



GROWTH MANAGEMENT ORDINANCE (GMO) AND THE LOS OSOS WAITLIST TO BUILD

What is the GMO?

The GMO, Title 26 of the County Code, was adopted in 1990 and requires the County Board of Supervisors to approve the unincorporated county's maximum annual growth rate for new dwelling units annually after consideration of the most recent resource reports to ensure new residential development is compatible with the availability of community resources.

How does the GMO effect Los Osos?

The GMO initially set a 0% growth rate for vacant parcels served by onsite septic systems in the Los Osos sewer service area (also known as Prohibition Zone) and resulted in a waitlist to build since 1990. The growth rate stayed at 0%, even after completion of the community sewer system, because vacant parcels were prohibited from connecting to the sewer until the EAP was amended to reflect updated buildout numbers in line with resource limitations and habitat impacts. Historically, properties outside of the Prohibition Zone have been subject to the 2.3% countywide growth rate.

The proposed GMO amendments reflect the CCC's suggested modifications and how the County would manage the allowed growth in Los Osos. *If the recommended amendments to the GMO are approved by the County Board of Supervisors on October 29, 2024, the following amendments will become effective:*

- Maximum residential growth rate may not exceed 1%.
- The annual growth rate will begin at 0.4% for Calendar Year 2025, 0.6% for Calendar Year 2026, and to 0.8% for Calendar Year 2027.
- Beginning in Calendar Year 2028, the annual growth rate must be dependent upon the best available groundwater basin data with a rolling 5-year average of the Basin Yield Metric.
- Before July 1 of every calendar year, the total number of new dwelling units allowed under the annual residential growth rate will be distributed as follows:
 - 75% of new units reserved for inside the Los Osos sewer service area;
 - 25% of new units reserved for outside the Los Osos sewer service area, deed-restricted affordable dwelling units, and accessory dwelling units.*
- After July 1 of every calendar year, the remaining amount of the total number of new dwelling units allowed under the residential growth rate will be distributed to the Los Osos sewer service area.
- For the entirety of the calendar year, the total number of new dwelling units allowed under the residential growth rate will be distributed as follows:
 - 65% of new units for Single-Family dwelling units
 - 35% of new units for Multi-Family dwelling units



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
LOS OSOS COMMUNITY DEVELOPMENT
FREQUENTLY ASKED QUESTIONS**

- A noticing structure and allocation procedure for Waitlist to Build property owners.
- Requirements for construction permit application.

*Accessory Dwelling Units are currently not allowable in Los Osos per the Title 23 Coastal Zone Land Use ordinance.

How will the 5-year rolling average of the Basin Yield Metric effect the Los Osos annual growth rate?

Per the recommended amendments to the County Growth Management Ordinance, the annual growth rate would be based on a 5-year rolling average of the Basin Yield Metric as follows:

5-Year Rolling Average of Annual Basin Yield Metric	Annual Growth Rate
≤80%	1.0%
>80% to 81%	0.8%
>81% to 82%	0.6%
>82% to 83%	0.4%
>83% to 84%	0.2%
>84%	0.0%

If the 5-year rolling average of the Basin Yield Metric is to exceed 84%, then the Board of Supervisors must adopt a 0.0% growth rate for the upcoming calendar year. A Basin Yield Metric of 80% aligns with the management objective of the Los Osos Basin Management Committee’s Los Osos Basin Plan, and means that estimated groundwater pumping is not exceeding 80% of the sustainable yield of the Los Osos groundwater basin.

What is the Los Osos Waitlist to Build?

Since vacant parcels in the [community sewer service area](#) have been unable to be developed due to the current 0% growth rate and Coastal Commissions’ permit limitations for the Los Osos Wastewater project, the County maintains a waitlist for development of these parcels ("Waitlist") until they are able to apply for construction permits.

The Waitlist was established in 1990. To be added to the Waitlist, property owners pay an administrative fee of \$32 per property and \$500 deposit per dwelling unit.

Positions on the Waitlist are tied to the property and remain effective when properties are conveyed but may not be transferred between properties.



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LOS OSOS GROUNDWATER BASIN (LOGWB)

What is the LOGWB?

The LOGWB is made up of several aquifer layers, underlying the Los Osos community and surrounding areas. The Upper and Lower aquifers are the main sources of municipal and domestic water supplies. LOGWB is currently the only source of drinking water for Los Osos.

Who manages the LOGWB?

LOGWB is managed by the [Los Osos Basin Management Committee \(BMC\)](#), consisting of representatives from community service providers and the County. The Los Osos Basin Plan (Basin Plan) contains comprehensive groundwater management strategies to address seawater intrusion and elevated nitrate concentrations from historic septic system contamination, and for restoration of basin water resources, while respecting existing water rights. The BMC annually reports on monitoring data, typically publishing Annual Reports in the Spring.

All BMC Annual Reports can be found here: [Annual Reports - Los Osos Basin Management Committee \(losososbmc.org\)](#)

What is the current status of the LOGWB?

The current sustainable yield estimate for the Basin is 2,380 acre-feet per year (AFY) ([BMC Annual Report, 2023](#)). This sustainable yield estimate was updated by the BMC in 2022 to use more conservative groundwater modeling assumptions and is an estimate of the amount that can be withdrawn from the basin by existing infrastructure without causing an increase in seawater intrusion. The most recent (2023) groundwater production estimate (1,650 AFY) is 69 percent of the current sustainable yield estimate (2,380 AFY) and, as such, estimated groundwater production does not exceed the sustainable yield estimate, is expected to cause a retreat in the seawater intrusion front, and achieves the Basin Plan management objective. The 2023 Water Level Metric shows further significant improvement and a recovery in groundwater elevation to levels last seen in the 1970's. Fluctuations in the Water Level, Nitrate, and Chloride metrics are expected, as the Basin continues to recover from historic seawater intrusion and nitrate contamination at a pace consistent with the Basin model projections.

October 27, 2021 BMC Discussion about the updated sustainable yield methodology: [Board Meeting - Los Osos Basin Management Committee \(losososbmc.org\)](#)

What is the basin yield metric (BYM)?

The Basin Yield Metric compares annual groundwater production with the sustainable yield estimate in a given year and is the primary indicator of sustainable pumping volume. The Basin Plan established a sustainable yield estimate for the Basin and aims to maintain groundwater production at 80% or less of the sustainable yield estimate to provide a conservative buffer to account for



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uncertainty in the groundwater modeling assumptions.

What is sustainable yield?

The Basin Plan created a process to establish the sustainable yield estimate for the Basin based on infrastructure and pumping distribution combinations and aims to maintain groundwater production at 80 percent or less of the sustainable yield estimate to provide a conservative buffer to account for uncertainty in the groundwater modeling assumptions. The sustainable yield estimate is the maximum amount of water that may be extracted from the Basin in a given year (a) using available infrastructure, (b) without causing seawater to intrude further than the current extent, and (c) without active wells producing water with a chloride concentration exceeding 250 mg/L (BMC Annual Report, 2022). The federal secondary drinking water standard for chloride concentration is 250 mg/L.