers up to 30 percent of the first story.
- (3) A maximum of 25 percent of the residences may have a medium second story area that covers up to 60 percent of the first story.
- (4) A maximum of 25 percent of the residences should have a second story area that covers up to 100 percent of the first story.

e. Massing. (Guideline). Building should be broken into three or four distinct elements: entry, main building, single story element, and the roof.

f. Perimeter Building Orientation. (Guideline). Buildings located on the perimeter of the site should be designed to face existing streets.

g. Setbacks (Guideline). Setbacks shall be as set forth in Section 22.10.140 except as follows, but in no case shall be less than required by the Uniform Building Code:

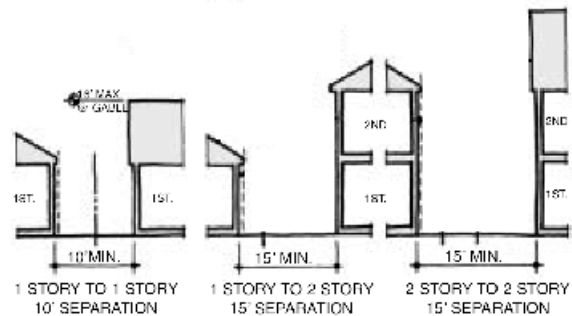
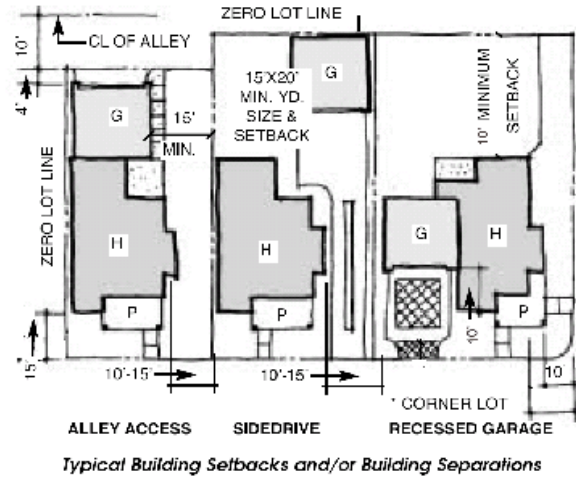
- (1) Front setback. The minimum front setback should be 15 feet, Required on-site parking shall not extend outside of the parcel or into any public right-of-way. Setbacks for cluster divisions authorized under section 22.22.140 shall be set through land use permit approval.

(2) Side setback. The minimum combined side setbacks should be 10 feet for single story units, and 15 feet for two story units. Dwelling units should be separated by at least 10 feet except for structures sharing common walls.

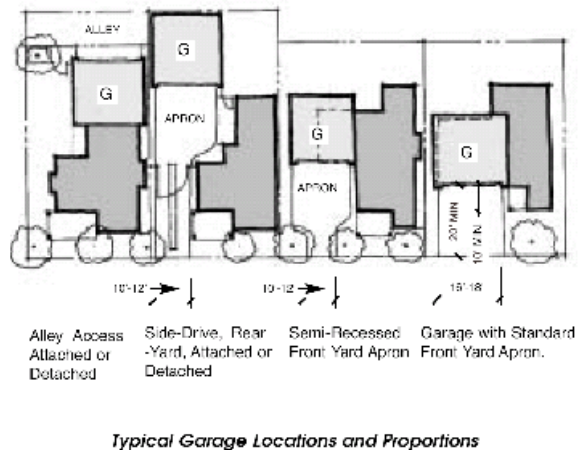
(3) Rear setback. The minimum rear setback should be 10 feet.

(4) Garages along an alley should be setback 4 feet from the property line.

(5) Zero lot line design consistent with Section 22.10.140.E.2.6.c is encouraged where feasible.



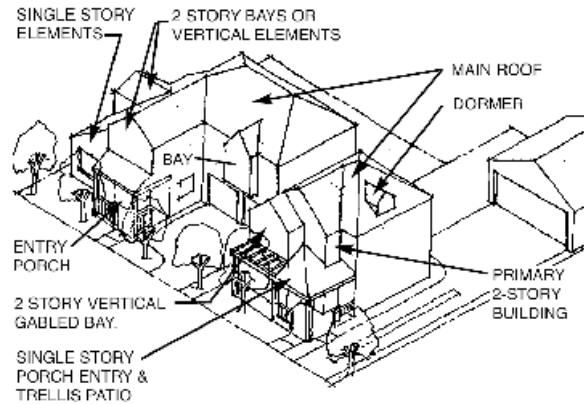
g. Garage Location. (Guideline). Garages, either attached or detached, should be located a minimum of 10 feet behind the main facade line of the residence. To create articulation when viewed from the street garages on adjacent lots should not be in identical locations and should vary from one another by a front setback of at least five feet. To prevent partial encroachment of on-site parking over any parcel boundaries or into any public right-of-way, all garages and other parking structures shall be located 20 feet or more, or four feet or less, from any front or rear lot line or public right-of-way.



- h. Materials. (Guideline).** For land divisions with five or more parcels, there should be different material and color palettes that use various materials for the exterior of the residences and color palettes for both the exterior and trim of the residences as follows:

| <u>Number of Proposed Lots</u> | <u>Minimum Number of Material and Color Palettes</u> |
|---------------------------------------|---|
| <u>5-10</u> | <u>2</u> |
| <u>11-20</u> | <u>3</u> |
| <u>21 +</u> | <u>4</u> |

- i. Entry/Porch. (Guideline).** Locate the dwelling entries and porches on the front street facade. Entry porches should extend along 50 percent of the residence's primary front building facade. The porch should be a covered, one story element.



Example of single-story covered entry porch with building oriented toward the street

3. Walls and Fencing

- a. Sound Walls. (Standard).** Sound walls shall have sectional or undulating surface areas rather than a single monotonous design, with periodic entries for bike and walk paths. Frontage roads, landscaped berms and open space are preferred in lieu of sound walls whenever possible.
- b. Retaining Walls. (Guideline).** Retaining walls should be no taller than four feet above grade. On steep slopes, a stepped wall arrangement should be used.
- c. Fencing. (Guideline).** Wrought iron, split rail or other fencing that is partially transparent (excluding chain link) should be used to visually open the areas between residences while still providing privacy. Fencing height should not exceed five feet wherever feasible.

DE. Condominiums. A condominium, planned development or similar residential unit ownership project in compliance with Subdivision Map Act Sections 66427 et seq. may use smaller parcel sizes to be determined by the Review Authority through Conditional Use Permit approval as set forth in Section 22.62.060, provided that:

EF. **Condominium conversion.** The standards in this Subsection apply to the conversion of an existing residential or nonresidential development into a residential condominium, planned development, stock cooperative or similar residential unit ownership. All conversions shall comply with the California Subdivision Map Act and Title 21 of the County Code in addition to the standards of this Subsection.

1. **Purpose and intent.** The purpose of this section is to establish standards for the conversion of rental housing into condominiums that conform to the General Plan and Housing Element, maintain a supply of affordable housing units, retain some rental units, reduce the impact of such conversions on the tenants, facilitate resident ownership of the converted units, ensure that converted housing achieves a high standard of safety and quality, and inform the prospective buyers of the physical conditions of the structure.
2. **Parcel sizes.** As set forth in Subsection 22.22.080~~DE~~.
3. **Application contents.** The Conditional Use Permit application required by Subsection ~~DE~~ - Condominiums, shall include all information specified by Article 6 of this Title, in addition to the following:
 - a. **Impact Report.** A report shall be prepared and submitted with the application that describes: the number of households that will be displaced, the numbers of persons residing in all households, the age and income levels for all tenants, the rental rates and vacancy rate of all units for the previous three years, documentation of the community-wide number of rental units with similar rental rates, and the current rental vacancy rate for the urban or village area where the project is located. This information shall be used in the Relocation Plan required in subsection ~~E.5.b.~~ F.5.b.
 - b. **Property Condition Report.** A report shall be prepared by a structural or civil engineer and submitted with the application that contains: a detailed description of the physical condition of the roads, paving, buildings, structures, common areas, recreation features, landscape, utilities and infrastructure, an analysis of property and structural compliance with the current building, fire and land use codes, cost estimates for needed repairs and ongoing maintenance costs, and an estimate of the annual amount of homeowners' association fees.
 - c. **Tenant Information Package.**
 - (1) The name and address of developer and/or property owner.
 - (2) A copy of the Impact Report and Property Condition Report that are submitted in compliance with subsections ~~E.3.a and b~~ F.3.a and b.
 - (3) The approximate date that the units shall be vacated if the Conditional Use Permit and tentative map are approved.
 - (4) The tenant has the right to continue to rent his or her unit for at least 180 days after the date of approval of the Conditional Use Permit and tentative map.
 - (5) A general description of the relocation assistance to be provided pursuant

to subsection E:5 F.5.

- (6) The tenant has the right to terminate any long term rental lease or agreement that he or she may have with the manager or property owner.
- (7) The approximate sales price of the tenant's unit.
- (8) The tenant has an exclusive right to purchase his or her respective unit upon the same terms that such unit will initially be offered to the general public, or more favorable terms, for a period of at least 90 days after a subdivision public report has been issued by the State Department of Real Estate. If no public report is required then the 90 day period shall begin when the final subdivision map is approved by the County.
- (9) Protection from unjust eviction shall be provided to tenants who comply with their rental or lease agreements and with the written regulations of the rental property.
- (10) Once the applicant has issued a notice of "intent to convert," a tenant's rent shall not be increased more than once annually, and such increase shall not exceed the rate of increase in the Consumer Price Index for the same period. Only rate increase terms covered by existing rental or lease agreements are exempt from this provision.

4. Special noticing requirements. The applicant shall provide evidence, to the satisfaction of the Planning Director, that each tenant has received or will receive each of the following notices and documents, in addition to the notice required by Section 22.70.060.

- a. Notice of intent to convert.** A notice of "intent to convert" at least 60 days prior to submittal of the Conditional Use Permit and tentative map application, pursuant to Government Code Section 66427.1. After the notice of "intent to convert" has been issued, the applicant shall inform any new and/or prospective tenants that the County has received the request for approval of a condominium conversion, or that the condominium conversion request has been granted. The format of this notice shall comply with Government Code Section 66452.8(b), or superseding code.
- b. Submittal notice.** A "submittal notice" issued within 10 days of the submittal of an application for a public report to the Department of Real Estate, pursuant to Government Code Section 66427.1. The notice shall indicate that the report will be available on request. No such notice is necessary if a public report is not required.
- c. Approval notice.** An "approval notice" within 10 days after the County's approval of the final map, pursuant to Government Code Section 66427.1.
- d. Option to purchase.** An "option to purchase" notice that grants the tenant an exclusive right to purchase his or her respective unit upon the same terms that such unit will initially be offered to the general public, or more favorable terms, for a period of at least 90 days after a subdivision public report has been issued by the State Department of Real Estate, pursuant to Government Code Section 66427.1. If no public report is required then the 90 day period shall begin when the final subdivision map is approved by the County.

- e. **Termination of tenancy.** A "termination of tenancy" notice that provides each tenant a minimum period of 180 days after County approval of the Conditional Use Permit and tentative map to vacate his or her residential unit. All relocation assistance to be provided, pursuant to Subsection E.5.a and b, shall be described. The said notice shall be delivered by U.S. mail to each tenant within 10 days of County approval of the Conditional Use Permit and tentative map.

5. **Conditions of approval.** Approval of a Conditional Use Permit shall include the following conditions of approval at a minimum.

- (+)a. **Affordable Housing.** Where the project consists of three (3) or more units, the applicant shall agree to rent or sell 25 percent of the total number of units to low or moderate income households, and a minimum of 50 percent of the affordable units shall be affordable to low income households. The sales prices, rental rates, terms and restrictions for the affordable units shall comply with Section 22.12.070 - Housing Affordability Standards. Existing project residents who are income qualified shall be given priority in acquiring the affordable units, and a lottery shall be used if necessary to determine unit possession. Any existing deed restricted affordable units shall remain in the project, and may be counted towards meeting the project's affordable housing requirements. The affordability period of the existing deed restricted units that are counted to meet the project's affordable housing requirements shall be extended to meet the affordability requirements of this project pursuant to Section 22.12.070 - Housing Affordability Standards. If the project is subject to the affordable housing requirements of other ordinances or agencies then the most restrictive requirements shall apply.

- b. **Relocation assistance.** Applicant shall provide each displaced household with a relocation payment of a dollar amount equal to three months rent in the unit currently occupied by that household. Said relocation payment shall be paid at least 30 days before the household vacates its unit.

- (1) **Rent Subsidy.** For displaced low income households, when the household moves into a comparable unit where the rent is higher than the rent for the unit that the household occupied in the conversion project then the applicant shall pay the difference for a period of one year from the date of relocation. If the Planning Director determines that no comparable unit is available then the applicant shall extend the household's rental agreement for one (1) year beyond the 180 day termination period, at a rental rate determined by the household's income level and Section 22.12.070.

A comparable unit is one that is decent, safe, sanitary, and in compliance with all local and state housing codes. A comparable unit has facilities that are equivalent to the household's existing dwelling unit with regards to the following features: a) apartment size including number of rooms; b) rent range; c) major kitchen and bathroom facilities; d) special facilities for the handicapped or senior citizen; and e) willingness to accept families with children. A comparable unit is located in an area no less desirable than the household's existing unit with regards to accessibility to the following features: a) the tenant's place(s) of employment; b) community and commercial facilities; c) schools; and d) public transportation. A unit is not comparable if it is located in a building for which a notice of intent to convert has been given.

- (2) **Relocation Plan.** The Relocation Plan shall describe the affordable housing or relocation benefits that each tenant will received as a result of the conversion. All affordable housing unit sales, transfer of displaced tenants to new housing and execution of one-year lease agreements shall be completed prior to termination of tenancy of each displaced resident.
- c. **Property improvements.** Each residential unit shall have separate utility hook-ups and meters (i.e., water, electricity and gas meter for each unit).
 - d. **Compliance with codes.** The property, plus all structures and improvements shall be in substantial conformance with building codes, fire codes, and the standards of the County Public Works. The property, plus all structures and improvements shall be inspected and approved by the Chief Building Official, the fire agency responsible for service, and County Public Works.
 - e. **Compliance with land use standards.** The condominium conversion shall comply with the development standards for new residential projects pursuant to the Land Use Ordinance and Land Use Element. This shall include the standards for unit density, setbacks, landscape and irrigation, fencing, parking and paving. All project elements shall be refurbished and restored as necessary to achieve a high standard of appearance, quality, and safety.
 - f. **Warranty.** Applicant shall provide a one-year warrantee free of charge to the homeowners' association for all project components which are owned or maintained by the association. The applicant shall guarantee the condition of common area items, including but not limited to roads, paving, drainage systems, landscaping, and recreational facilities. The applicant shall also guarantee the condition of all residential and/or common area structures, roofing, foundations, plumbing, electrical, heating, ventilation, mechanical systems and utilities. All of these items shall be guaranteed to be in sound, usable condition for a period of one year from the date of the sale of the last individual unit sold.
 - g. **Covenants, Conditions, and Restrictions.** Covenants, Conditions and Restrictions shall be submitted for review and approval by the County.
 - h. **Property Condition Report.** Applicant shall provide each prospective buyer with a copy of the Property Condition Report before the unit is sold.
6. **Special findings for condominium conversion.** A Conditional Use Permit for the conversion of an existing residential development into a residential condominium, planned development, stock cooperative or similar residential unit ownership may be approved only after the Review Authority makes the following findings:
- a. That the total number of residential rental units to be converted to condominium units in any calendar year does not exceed 25 percent of the number of multi-family rental dwellings that were built in the previous calendar year. The converted residential units are not required to be located in the same community as the newly constructed residential rental units.
 - b. That the proposed condominium conversion will not create a substantial loss of affordable rental housing stock in the community where the conversion project is located.

SECTION 8: Section 22.30.090.E.2.b(2) of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

- (2) **Setback from streets.** ~~As required by Section 22.10.140, a~~Animal enclosures shall be located a minimum of 25 feet from a front property line and 10 feet from a street side property line; except that no such setbacks are required in the Agriculture, Rural Lands and Open Space categories, or in the Residential Rural or Suburban categories outside of urban or village areas.

SECTION 9: Section 22.52.080.B.1. of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended by adding new subsection h and i as follows:

- h. Methods for minimizing run-off rates and volumes of storm water on-site to allow percolation to the underlying aquifer. Methods that may be used to facilitate groundwater recharge and reduce surface water runoff include, but are not limited to, the use of pervious paving material within parking lots and other paved areas, vegetated swales and other low impact development techniques and retention basins designed to allow percolation.
- i. Integration of available technologies and techniques to remove pollutant from site runoff prior to entering the drainage courses. Such techniques shall include, but are not limited to, reduced slope grading, drainage through a vegetative zone (ex: bio-swale), and other options to intercept pollutants being conveyed toward drainage paths. Technological solutions, that include but are not limited to gravity filter blankets or particulate filters (ex: Fossil Filters) may also be installed as pollutant-removal solutions.

SECTION 10: Section 22.70.030.A of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

- A. When allowed.** When a standard of Articles 3, 4, or 5, or a planning area standard of Article 9 identifies specific circumstances under which reduction of the standard is appropriate, an applicant may request an adjustment to the standard. (For example, Section 22.10.140.D.2.b~~c~~ provides that a required front setback may be reduced to a minimum of five feet through the adjustment process when the elevation of the lot is seven feet above or below the street centerline at 50 feet from the centerline.)

SECTION 11: Section 22.104.070.F. of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, pertaining to the **COMMUNITY OF SAN MIGUEL**, is hereby amended as follows and add Figures 104-056, 057 and 058 and renumber all other figures as necessary:

- F. Residential Multi-Family (RMF).** The following standard applies within the Residential Multi Family land use category

- 1. East side of Highway 101.** The following standards apply only to the areas as shown on Figure 104-55 within the Residential Multi-Family land use category.

1. a. Upon application for a grading, construction, or land use permit east of the Union Pacific Railroad, the applicant shall submit the following biological reports:

- a. (1) Vernal Pool Habitat Evaluation
b. (2) In-season Floristic Botanical Survey

2. b. Any land division shall be clustered west of the Flood Hazard (FH) combining designation, in compliance with the cluster division criteria in Section 22.22.140, or use other techniques that achieve the same result as clustering. Open space areas should be considered for the FH area (no residential site is allowable in the FH area), as well as for noise, visual, and cultural resource protection.

3. c. Residential development shall include the following design elements:

- a. (1) Link cul-de-sacs and dead-end streets to encourage pedestrian and bicycle travel.
b. (2) Install traffic calming modifications to roads, such as narrower streets, speed platforms, bulb-outs, and intersection modifications designed to reduce vehicle speeds.
c. (3) Include easements or land dedications for bikeways and pedestrian walkways.
d. (4) Provide continuous sidewalks separated from the roadway by landscaping and on-street parking.
e. (5) Include adequate lighting for sidewalks and crosswalks at intersections.
f. (6) Increase building energy efficiency rating by 10 percent above what is required by Title 24 requirements.

- g. (7) Provide street trees.
- h. (8) Include outdoor electrical outlets.
- i. (9) Provide secure on-site bicycle parking.
- j. (10) Where portions of the Salinas River are located on a site, easements or land dedications for trails consistent with the Parks and recreation Element or other adopted Trails Plan, shall be included in any proposed land division or land use permit.

2. Minimum Density Areas. The following standards apply only to the areas as shown on Figures 104-56, 104-57, and 104-58 within the Residential Multi-Family land use category.

a. Minimum Density - residential development. A minimum density of 20 units per acre of total usable site area is required. A higher density may be allowed if it can be designed in compliance with the design and density standards of this Title. The following area(s) shall be excluded when calculating the project's usable site area. These area(s) shall be incorporated into the project's designated open space area(s).

- (1) Excluded Areas: Portions of the site determined by the County Review Authority to have unmitigable environmental resource constraints (i.e., endangered species, flood hazard) pursuant to the County's environmental data base or pursuant to an environmental analysis prepared by a qualified consultant and submitted by the applicant.

b. Lot coverage. The lot coverage ratio shall be calculated based on the total usable site area. A maximum lot coverage ratio of 45 percent is allowed for sites with low and medium intensity factors, and a maximum lot coverage ratio of 60 percent is allowed for sites with a high intensity factor consistent with Section 22.10.130.B - Multi-Family Dwellings.



Figure 104-56 - RMF - 20 du/acre - L Street San Miguel



Figure 104-57 - RMF - 20 du/acre - 12th and River Streets - San Miguel



Figure 104-58 - RMF - 20 du/acre - 16th Street - San Miguel

SECTION 12: Section 22.104.080.B.3.a of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, pertaining to the **COMMUNITY OF SANTA MARGARITA**, is hereby amended as follows:

3. Design Standards - New subdivisions and Zoning Clearances for single-family residences. The following standards apply to proposed subdivisions and new single-family residential development unless modified by a Minor Use Permit or Conditional Use Permit on individual lots:

- a. Varied front yard setbacks.** The required ~~25~~20-foot front yard setback shall be adjusted at least five feet in either direction if a building site is between or adjacent to two residences that are located at the required front setback. Existing front building setbacks shall be shown on application submittals.

SECTION 13: Section 22.104.090.E.1. of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, pursuant to the **COMMUNITY OF TEMPLETON**, is hereby amended as follows:

E. Residential Single-Family (RSF). The following standards apply within the Residential Single-Family category.

- 1. Land division limitation.** Single family lots created through new land divisions shall be at least ~~7,500~~ 5,000 square feet. Affordable housing projects may have smaller parcels in compliance with Chapter 22.22. See the Templeton Community Design Plan for other guidelines on subdivisions.

SECTION 14: Section 22.104.090.F. of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, pursuant to the **COMMUNITY OF TEMPLETON**, is hereby amended as follows and add Figures 104-56 and renumber all other figures as necessary:

F. Residential Multi-Family (RMF). The following standards apply within the Residential Multi-Family category.

- 1. Density limitation.** Allowable density is limited to a maximum of 26 dwelling units per acre, with maximum ~~floor area and minimum open area~~ lot coverage ratio to be in compliance with the medium density criteria in Chapter 22.22.

An exception is provided that the area shown in Figure 104-65 is limited to a maximum of 12 dwellings per acre, with maximum ~~floor area and minimum open area~~ lot coverage ratio to be in compliance with the low density criteria in Chapter 22.22.

An exception is provided that the area shown in Figure 104-65 is limited to a maximum of 12 dwellings per acre, with maximum ~~floor area and minimum open area~~ lot coverage ratio to be in compliance with the low density criteria in Chapter 22.22.

- 2. Minimum Density Areas.** The following standards apply only to the areas as shown on Figures 104-56 within the Residential Multi-Family land use category.

a. Minimum Density - residential development. A minimum density of 20 units per acre of total usable site area is required. A higher density may be allowed if it can be designed in compliance with the design and density standards of this Title. The following area(s) shall be excluded when calculating the project's usable site area. These area(s) shall be incorporated into the project's designated open space area(s).

(1) Excluded Areas: Portions of the site determined by the County Review Authority to have unmitigable environmental resource constraints (i.e., endangered species, flood hazard) pursuant to the County's environmental data base or pursuant to an environmental analysis prepared by a qualified consultant and submitted by the applicant.

b. Lot coverage. The lot coverage ratio shall be calculated based on the total usable site area. A maximum lot coverage ratio of 45 percent is allowed for sites with low and medium intensity factors, and a maximum lot coverage ratio of 60 percent is allowed for sites with a high intensity factor consistent with Section 22.10.130.B - Multi-Family Dwellings.



Figure 104-56 - RMF - 20 du/acre - Brewer Street - Templeton

- 23. Design standards - Zoning Clearances for four or fewer multi-family residential and accessory buildings.** Multi-family residential structures and accessory buildings that are required by Section 22.06.030 (Allowable Land Uses and Permit Requirements) to have Zoning Clearance approval shall comply with the following design standards. Applicants who wish to design a project differently than allowed by these standards may apply for a Minor Use Permit to be reviewed for conformance with the Templeton Community Design Plan. An exception or modification to these standards may be granted through approval of a Minor Use Permit.

SECTION 15: Section 22.106.040.A. of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, pursuant to the **COMMUNITY OF ARROYO GRANDE**, is hereby amended as follows:

- A. Residential Multi-Family (RMF) - Density limitation.** Within the Residential Multi-Family land use category, new residential uses shall not exceed a maximum density of 26 units per acre.

SECTION 16: Section 22.106.070G.2. of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, pursuant to the **COMMUNITY OF OCEANO**, is hereby amended as follows:

- 2. Maximum Density.** New multi-family development is not to exceed a density of 15 units per acre. Maximum ~~floor area~~ lot coverage ratio may not exceed ~~48~~ 45 percent. This standard does not apply to development proposals accepted for processing by the Department of Planning and Building prior to the effective date of general plan amendments included in the Spring Cycle, 2002 nor to the parcels as shown in Subsection G.3 - Minimum Density.

SECTION 17: Section 22.106.070G. of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, pursuant to the **COMMUNITY OF OCEANO**, is hereby amended by adding new Subsection G.3., renumbering the original G. 2, adding Figure 106.10 and renumbering the figures as necessary as follows:

- 3. Minimum Density Areas.** The following standards apply only to the areas as shown on Figures 106-10 within the Residential Multi-Family land use category.

- a. Minimum Density - residential development.** A minimum density of 20 units per acre of total usable site area is required. A higher density may be allowed if it can be designed in compliance with the design and density standards of this Title. The following area(s) shall be excluded when calculating the project's usable site area. These area(s) shall be incorporated into the project's designated open space area(s).

- (1) Excluded Areas: Portions of the site determined by the County Review Authority to have unmitigable environmental resource constraints (i.e., endangered species, flood hazard) pursuant to the County's environmental data base or pursuant to an environmental analysis prepared by a qualified consultant and submitted by the applicant.

- b. Lot coverage.** The lot coverage ratio shall be calculated based on the total usable site area. A maximum lot coverage ratio of 45 percent is allowed for sites with low and medium intensity factors, and a maximum lot coverage ratio of 60 percent is allowed for sites with a high intensity factor consistent with Section 22.10.130.B - Multi-Family Dwellings.

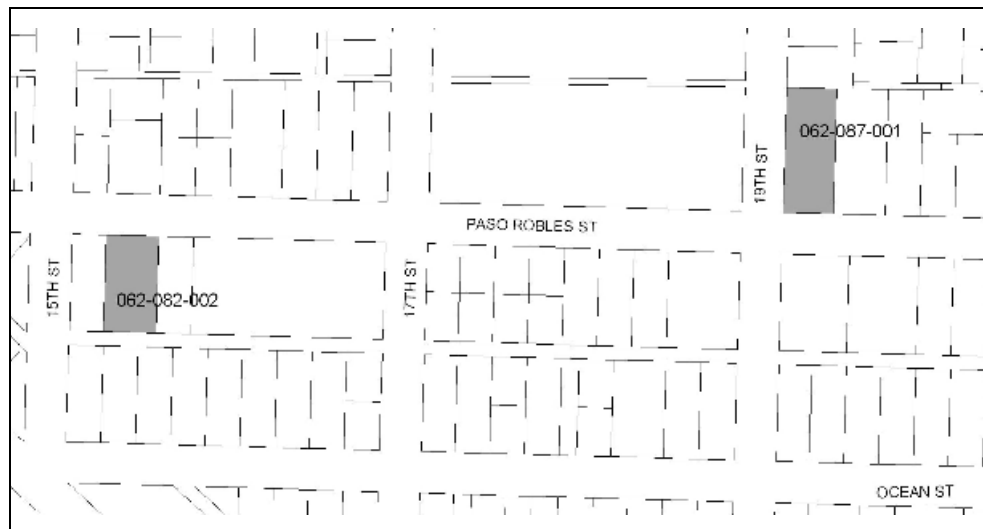


Figure 106-10 - RMF - 20 du/acre -Paso Robles Street - Oceano

3. 4 South of Highway 1. The following standards apply only to the Residential Multi-Family land use category located south of Highway 1.

SECTION 18: Section 22.106.070.H. of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, pursuant to the **COMMUNITY OF OCEANO**, is hereby by amended as follows:

H. Residential Single-Family (RSF). The following standards apply within the Residential Single-Family land use category.

1. Halcyon - Development standards. All proposed uses within the Halcyon area (see Figure 106-2) shall comply with the provisions of Ordinance 1913.

~~**2. Southeast Corner of 23rd Street and Wilmar Avenue - Land division standards.** Prior to any division of the property at the southeast corner of 23rd Street and Wilmar Avenue, a subdivision plan indicating ultimate lotting and street layout shall be approved by the Commission as required by Ordinance 1590. Subsequent land divisions shall be consistent with the approved plan.~~

SECTION 19: Section 22.112.080.H.1. and Figure 112-58 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, pursuant to the **COMMUNITY OF NIPOMO**, are hereby by amended as follows:

H. Residential Multi-Family (RMF). The following standards apply within the Residential Multi-Family land use category.

1. **Density limitations.** Multi-family development is allowable at a base density for areas as shown in Figure 112-57 using the medium density criteria in Chapter 22.22, except that the minimum open area shall include required setbacks and all areas of the site except buildings, parking aisles or driveways and parking spaces maximum lot coverage ratio shall include all residential structures and residential accessory structures (such as a garages and carports, but not swimming pools) and shall also include all parking spaces and parking aisles. The density limitations of this section do not apply to the parcels shown below in subsection 2 - Minimum Density.

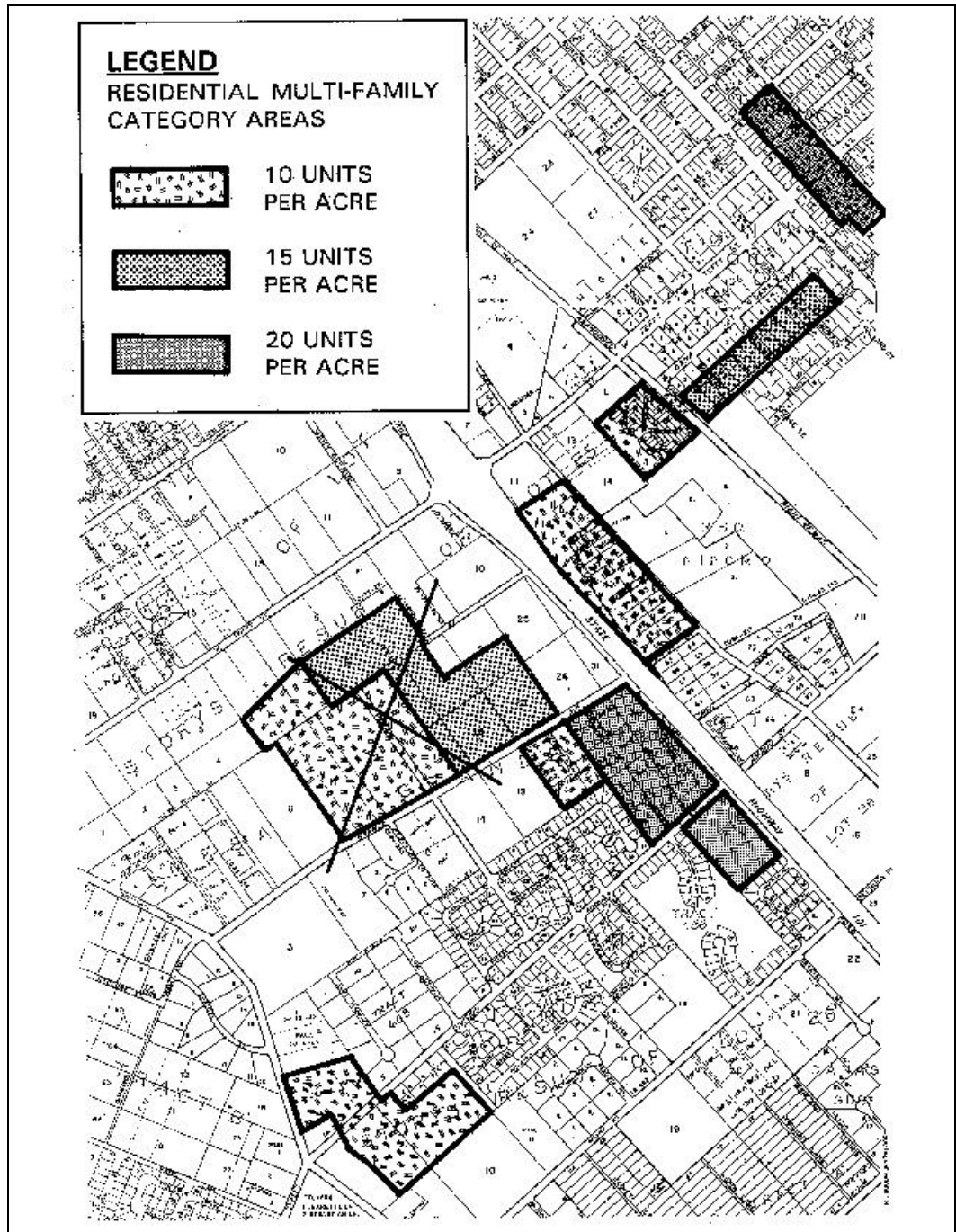
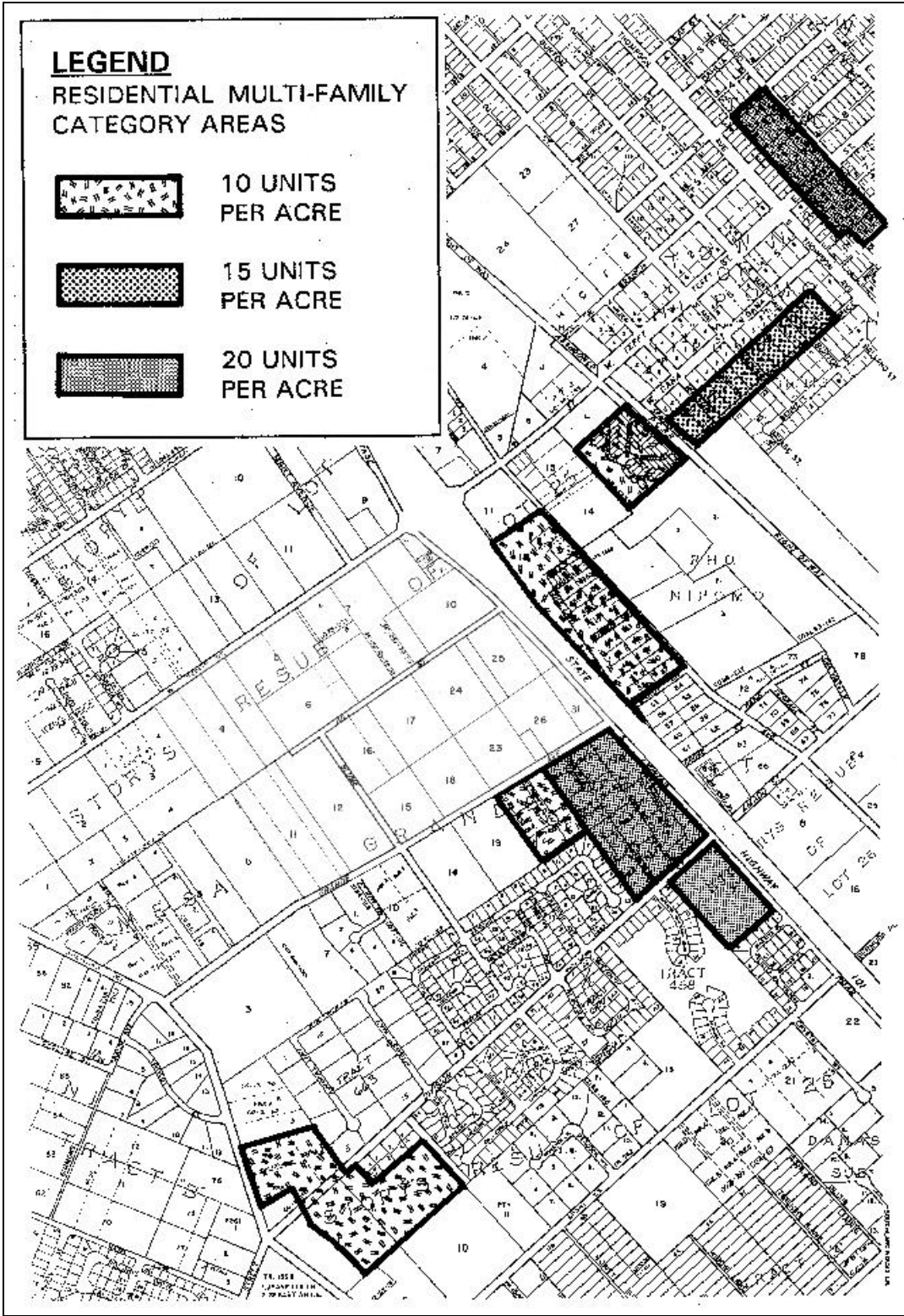


Figure 112-58 - RMF - Residential Multi-Family Areas in Nipomo



AMENDED - Figure 112-58 - RMF - Residential Multi-Family Areas in Nipomo - AMENDED

SECTION 20: Section 22.112.080.H of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, pursuant to the **COMMUNITY OF NIPOMO**, is hereby amended by adding new Subsection 2 and adding Figures 112-59, 112-60 and 112-61, and renumbering Subsections H.2 through 7 as H.3 through 8 and renumbering figures as necessary as follows:

2. Minimum Density Areas. The following standards apply only to the areas as shown on Figures 112-59, 112-60, and 112-61 within the Residential Multi-Family land use category.

a. Minimum Density - residential development. A minimum density of 20 units per acre of total usable site area is required. A higher density may be allowed if it can be designed in compliance with the design and density standards of this Title. The following area(s) shall be excluded when calculating the project's usable site area. These area(s) shall be incorporated into the project's designated open space area(s).

(1) Excluded Areas: Portions of the site determined by the County Review Authority to have unmitigable environmental resource constraints (i.e., endangered species, flood hazard) pursuant to the County's environmental data base or pursuant to an environmental analysis prepared by a qualified consultant and submitted by the applicant.

b. Lot coverage. The lot coverage ratio shall be calculated based on the total usable site area. A maximum lot coverage ratio of 45 percent is allowed for sites with low and medium intensity factors, and a maximum lot coverage ratio of 60 percent is allowed for sites with a high intensity factor consistent with Section 22.10.130.B - Multi-Family Dwellings.



Figure 112-59 - RMF - 20 du/acre - North of Grande Ave. - Nipomo

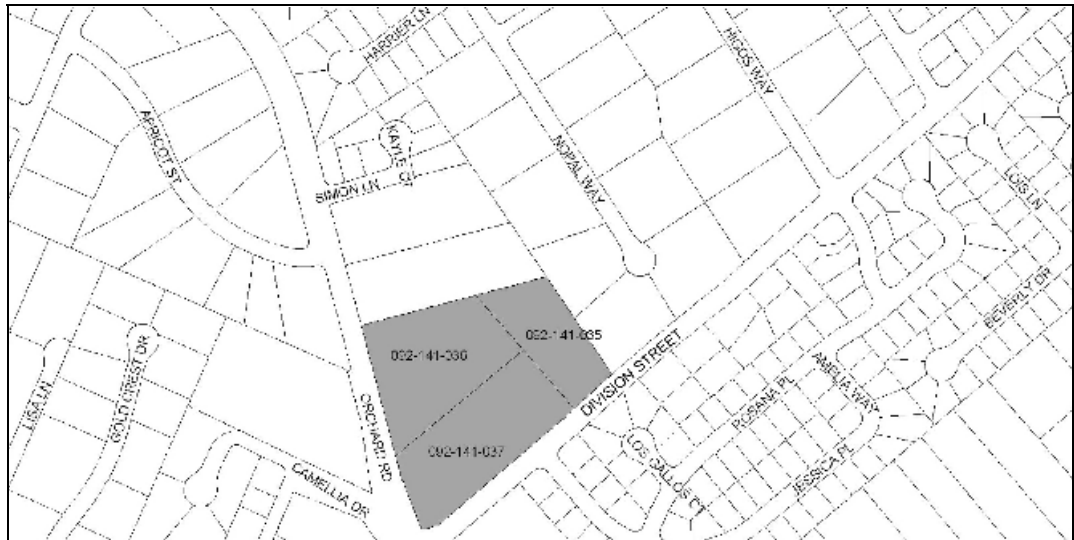


Figure 112-60 - RMF - 20 du/acre - Orchard Rd. - Nipomo



Figure 112-61 - RMF - 20 du/acre - Orchard Rd. - Nipomo

- ~~2- 3.~~ **Permit requirement.** Minor Use Permit approval is required before any subdivision, lot line adjustment or development of five or more multi-family units, unless a Conditional Use Permit is otherwise required by this Title. The approval shall ensure a lot pattern, including the possibility of clustering, to accommodate building sites that provide a varied distribution of buildings and articulated building layout with usable open space area and a gradation to adjacent neighborhoods and the freeway to maximize compatibility and mitigation of potential noise impacts. [Amended 1986, Ord. 2270]
- ~~3- 4.~~ **Site planning criteria.** Site design shall provide a varied distribution of buildings, separated by usable private and common open spaces and parking areas. Vary the edges of buildings to avoid creating long straight sides. Use common open spaces and parking areas as illustrated in Figure 112-58 to separate the units from adjacent properties in other land use categories.
- ~~4- 5.~~ **Subdivision requirements.** New subdivisions shall subdivide existing lots into blocks generally no longer than 1,300 feet perimeter and 400 feet in length. Alleys may be included if they are no more than 20 feet in width and are maintained by an owners association or other private entity. Where a specific condominium or planned unit development project is not proposed, a variety of lot sizes shall be proposed to accommodate smaller projects.
- ~~5- 6.~~ **Minimum setbacks - Properties with alleys.** The front setback on properties that have alleys located at the rear is 15 feet, if garages and driveways are located with access to the rear only.
- ~~6- 7.~~ **Road dedication requirement.** An offer of dedication shall be made for parcels adjacent to public streets at the time of subdivision or new development for an eight foot parkway between the curb and sidewalk. Landscaping improvements shall be provided for street trees, lawn or low-maintenance plants.
- ~~7- 8.~~ **Nipomo Creek properties.** New development on properties with frontage along Nipomo Creek shall provide a 40-foot building setback for open space uses and access to the creek.

SECTION 21: Section 22.112.080.I.1 and 2 and Figures 112-60 and 112-61 of the Land Use Ordinance Title 22 of the San Luis Obispo County Code, pursuant to the **Community of Nipomo**, are amended as follows:

I. Residential Single-Family (RSF). The following standards apply within the Residential Single-Family land use category.

1. General standards.

~~a. —~~ **Minimum density - New land divisions in low density areas.** The minimum density is as follows for low density areas within Nipomo shown in Figure 112-60:

- (1) Half-acre density areas.** The minimum parcel size is 20,000 square feet within the half-acre density areas shown in Figure 112-60, unless a larger size is otherwise required by Chapter 22.22.

~~(2) — **10,000 square foot density area.** The minimum parcel size within the 10,000 square foot density area shown in Figure 112-60 is one acre prior to the provision of a community sewer system, except that 20,000 square-foot parcels may be allowed if granted an exemption by the Regional Water Quality Control Board.~~

~~After the provision of a community sewer system, and the issuance of a will-serve letter to a proposed site by the applicable service provider, the minimum parcel size shall be 10,000 square feet unless a larger parcel size is otherwise required by Chapter 22.22. Affordable housing projects that qualify in compliance with that chapter may have smaller parcel sizes than this base density.~~

~~Applications for 20,000 square-foot and larger parcels shall provide a conceptual plan for the ultimate division of the property into 10,000 square-foot parcels to show future circulation and subdivision design.~~

- b a.** **Minimum building site - Southland Tract A.** The minimum building site area is one acre for the Southland Tract A, shown in Figure 112-60, until community sewage disposal is available.
- c b.** **Subdivision requirements.** New subdivisions shall subdivide existing lots into blocks generally no longer than 1,300 feet perimeter and 400 feet in length, with alleys, where proposed, no more than 20 feet in width which shall be maintained by an owners association or other private entity.
- d c.** **Minimum setbacks - Properties with alleys.** The front setback on properties that have alleys located at the rear is 15 feet, if garages and driveways are located with access to the rear only.
- e d.** **Permit requirement.** Land divisions that propose parcels of one acre or larger before division shall be authorized by Minor Use Permit approval prior to approval of a Tentative Map. The Minor Use Permit shall indicate ultimate division, setbacks, open space corridors, building sites, utility extensions and offers of dedication for the ultimate street pattern.
- f e.** **Secondary dwelling minimum site area.** The minimum site area for the purpose of allowing a secondary dwelling is 10,000 square feet.

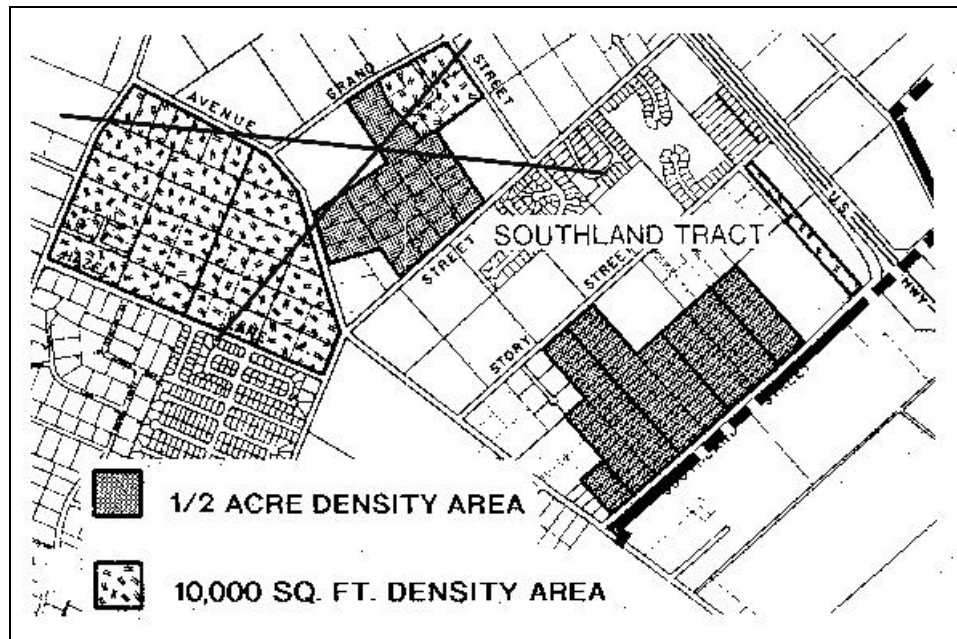


Figure 112-60 - RSF - Low Density Single Family Areas

2. **Knotts Street area.** The following standards apply only to the property southeast of Knotts Street, shown in Figure 112-61.

a. **Subdivision requirement.** New residential subdivisions or lot line adjustments of existing legal lots of record within area "A" shown in Figure 112-61 shall be limited to a total of 46 parcels when accompanied by provide the following:

- (1) ~~A re-subdivision of the parcels in area "B" to the minimum size for supporting productive commercial agriculture;~~
- (2) ~~Permanent agriculture/open space agreement(s) for area "B";~~
- (3) 1 Adequate agricultural buffers to be determined through project review;
- (4) 2 Dedication of approximately ~~10~~ 5 acres within area "A" for a community park located optimally to serve the existing and new neighborhoods;
- (5) 3 A lot pattern that locates smaller parcels near Knotts Street that are similar in size with the neighborhood, and larger parcels at the edge of the subdivision.
- (6) 4 A trail/linear park easement shall be dedicated between Knotts Street and Rancho Road along Thompson Road.
- (7) 5 A building setback of 100 feet from Thompson Road between Rancho Road and Knotts Street.
- (8) 6 Street access to Thompson Road shall be limited to one point in addition to Knotts Street.
- (9) ~~Reservation of sufficient, long-term water production capacity for both~~

areas A and B shown in Figure 112-61.

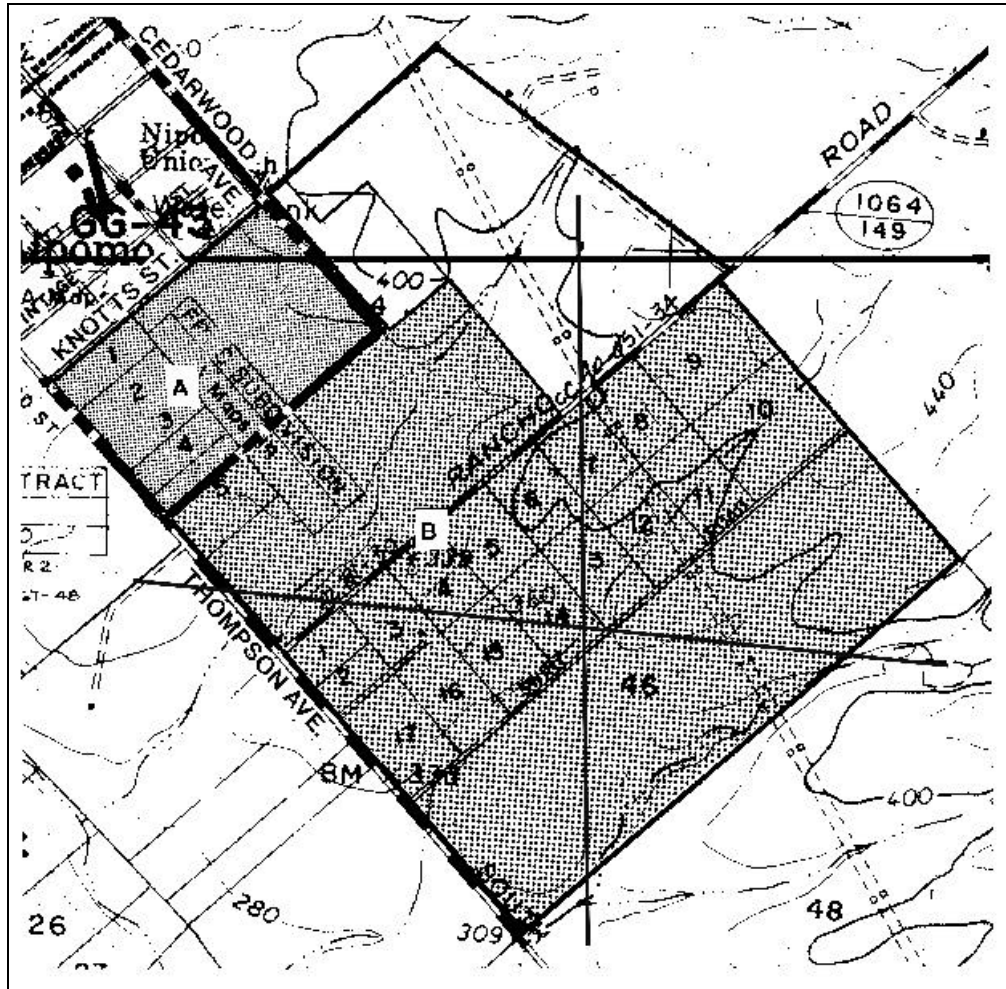


Figure 112-61 - RSF - Knotts Street Area

- b. — Water supply.** A detailed hydro-geologic analysis shall be completed at the time of Conditional Use Permit application for the residential subdivision. The analysis shall be prepared such that long-term water availability is determined to be adequate for the residential subdivision and the agricultural use of areas A and B shown in Figure 112-61. The data used in the analysis shall provide for conclusions with a high degree of certainty, and shall be based on 1) monitoring over a certain period (as recommended by the hydro-geologist), 2) recent, detailed existing information on water availability, or 3) a combination of these two.

SECTION 22. Regarding the Final Environmental Impact Report (FEIR) issued for amendments, the Board of Supervisors hereby certifies that the FEIR has been prepared and completed in compliance with the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. and the Board of Supervisors reviewed and considered the information contained in the FEIR prior to approving the amendments and that the FEIR reflects the lead agency's independent judgement and analysis. Further, the Board of Supervisors hereby adopts the recommended findings of the County Environmental Coordinator which are attached hereto and incorporated herein as though fully set forth.

SECTION 23. 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 24: 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.

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:

JAMES B. LINDHOLM, JR.
County Counsel

By: _____
Deputy County Counsel

Dated: _____