

# IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

\_\_\_\_\_ day \_\_\_\_\_, 20\_\_

PRESENT: Supervisors

ABSENT:

**RESOLUTION NO.**\_\_\_\_\_

## **RESOLUTION FOR WAIVING THE SOUTH COUNTY ROAD IMPROVEMENT FEE FOR PERMIT PMTC2019-00290**

The following resolution is hereby offered and read:

**WHEREAS**, Cal Poly San Luis Obispo/Bartleson Family Trust is the property owner of 2080 Los Berros Road, Nipomo (APN 075-102-004); and

**WHEREAS**, Jim Marderosian has applied for a building permit (PMTTC2019-00290) to construct a wash line facility on said property; and

**WHEREAS**, on May 7, 2019, the Board of Supervisors made findings recognizing the public benefit of the facility and approving the waiver of \$55,000 in land use and construction permit processing fees; and

**WHEREAS**, the Road Improvement Fee is not considered a land use and construction permit fee and has appeal process requirements that were not met in that action; and

**WHEREAS**, Jim Marderosian is required to pay \$11,172 in South County Road Improvement Fees in order to satisfy conditions of said building permit; and

**WHEREAS**, Jim Marderosian has filed an appeal with the Clerk of the Board on November 12, 2019 to waive or adjust said Road Improvement Fee; and

**WHEREAS**, Section 13.01.050 of the County Code allows the Board of Supervisors to waive the fee if there is no reasonable relationship between the traffic impacts of the project and either the amount of the fee imposed or the type of road facilities or improvement to be financed by the fee; and

**WHEREAS**, a significant portion of truck trips to the facility will remain inside the property where the wash facility is located, and off-site trips will be scheduled outside peak traffic hours; and

**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. The project's traffic impacts do not have a reasonable relationship to the type of road improvements financed by the South County Road Improvement Fee.
2. The South County Road Improvement Fee required for building permit PMTC2019-00290 shall be waived.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_,  
and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Chairperson of the Board of Supervisors

ATTEST:

WADE HORTON  
Ex-Officio Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy Clerk

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL  
County Counsel

By:  \_\_\_\_\_  
Deputy County Counsel

Dated: \_\_\_\_\_ December 19, 2019