

ORDINANCE NO. **3529**

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE
The Board of Supervisors of the County of San Luis Obispo, State of California, does ordain
as follows:

SECTION I: The purpose and intent of this Ordinance is to amend two sections of Title 22 of the San Luis Obispo County Code to allow for school district housing at 2450 Pennington Creek Road (APN: 072-221-021). The requested amendments include: (1) adding a definition to Land Use Ordinance Article 8 (Definitions) for 'school district housing', (2) amending Table 2-2 (Allowable Land Uses and Permit Requirements) under Land Use Ordinance Section 22.04.030, and would allow residential use in Public Facilities (PF) land use category with approval of a Minor Use Permit (MUP) when owned by a local education agency. Any interpretation of this Ordinance shall be consistent with that purpose and intent.

SECTION II: That Article 8 (Definitions) and Section 22.04.030 and of Title 22 of the San Luis Obispo County Code be amended as follows:

Article 8 (Definitions)

Schools - Preschool to Secondary (land use). Pre-school, day-care centers, elementary and secondary schools serving grades 1 through 12, including denominational and sectarian. Kindergartens and military academies are also included. (SIC: Group 821)

School district housing- Residential development that meets the following affordability and occupancy criteria:

1. Affordable rental housing, as defined in the Teacher Housing Act of 2016, with a majority of its rents restricted to levels that are affordable to persons and families of low or moderate income.
2. First available to teacher, faculty, school district employee, or community college district employee, which include any person employed by:
 - a. a unified school district maintaining prekindergarten, transitional kindergarten, and grades one to twelve, inclusive;
 - b. an elementary school district maintaining prekindergarten, transitional kindergarten, and grades one to eight, inclusive;
 - c. a high school district maintaining grades nine to twelve, inclusive; or
 - d. a community college district, including, but not limited to, certificated and classified staff.
3. Secondarily, may be made available to local public employees, which include employees of a city, county, city and county, charter city, charter county, charter city and county, special district, or any combination thereof.

22.04.030 Table 2-2 Allowable Land Use and Permit Requirements

Land Use (1) (2)(10)	PERMIT REQUIREMENT BY L.U.C. (3)							Special Use Standards
	OP	CR	CS	IND	OS	REC	PF	
RESIDENTIAL USES								
Accessory Dwellings	P	P	-	-	-	P		<u>22.30.470</u>
Agricultural Worker Housing								<u>22.30.480</u>
Caretaker Quarters	P	P	P	P	SP(5)	P	P	22.30.030,430
Home Occupations	P	P	P	P		P	P	22.30.030,230
Mobile Home Parks						CUP(7)		<u>22.30.440</u>
Mobile Homes						P	P	<u>22.30.450</u>
Multi-Family Dwellings	A2	A2				A2		22.30.490,500
Nursing & Personal Care	A1	CUP					A1	<u>22.30.320</u>
Organizational Houses	CUP	CUP						<u>22.30.460</u>
Residential Accessory Uses	P(8)	P(8)	P(8)	P(8)	SP(5) (8)	P(8)	P(8)	22.30.030,410
Residential Care - 6 or fewer							P(6)	<u>22.30.420</u>

boarders								
Residential Care - 7 or more boarders	CUP						A1	<u>22.30.420</u>
Residential Vacation Rentals	A2	A2				A2		<u>22.30.510</u>
School District Housing							MUP (11)	22.10
Single Family Dwellings	A2	A2				A2		<u>22.30.480</u> — <u>22.30.500</u>
Small Lot Single Family								<u>22.30.475</u>
Supportive Housing								
Single-Family Dwellings	A2	A2				A2		<u>22.30.480</u> — <u>22.30.500</u>
Multi-Family Dwellings	A2	A2				A2		22.30.400,500
Temporary Construction Trailer Parks				CUP(7)				<u>22.30.590</u>
Temporary Dwellings	P	P	P	P		P	P	<u>22.30.600</u>
Transitional Housing							Ref	

Single-Family Dwellings	A2	A2				A2		22.30.490,500
Multi-Family Dwellings	A2	A2				A2		22.30.490,500
Workforce Housing Subdivisions	A2	A2						<u>22.30.477</u>

NOTES (The following notes apply only to these two facing pages)

- (1) See Article 8 for definitions of the listed land uses.
- (2) See Article 9 for any restrictions or special permit requirements for a listed use in a specific community or area.
- (3) L.U.C. means "land use category." See Section 22.04.020, Table 2-1, for a key to the land use category abbreviations.
- (4) Business License Clearance may also be required; see Section 22.62.020.
- (5) Use allowed on private land with Site Plan Review only when authorized by a recorded open space easement executed by the property owner and the County. Use allowed on public land subject to Conditional Use Permit approval.
- (6) No land use permit required for Residential Care facilities with 6 or fewer clients.
- (7) Use also requires authorization from the California Department of Housing and Community Development.
- (8) Residential antennas may have different permit requirements. See Section 22.30.410.
- (9) Land uses on property under Williamson Act Contracts must adhere to the County's Rules of Procedure to Implement The California Land Conservation Act of 1965 (Table 2), individual Contracts, the provisions of the Williamson Act itself and any changes that may be made to it.
- (10) Tree removal in an Oak Woodland may require a land use permit pursuant to Chapter 22.58.
- (11) School district housing is allowed in PF when owned by a local education agency as defined in California Government Code. Dwelling units shall comply with

development standards for residential use provided under Chapter 22.10, unless otherwise specified in Planning Area and Community Planning Standards.

SECTION III: 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 IV: 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, a summary shall be published once in a newspaper of general circulation 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 V: The Board of Supervisors hereby finds that the adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty that the adoption of the ordinance is not a project that may have a significant effect on the environment. The project qualifies for the General Rule Exemption because the project involves an Ordinance Amendment and future proposed projects would be subject to discretionary review under CEQA. The project will not result in a direct or reasonably foreseeable indirect physical change in the environment (CEQA Guidelines sec. 15060(c)(2). The project, and any future development in Public Facilities land use categories, will conform to the applicable General Plan and Area Plan standards, and no measures beyond those required by County Code are necessary to address the environmental impacts associated with the proposed project.

SECTION VI: In accordance with Government Code Section 25131, after reading the title of this 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 25th day of March 2025, by the following roll call vote, to wit:

AYES: Supervisors Bruce S. Gibson, Jimmy Paulding, Heather Moreno and
Chairperson Dawn Ortiz-Legg

NOES: None

ABSENT: Supervisor John Peschong

ABSTAINING: None

Dawn Ortiz-Legg

Dawn Ortiz-Legg
Chairperson of the Board of Supervisors
of the County of San Luis Obispo
State of California

ATTEST:

MATTHEW P. PONTES
Ex-Officio Clerk of the Board of Supervisors

By: Niki Martin
Deputy Clerk

[SEAL]

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

By: /s/ Benjamin Dore
Deputy County Counsel

Dated: March 17, 2025