

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 4/5/2016	(3) CONTACT/PHONE Stephanie Fuhs, Planner III/(805) 781-5721	
(4) SUBJECT Hearing to consider a resolution waiving permit processing fees for the Land Conservancy of San Luis Obispo County associated with the construction of two parking areas, restroom and picnic facilities, an ADA accessible trail and multi-use trails to accommodate visitors to the 880 acre Pismo Preserve conservation area located on the east side of Mattie Road, adjacent to the City of Pismo Beach. District 3.			
(5) RECOMMENDED ACTION It is recommended that the Board consider the request by the Land Conservancy of San Luis Obispo County (LCSLO) to waive permit processing fees for various construction permits associated with the construction of two parking areas, restroom and picnic facilities, an ADA accessible trail and multi-use trails to accommodate visitors to the 880 acre Pismo Preserve conservation area, and adopt the resolution approving these requests based upon the findings in Attachment 1-Exhibit A.			
(6) FUNDING SOURCE(S) Planning Department Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$20,000.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT { } Consent { } Presentation {x} Hearing (Time Est. <u>20 minutes</u>) { } Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS {x} Resolutions { } Contracts { } Ordinances { } N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: { } 4/5 Vote Required {x} N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY { } N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 3			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Stephanie Fuhs, Planner III

VIA: Ellen Carroll, Environmental Coordinator/Planning Manager

DATE: 4/5/2016

SUBJECT: Hearing to consider a resolution waiving permit processing fees for the Land Conservancy of San Luis Obispo County associated with the construction of two parking areas, restroom and picnic facilities, an ADA accessible trail and multi-use trails to accommodate visitors to the 880 acre Pismo Preserve conservation area located on the east side of Mattie Road, adjacent to the City of Pismo Beach. District 3.

RECOMMENDATION

It is recommended that the Board consider the request by the Land Conservancy of San Luis Obispo County (LCSLO) to waive permit processing fees for various construction permits associated with the construction of two parking areas, restroom and picnic facilities, an ADA accessible trail and multi-use trails to accommodate visitors to the 880 acre Pismo Preserve conservation area, and adopt the resolution approving these requests based upon the findings in Attachment 1- Exhibit A.

DISCUSSION

Request

The Land Conservancy of San Luis Obispo County (LCSLO), a California Non-Profit Corporation, is applying for a waiver of permit processing fees for various construction permits associated with the construction of two parking areas, restroom and picnic facilities, an ADA accessible trail and multi-use trails to accommodate visitors to the 880 acre Pismo Preserve conservation area. The project site is bordered by Mattie Road and Highway 101 to the west, Thousand Hills Road to the east, the Pismo Beach city limits (Pismo Heights neighborhood) to the south, and the Pismo Beach city limits and developed rural lands to the north. The site is in the San Luis Bay (Coastal) planning area, and San Luis Bay (Inland) sub-area of the South County planning area (See Attachment 2 – graphics).

The construction permit fees associated with these permits cover staff time for the review of grading permits, structural permits and bridge permit, reviews of local ordinances and California Building Codes, and building inspections at milestones of development. The anticipated construction permit fees total approximately \$20,000. This includes estimated fees for three or four construction permits as follows:

- Major grading permit for the parking areas, ADA trail, utilities and other infrastructure;
- Construction permits for the restroom buildings (1-2 permits); and
- Construction permit for the bridge for the ADA trail.

Non-Profit Organization

The Land Conservancy of San Luis Obispo County is a California non-profit organization that focuses on protecting and preserving open spaces within San Luis Obispo County. LCSLO's activities include acquiring property to be retained as open space, restoration of historic structures like the Octagon Barn, and providing outreach to the community about the importance of retaining areas in open space for habitat preservation and recreation. The Pismo Preserve property was purchased by the LCSLO in 2014 in order to provide trails for hiking, biking and equestrian uses and preserve a majority of the site in open space.

Justification and History

The property for the Pismo Preserve was acquired with the intent of providing recreational opportunities for the public as well as habitat protection. Several jurisdictions, including the County, provided funding for the purchase of the property understanding the scenic, economic, and recreational benefit for both residents and visitors to the area.

Permits have already been initiated to develop the project. A Minor Use Permit/Coastal Development Permit was approved at a Planning Department Hearing on November 13, 2015 for the construction of two parking areas, restroom and picnic facilities, an ADA accessible trail and multi-use trails to accommodate visitors to the 880 acre Pismo Preserve conservation area. The applicant has applied for a major grading permit for the parking areas, ADA trail and related infrastructure. Other permits will include the two restroom buildings which can be applied for together or separately, and a bridge for the ADA trail.

LCSLO is asking for the fee waivers based upon providing a public benefit to the County. They state that the proposed project would protect scenic and natural resources, provide education about local resources and indigenous people in the form of exhibits and interpretive displays and furnish trails open to the general public on a daily basis. LCSLO states that the public benefit associated with the project extend to the City of Pismo Beach, San Luis Obispo County, and the County's tourist population.

Staff acknowledges the proposed use has a public benefit. The proposed parking area and trail system are intended to be open to the general public for recreational uses. This will be an opportunity to provide eleven miles of trails accessible to hikers, runners, bikers and equestrians with one of a kind ocean views and areas of grassland and oak woodland as well.

The Director of Planning and Building can waive fees up to \$5,000 pursuant to footnote 4 of the Planning and Building Department fee schedule (See Attachment 1, Exhibit B). In cases like this one, where the requested fee waiver amount exceeds \$5,000, the Department brings the entire amount to the Board for consideration.

OTHER AGENCY INVOLVEMENT/IMPACT

Public Works involvement with County public roadways; County Sheriff involvement/impact for public safety and coordination with the City of Pismo Beach for emergency response; Cal Fire involvement for fire and emergency response; and the City of Pismo Beach involvement for provision of water, road access, and coordination for public safety and emergency response. County Counsel reviewed the resolution as to form and legal effect.

FINANCIAL CONSIDERATIONS

The estimated permit processing fees, including all anticipated construction permits, total \$20,000. If the fee is waived, funding for processing these permits will be covered by the Planning and Building Department budget.

RESULTS

Approving the waiver of permit processing fees would result in processing of various construction permits associated with construction of parking areas and a trail system over an 880 acre site that would have a public benefit. Denying the waiver of permit processing fees would result in the applicant having to provide the necessary funds to process these permits. This hearing is consistent with the countywide goals of encouraging healthy, livable, well-governed communities.

ATTACHMENTS

Attachment 1 – Board Resolution with Findings
Attachment 2 - Graphics