

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance.
2. If a parcel map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
 - c. A tax certificate.
3. Any private easements described in the title report must be shown on the parcel map, with recording data.
4. When the parcel map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
5. All conditions of approval herein specified are to be complied with prior to the recordation of the parcel map or certificates of compliance which effectuate the adjustment. Recordation of a parcel map is at the option of the applicant. However, if a parcel map is not filed, recordation of a certificate of compliance is mandatory.
6. The parcel map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
7. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
8. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
9. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the parcel map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
10. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action.
12. All new parcels shall be provided with a minimum 20-foot wide private access easement to a public road. Additional easement width shall be provided as necessary to contain all elements of the private access roadway prism. The easements may be created by parcel map, grant deed, or restrictive covenant.

13. Prior to recordation of a parcel map or certificates of compliance finalizing the lot line adjustment, the applicant shall enter into an agreement, in a form approved by County Counsel, which includes the following:

Visual

- a. VS-1 - At the time of application for construction permits, the applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from the train tracks, Highway 227 and Price Canyon. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first. Security lighting shall be shielded so as not to create glare when viewed from train tracks, Highway 227 and Price Canyon.
- b. VS-2 - At the time of application for construction permits, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from the train tracks. Screening with topographic features, existing vegetation or existing structures shall be used as feasible.

If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation. Plans shall show how plants will be watered and what watering schedule will be applied to ensure successful and vigorous growth.

- c. VS-3 - At the time of application for construction permits, the applicant shall clearly delineate the building envelopes on the project plans, as shown on the attached exhibit. All new development (e.g. residences, detached garages, guest houses, and sheds) shall be located within the building envelopes.
- d. VS-4 - At the time of application for construction permits, the applicant shall submit landscape plans to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall provide vegetation that will adequately screen the new development, including outbuildings, water tanks, etc., when viewed from the train tracks.

Biological

- e. BIO-1 - Prior to issuance of construction permit or grading permit, if access or work is slated to occur near (within 300 feet) drainages or wetland features, the Applicant shall conduct a jurisdictional delineation of the waters of the United States (U.S.) and State of California to determine the nature and extent of Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) jurisdiction on site. The Applicant is responsible for obtaining all necessary regulatory permits from these agencies. This assessment and other needed permits shall be conducted prior to the County issuing a grading or development permit.
- f. BIO-2 - To protect sensitive bird species and those species protected by the

Migratory Bird Treaty Act and/or the Fish and Wildlife Code, the Owners shall avoid vegetation clearing and earth disturbance during the typical nesting season (February 15 – August 31). If avoiding construction during this season is not feasible, a qualified biologist shall survey the area one week prior to activity beginning on the site. If nesting birds are located, they shall be avoided until they have successfully fledged. A buffer zone of 50 feet will be placed around all non-sensitive bird species, a 500-foot buffer zone for raptors, and all activity will remain outside of that buffer until a County approved biologist has determined that the young have fledged. If special-status bird species are located, no work will begin until an appropriate buffer is determined by consultation with the County, the local California Department of Fish and Wildlife biologist, and/or the U. S. Fish and Wildlife Service.

- g. BIO-3 - Prior to issuance of construction and/or grading permits, the applicant shall clearly show all occupied nests on project plans, and these nest shall be mapped using GIS or survey equipment. The mapped locations shall be placed on a copy of the grading plans and all other applicable construction documents with a 500-foot buffer indicated. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.
- h. BIO-4 - Prior to issuance of construction and/or grading permits, the applicant shall clearly show all oak trees within 50 feet of grading activities on the grading plans.

No oak trees shall be impacted or removed.

Oak trees within 50 feet of grading activities shall be fenced and flagged for protection prior to permit issuance. Fencing shall be clearly shown on the grading plans to be located at the root zone for trees.

- i. BIO-5 - Prior to issuance of construction and/or grading permits, the applicant shall retain a County-approved biologist to review final plans to ensure that the proposed project avoids impacts to sensitive plants.
- j. BIO-6 - Prior to the issuance of construction and/or grading permits, the applicant shall contact the U.S. Fish and Wildlife Service for direction on potential impacts to CRLF after a design has been developed, written confirmation of this correspondence and any requirements shall be provided to the County.
- k. BIO-7 - Prior to issuance of construction and/or grading plans, the applicant in order to avoid potential impacts shall have a qualified County biologist conduct a Pre-construction surveys for California red-legged frog (CRLF), northern Pacific pond turtle, and two striped garter snake shall be conducted to determine presence/absence in the project area. A minimum of one survey the night before construction and one survey the morning of construction shall occur.
- l. BIO-8 - If removal of oak trees cannot be avoided, bat boxes shall be installed near the locations where tree removal is to occur to encourage the bats to roost in the boxes rather than in the trees. These boxes should be species specific, mimic a tree hollow or crevice, installed at a height that is appropriate and equipped with anti-predator measures (metal spikes on top). The boxes shall be installed 30 days prior to oak tree removals.
- m. BIO-9 - Prior to issuance construction permit or grading plans, if development is to occur in grassland habitat, the applicant shall approximately two weeks prior to initiation of ground disturbing activities, a survey for American badger burrows shall be conducted within the disturbance footprint and a 100-foot buffer by a County-

approved biologist.

- a. American badger dens found within the survey area shall be monitored to assess the presence of badgers.
 - i. The inactive badger dens shall be collapsed by hand with a shovel once the biologist has deemed appropriate, to prevent badgers from re-using them during construction.
 - ii. Active badger dens shall be avoided during the breeding season (March 1 through June 30) and a minimum buffer of 50 feet shall be demarcated by temporary fencing. This fencing shall be installed in a manner to permit movement of badgers in and out of the buffer zones.
 - iii. Prior to grading activities occurring outside of the breeding season, badgers may be discouraged from using currently active dens within the development footprint by partially blocking the entrance (incrementally) of the den with sticks, debris and soil for 3 to 5 days. This work shall be conducted by a County-approved biologist.

Hazards and Hazardous Materials

- n. HAZ-1 - Prior to issuance of grading and/or construction permits, the applicant shall contact the Department of Conservation, Division of Oil, Gas, and Geothermal Resources (Ross Brunetti at 805-937-7246 or rbrunett@consrv.ca.gov) to determine if the proposed development is to be located over or in the proximity of a previously plugged and abandoned well. The applicant shall submit proof to the Department of Planning and Building of the above required information for review and approval.

There is the possibility that the well may need to be plugged and abandoned to current Division specifications. Section 3208.1 Public Resources Code authorizes the State and Oil and Gas Supervisor to order the re-abandonment of any previously abandoned well when construction of any structure over or in the proximity of a well could result in a hazard.

The owner or the property upon which the structure will be located shall pay for the cost of re-abandonment operation.

Furthermore, if any abandoned or unrecorded wells are uncovered or damaged during exaction or grading, remedial operations may be required.

Water

- o. W-1 - At the time of application for construction permits, the applicant shall show two (2) stormwater runoff reduction measures. Such measures include but not limited to:
 - a. Rain gardens;
 - b. Porous paving system;
 - c. Vegetative swales;
 - d. Pavement disconnection or;
 - e. Other, as approved by the County Planning Department in consultation with Public Works.

These measures shall be implemented prior to final inspection or occupancy, whichever occurs first.

- p. W-2 - Prior to recordation of the final map or certificates of compliance, the applicant shall supply the 100 year flood elevations for the proposed building envelopes on the

proposed parcels (Tim Tomlinson).

If the applicant prepares a Parcel Map: The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall include the limits of inundation from a 100 year storm and the Base Flood Elevations on the Building sites so that all future building permit submittals may show compliance with County Code 22.14.060, Flood Hazard.

If the applicant prepares Certificates of Compliance: The applicant shall provide an exhibit showing the Base Flood Elevations for the proposed building envelopes and record it as a Constructive Notification at the same time as the Certificates so that all future building permit submittals may show compliance with County Code 22.14.060, Flood Hazard.

- q. Prior to issuance of construction permits, the applicant shall show the location of the approved building envelope on the construction plans.
- r. Notification to prospective buyers that the site is located in the Flood Hazard combining designation. The purpose of this designation is to:
 - 1. To encourage land development that is designed to minimize adverse effects on drainage ways and watercourses.
 - 2. To avoid damage to property improvements through flood inundation; destruction of natural resources; loss of water retention facilities, open space and wildlife habitats; and impairment of public and private water supplies.
 - 3. To encourage a coordinated land and water management program which will support non-structural land uses in flood-prone areas.
 - 4. To support location of permanent structures and other artificial obstructions to not adversely restrict water flow.
- s. Notification to prospective buyers that the site is located in the Energy Extractive Resource Area (EX) combining designation and that any future development shall be required to meet the finding requirements for Energy Extractive Resource Area (EX) combining designation (Section 22.14.040.B.3.): Approval of any use other than energy production or resource extraction may be granted when the finding is made that the proposed use will not adversely affect the continuing operation or expansion of the energy or extraction use. The Inland Framework for Planning states that the purpose of the EX designation is to
 - 1. To identify areas where mineral or petroleum extraction occurs, is proposed to occur, or where petroleum or mineral reserves of statewide significance exist, as defined by the State Geologist.
 - 2. To protect existing extraction areas so that land uses incompatible with continuing extraction activities will not be developed on adjacent properties.
 - 3. To protect existing energy production areas and regional production facilities so that incompatible uses will not be developed on adjacent properties such that the energy production facilities may become dangerous or detrimental to public health and safety.
 - 4. To protect energy production areas from encroaching urban development or

other incompatible land uses that may hinder their continued operation.

- t. Notification to prospective buyers per Section 22.14.040 any proposed land uses not directly related to energy or extraction operations are subject to Minor Use Permit approval, unless the project would be otherwise be required to have a Conditional Use Permit. Proposed land uses other than resource extraction, the permit application shall include a mineral resource report prepared by a geologist or mining engineer that evaluates:
 - 1. The estimated extent and commercial value of any mineral resources located on the site or known to be within the vicinity of the proposed uses;
 - 2. The feasibility of extracting the identified mineral resources within a reasonable time before development of the proposed use;
 - 3. The feasibility of conducting resource extraction operations at the same time as the proposed use.
- u. Notification to prospective buyers that the subject property is also subject to an oil and gas lease known as the Morehouse Lease. The Morehouse Lease was first leased by Plains Exploration and Production Company by PXP's interest in September 17, 1947. Effective September 1, 1986, the Morehouse Lease became a part of Price Canyon Unit Agreement, by execution of the agreement by Kerry Mormann's predecessor in interest, which has been filed for record in the County of San Luis Obispo. The Lot Line Adjustment is subject to both the Lease terms and the terms of the Price Canyon Unit Agreement. PXP is the current Operator of the Arroyo Grande Field within which the Lease and Unit are located and has rights and responsibilities of the Operator for the said Lease, Unit and Field (Letter dated May 13, 2013, PXP).
- v. Notification to prospective buyers that per the Noise Element, Policy 3.3.4 that any new development of noise-sensitive land uses shall not be permitted where the noise level due to existing stationary noise sources will exceed the noise level standards of Table 3-2, unless effective noise mitigation measures have been incorporated into the design of the development to reduce noise exposure to or below the levels specified in Table 3-2.