



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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 11/5/2019	(3) CONTACT/PHONE Stephanie Fuhs, Planner/(805)781-5721 Chris Macek, Secretary/(805) 781-5708	
(4) SUBJECT Request to approve a Notice of Cancellation of Covenant and Agreement Restricting Use of Property by and between Ray A. Bognuda and Lisa Souza Bognuda and the County of San Luis Obispo; exempt from CEQA. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1) Approve the Notice of Cancellation of Covenant and Agreement Restricting Use of Property by and between Ray A. Bognuda and Lisa Souza Bognuda and the County of San Luis Obispo; and 2) Authorize and instruct the Clerk of the Board to record said agreement recorded in the Clerk Recorder's office.			
(6) FUNDING SOURCE(S) Department of Planning and Building Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW Zachary A. Lute			
(18) SUPERVISOR DISTRICT(S) District 4			



COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Planning and Building / Stephanie Fuhs, Planner

VIA: Trevor Keith, Director

DATE: 11/5/2019

SUBJECT: Request to approve a Notice of Cancellation of Covenant and Agreement Restricting Use of Property by and between Ray A. Bognuda and Lisa Souza Bognuda and the County of San Luis Obispo; exempt from CEQA. District 4.

RECOMMENDATION

It is recommended that the Board:

- 1) Approve the Notice of Cancellation of Covenant and Agreement Restricting Use of Property by and between Ray A. Bognuda and Lisa Souza Bognuda and the County of San Luis Obispo; and
- 2) Authorize and instruct the Clerk of the Board to record said agreement recorded in the Clerk Recorder's office.

DISCUSSION

Attached is a Notice of Cancellation of Covenant and Agreement Restricting Use of Property (Notice). The Notice is being processed in order to allow the owner to cancel the covenant and agreement recorded against their property. The covenant and agreement requires that when a primary and secondary dwelling are located on a parcel, one of the units must be occupied by the owner of the property, per County Land Use Ordinance standards (Section 22.30.470).

The property is located at 640 Camino Caballo, within the community of Nipomo. The owner recently purchased the property and would like to clear title on the land from any unnecessary/inapplicable restrictions since the County Land Use Ordinance standards regarding owner/occupancy are no longer in effect.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel prepared the Notice and approved the document as to form and legal effect.

FINANCIAL CONSIDERATIONS

There are no significant anticipated financial impacts to the County budget that will result from the recommended action. Any future financial impacts associated with the recommended action will be considered as they arise.

RESULTS

Approving and accepting the Notice will allow the owner to remove County regulations that are no longer applicable from their title. This action is consistent with the County's goals to promote a livable, well-governed community.

ATTACHMENTS

Attachment 1 - Covenant and Agreement Cancellation