

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

(1) DEPARTMENT Public Works		(2) MEETING DATE August 15, 2006		(3) CONTACT/PHONE Richard Marshall, Development Services Engineer (805) 781-5280	
(4) SUBJECT Hearing to Consider an Appeal of the Los Osos Road Improvement Fee by J. Benson					
(5) SUMMARY OF REQUEST John A. Benson has applied for a building permit (PMT 2005-02900) to construct an eight room Bid and Breakfast on 2 <sup>nd</sup> Street in Los Osos Road Fee area. Mr. Benson filed an appeal of the fee. Additional information was received and Public Works has determined that road improvement fees are not required for this permit.					
(6) RECOMMENDED ACTION It is our recommendation that you Honorable Board accept a request for the appeal to be withdrawn.					
(7) FUNDING SOURCE(S) N/A		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Planning & Building, County Counsel					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) <input type="checkbox"/> 1st, <input checked="" type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input type="checkbox"/> All			(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		(15) Maddy Act Appointments Signed-off by Clerk of the Board <input type="checkbox"/>
(16) AGENDA PLACEMENT <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Hearing (Time Est. 20 minutes) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(17) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input checked="" type="checkbox"/> N/A		
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(19) BUDGET ADJUSTMENT REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)  N/A			(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		(22) Agenda Item History <input type="checkbox"/>
(23) ADMINISTRATIVE OFFICE REVIEW					

Reference: 06AUG15-H-3

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8-15-06  
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# SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Noel King, Director

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County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252

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Fax (805) 781-1229

email address: [pwd@co.slo.ca.us](mailto:pwd@co.slo.ca.us)

**TO:** Board of Supervisors

**FROM:** Richard Marshall, Development Services Engineer *RJM*

**VIA:** Glen L. Priddy, Deputy Director of Public Works - Engineering Services *GLP*

**DATE:** August 15, 2006

**SUBJECT:** Hearing to Consider an Appeal of the Los Osos Road Improvement Fee by J. Benson

## Recommendation

It is our recommendation that your Honorable Board accept a request for the appeal to be withdrawn.

## Discussion

John A. Benson has applied for a building permit (PMT 2005-02900) to construct an eight room Bed and Breakfast on 2<sup>nd</sup> street in the Los Osos Road Fee area. Mr. Benson filed an appeal of the fee. Additional information was received and Public Works has determined that road improvement fees are not required for this permit.

## Other Agency Involvement/Impact

The building permit was processed by the Department of Planning and Building. We have reviewed this item with the office of County Counsel, who concurs with our recommendation.

## Financial Considerations

As stated above, road improvement fees are not required for this permit.

## Results

The result of the recommended action before your Board today will be a determination that the request for withdrawal of the appeal was appropriate, and consistent with applicable legal requirements and Board Policy.

c: Mr. Benson, 1130 Garden St., Suite C, San Luis Obispo, CA 93401-3575

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*2*

8/15/2006  
9am



Office: 1130 Garden St., Suite C, San Luis Obispo, CA 93401-3575 (805) 786-4444  
www.baywoodinn.com E-mail: alex.benson@baywoodinn.com

**FILED**

**JUL 12 2006**

**JULIE L. RODEWALD COUNTY CLERK**  
*Christensen*  
**DEPUTY CLERK**

July 5, 2006

Clerk of the Board of Supervisors  
San Luis Obispo County  
County Government Center  
San Luis Obispo, CA 93408

RE: Building Permit Application (PMT2005-02900) Benson

Dear County Clerk:

This letter is in response to Mr. Scott Duffield's Road Improvement Fee letter of April 10, 2006. We hereby request that the Road Improvement Fee of \$11,438.00 for Phase I of this project be waived or reduced, as this project required the removal of an existing restaurant business.

This project includes of removal of an existing 1200 s. f. restaurant, known as the Waterside Café, in the Baywood Inn building. The restaurant will be replaced with up to 19 additional motel units. The attached letter from the Regional Water Quality Control Board authorizes this replacement.

Because of its many patrons, the RWQCB agrees that the water and septic usage of the existing 1200 s. f. restaurant is equivalent to 19 motel units. A restaurant typically generates many "trips per day" as there are many patrons, while a motel room generates just one trip a day at 100% occupancy. We submit that the 19 replacement motel units will generate less "trips per day", and have less county road impact than the original restaurant.

We request that the Road Improvement Fee be waived or substantially reduced. If you have any questions, please do not hesitate to call.

Sincerely,

J. Alex Benson, Applicant  
Owner, Baywood Inn B&B 805-704-3333

Cc: Mr. Scott Duffield, SLO County Public Works

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# California Regional Water Quality Control Board

## Central Coast Region



Inston H. Hickox  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.rwqcb.ca.gov/~rwqcb3>  
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5427  
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis  
Governor

July 11, 2001

Alex Benson, Owner  
Baywood Inn  
1370 2<sup>nd</sup> Street  
Los Osos, CA 93402

Dear Mr. Benson:

### BAYWOOD INN REMODEL AND EXPANSION, LOS OSOS, SAN LUIS OBISPO COUNTY

We have reviewed your October 20, December 6, 2000, March 9, and May 5, 2001, submittals regarding a proposal to redevelop the Baywood Inn. Based on the information you provided, we understand the proposed project includes removal of the existing restaurant at the Baywood Inn and replace it with 19 additional motel units. The proposal is phase one of a redevelopment plan for the Baywood Inn, and will be served by on-site wastewater system (septic system). Phase two would not be developed until such time as connection to a community sewer system is available.

Your proposal indicates that wastewater discharge from the proposed 19 additional motel units (estimated at 1140 gallons per day) is of comparable quantity and pollutant concentration to that historically discharged by the restaurant. We have no objection to the redevelopment project provided wastewater discharges do not exceed (in quantity or constituent concentration) historical discharges from the restaurant.

In summary, we do not object to replacement of the restaurant with 19 additional motel units and regulation of such a project is delegated to San Luis Obispo County. However you must be prepared to connect to the community sewer system as soon as it is available. Also, any on-site wastewater system installed to serve the new units must meet the Basin Plan criteria for siting and design of such systems.

This letter supercedes our January 8, 1997 and January 23, 2001 letters responding to earlier submittals. If you have questions, please call Sorrel Marks at 549-3695 or Gerhard Hubner at 542-4647.

Sincerely,

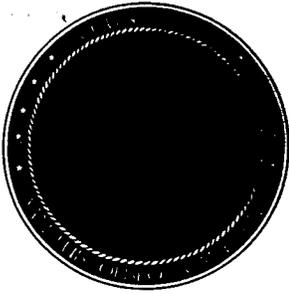
  
Roger W. Briggs  
Executive Officer

S:\wb\coastal\staff\sorrel\lososos-exemptions&waivers\baywood inn.wav  
File: Los Osos Exemptions Task: 436-12

C: Bruce Buel, Los Osos CSD, P. O. Box 6064, Los Osos, CA 93412  
Bob Morenza, Planning & Building, Co. Govt. Center, San Luis Obispo, CA 93408

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California Environmental Protection Agency



# SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Noel King, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: [pwd@co.slo.ca.us](mailto:pwd@co.slo.ca.us)

Benson John A  
1130 Garden St  
SLO CA 93401-3573

## CERTIFIED MAIL RETURN RECEIPT REQUESTED

### Building Permit Applicant:

We are writing to notify you that your building permit application (PMT2005-02900) is subject to the County's Road Improvement Fee for the Los Osos area. These fees are to be collected from all new development in your community to help fund improvements to the major streets and intersections. You will be required to pay the fee prior to issuance of your building permit.

Road Fee Improvement Area: Los Osos  
Current Fee Amount \*: \$11,438

*Richard  
Marsden*

\* The fees are required by State law to be reviewed and updated annually. During these updates, they most commonly increase, to reflect the rising cost of roadway construction. Although the fee is not due any sooner than you seek to pick up your permit, you may wish to consider paying the fee earlier, to avoid a possible increase from the amount shown above. The fee only needs to be paid one time, and if it is increased after that, you will not be affected.

The ordinance provides a mechanism for appealing the Road Improvement Fee, to request that the fee either be modified or waived. If you wish to protest the fee or seek to have it waived or modified, you must submit a written request to the Clerk of the Board of Supervisors. That request must be received within 90 days of the date of this letter.

If you have any questions about the Road Improvement Fees, please contact the Development Services Division of the Department of Public Works, by email at [info@slocountydevserv.org](mailto:info@slocountydevserv.org) or by phone at (805) 781-5252, or toll-free (800) 834-4561.

Sincerely,  
*Scott Duffield*  
Scott Duffield  
Development Services  
File: Road Fee Letters (SD)

*788-2316*

April 10, 2006

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5*

*4/10  
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6/10  
7/10*

# Office of the County Clerk-Recorder

COUNTY OF SAN LUIS OBISPO ♦ 1055 MONTEREY ST. Rm D120 ♦ SAN LUIS OBISPO, CA 93408 ♦ (805) 781-5080/5088



JULIE L. RODEWALD  
COUNTY CLERK RECORDER

VICKI SHELBY – Chief Deputy  
DIANE GRATON – Chief Deputy

TOMMY GONG  
ASSISTANT COUNTY CLERK RECORDER

July 12, 2006

J. Alex Benson, Owner  
Baywood Inn Bed & Breakfast  
1130 Garden St., Suite C  
San Luis Obispo CA 93401-3575

RE: Appeal of Road Improvement Fee for Los Osos, District 2

Dear Mr. Benson:

We are in receipt of your appeal for fee adjustment for road improvement fees, which was filed in our office on July 12, 2006.

Pursuant to San Luis Obispo County Code Section 13.01.050 (copy enclosed), the Clerk of the Board of Supervisors is directed to set your matter for a public hearing before the County Board of Supervisors and to have it scheduled no later than sixty days after the filing of the appeal.

This letter is to formally notify you that your hearing is scheduled for Tuesday, August 15, 2006 at 9:00 o'clock a.m.. The hearing will be in the New Board of Supervisors Chambers, County Government Center, 1055 Monterey St., San Luis Obispo, California.

Sincerely,

C.M. Christensen,  
Deputy Clerk of the Board

Enclosures

cc: Public Works - R. Marshall  
Planning

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