

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA APPROVING THE WAIVER OF  
UNCOLLECTED CONDITIONAL USE PERMIT APPEAL  
PROCESSING FEES FOR THE RANCHO VISTA COVENANT  
CHURCH PROJECT AT 2088 OTAY LAKES ROAD, SUITES  
101 AND 201 (PCC-015-014) AND MAKING THE REQUIRED  
FINDINGS THEREFOR

WHEREAS, at the September 13, 2016 meeting of the Chula Vista City Council, Debra Farrar requested a fee waiver on behalf of Rancho Vista Covenant Church during Public Comments; and

WHEREAS, Council directed staff to return with an item to consider such a waiver; and

WHEREAS, Rancho Vista Covenant Church applied for and received a Conditional Use Permit (CUP) to establish a church at 2088 Otay Lakes Road, Suites 101 and 201; and

WHEREAS, the Zoning Administrator's issuance of the subject CUP was appealed by Carillo Commercial Properties; and

WHEREAS, per the City's Master Fee Schedule, the original permit applicant is responsible for all staff costs incurred processing an appeal; and

WHEREAS, Rancho Vista Covenant Church deposited a total of \$5,000 to offset staff time charges associated with processing the appeal of their CUP; and

WHEREAS, City staff costs incurred totaled \$8,954, of which \$2,500 was waived by the City Manager under his authority pursuant to Chula Vista Municipal Code (CVMC) Chapter 3.45 following receipt of a written request for waiver of said fees, leaving an outstanding amount due of \$1,454; and

WHEREAS, Rancho Vista Covenant Church is requesting a waiver of the outstanding amount due of \$1,454; and

WHEREAS, in accordance with CVMC Section 3.45.010, the City Council held a public hearing on the requested waiver of the outstanding amount due of \$1,454.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it hereby finds the submittal of a written request for the waiver of \$2,500 on September 6, 2016 and the verbal request for an additional fee waiver made during public comments at the City Council meeting held on September 13, 2016 substantially meets the requirements of CVMC 3.45.010(C)(1).

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it also hereby finds that collecting the outstanding appeal processing fees from Rancho Vista Covenant Church would result in a peculiar economic hardship which outweighs the need for City revenue and the need for a uniform method of recovering the same.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it approves the waiver of uncollected Conditional Use Permit appeal processing fees for the Rancho Vista Covenant Church project at 2088 Otay Lakes Road, Suites 101 and 201 (PCC-15-014).

Presented by:

Approved as to form by:

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Kelly G. Broughton, FASLA  
Director of Development Services

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Glen R. Googins  
City Attorney