

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

_____ day _____, 2016

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION APPROVING THE REQUEST BY DANA ADOBE NIPOMO AMIGOS FOR A WAIVER OF PERMIT PROCESSING FEES FOR VARIOUS CONSTRUCTION PERMITS ASSOCIATED WITH A NEW VISITOR'S CENTER AND MUSEUM PROPOSED FOR THE PROPERTY ON THE EAST SIDE OF SOUTH OAKGLEN AT THE HISTORIC DANA ADOBE IN NIPOMO.

The following resolution is now offered and read:

WHEREAS, Dana Adobe Nipomo Amigos, a 501(c)3 California non-profit corporation, has requested a waiver of the permit processing fees for various construction permits associated with a new visitor's center and museum with associated support features; and

WHEREAS, the Department of Planning and Building informed Dana Adobe Nipomo Amigos that their request for waiver of permit processing fees for various construction permits associated with a new visitor's center and museum with associated support features must go before the Board of Supervisors of the County of San Luis Obispo (hereinafter referred to as the Board of Supervisors) as set forth in Footnote 4.e of the Department of Planning and Building Fee Schedule; and

WHEREAS, a public hearing was duly noticed and conducted by the Board of Supervisors on February 9, 2016, and a determination and decision was made on February 9, 2016; 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 said appeal; and

WHEREAS, the Board of Supervisors has duly considered the request and finds that the request for waiver of permit fees should be granted subject to the findings set forth below.

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. That the Board of Supervisors makes all of the findings of fact and determinations set forth in Exhibit A attached hereto and incorporated by reference herein as though set forth in full.
3. That the request by Dana Adobe Nipomo Amigos is hereby approved for a waiver of up to a total of \$35,000.00 in permit processing fees for various construction permits associated with a new visitor's center and museum with associated support features.

Findings

1. The project meets a need previously identified or recognized by the Board of Supervisors because it helps implement the Master Plan for the Dana Adobe historic site with a visitor's center and museum that has been recognized by the County through the South County (Inland) Area Plan.
2. The project provides a facility not presently available in the community because it will serve individuals who are not adequately served in the county at this time.
3. The project has generated substantial, obvious, community support.
4. The project would reduce other County costs because it is not funded directly by the County and it will serve individuals that live in the community. In addition, it will attract tourists from outside the County who will spend money at the Dana Adobe and within San Luis Obispo County.
5. Waiver of the fees is equitable and in the public interest per Footnote 4.e of the San Luis Obispo County Department of Planning and Building Fee Schedule because the visitor's center and museum is being developed and maintained at no expense to the County, will be available to the public at large with no access fee, and will create educational opportunities for the community.

Footnote 4

San Luis Obispo County Department of Planning and Building Fee Schedule

The Planning Director is delegated the authority to grant fee waiver request for land use and construction permits on development projects that are proposed by volunteer, community, or nonprofit organizations for the benefit of an entire community when the project satisfies the following criteria. The policy does not apply to requests for general plan amendments.

- a. The proposed project will be available for use by the public at-large and it is likely that the project will be used or will benefit more than the residents of the immediate vicinity: and
- b. The project will be of obvious public benefit. Evidence of public benefit may include but is not limited to:
 1. The project meets a need previously identified or recognized by the Board of Supervisors
 2. The project replaces another facility that previously provided public benefit.
 3. The project provides a facility not presently available in the community.
 4. The project has generated substantial, obvious community support.
 5. The project would reduce other County costs or increase other County revenues.
- c. The fee(s) to be waived will not exceed a total of \$ 5,000.
- d. The Planning Director decisions may be appealed in writing within ten days to the Board of Supervisors, whose decisions will be final.
- e. Notwithstanding any other provision of this fee schedule, the Board of Supervisors retains the authority to consider other fee waiver requests when it considers such waivers to be equitable and in the public interest.