



Promoting the wise use of land

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

MEETING DATE June 6, 2014	CONTACT/PHONE Stephanie Fuhs sfuhs@co.slo.ca.us (805)781-5721	APPLICANT Thomas Maino	FILE NO. DRC2013-00082
SUBJECT Hearing to consider a request by THOMAS MAINO for a Minor Use Permit to allow construction of a 12,007 square foot, one-story, commercial/office building. The project site is Lot 5 of Tract 2368, a commercial service business park subdivision, recorded in 2006. The project will result in disturbance of the entire 1.08 acre parcel. The proposed project is within the Commercial Service land use category and is located at 1133 Farmhouse Lane, adjacent to the southern city limits of the City of San Luis Obispo. The site is in the San Luis Obispo planning area.			
RECOMMENDED ACTION 1. Consider and rely on the Mitigated Negative Declaration that was previously adopted on August 14, 2003. 2. Approve Minor Use Permit DRC2013-00082 based on the Findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator finds that the previous Mitigated Negative Declaration adopted for Tract 2368, is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Mitigated Negative Declaration, no substantial changes have occurred with respect to the circumstance under which the project is undertaken which will require major revision of the previous Mitigated Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted on August 14, 2003.			
LAND USE CATEGORY Commercial Service	COMBINING DESIGNATION Airport Review Area	ASSESSOR PARCEL NUMBER 076-512-005	SUPERVISOR DISTRICT(S) 3
PLANNING AREA STANDARDS: 22.108.020 - Areawide Standards, 22.108.050 –San Luis Obispo Urban Area Standards			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture/Mixed Residential and Agriculture <i>East:</i> Commercial Service - Agriculture/Storage yard, agriculture <i>South:</i> Commercial Service/Mixed commercial service development within the Tract 2368 subdivision <i>West:</i> Public Facilities/SLO County Regional Airport			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Ag Commissioner, CalFire, ALUC, APCD, Cal Trans, Regional Water Quality Control Board			
TOPOGRAPHY: Mostly level		VEGETATION: Grasses	
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: CalFire		ACCEPTANCE DATE: April 22, 2014	
EXISTING USES: Undeveloped			

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
 COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242

PROJECT HISTORY/DESCRIPTION

Tract 2368, a 26-lot commercial service planned unit development subdivision, was approved by the Planning Commission in August 2003 and recorded in 2006. The subdivision included 23 developable lots and three parcels to be used for drainage basins, water facilities/storage and infrastructure.

Currently, there is approved development on ten of the parcels in the tract (see table below):

Lot #	Project	Land Use Permit	Building Permit	Finald
5	12,007 sq.ft. commercial office	DRC2013-00082 (Current project)		
6	13,076 sq.ft. commercial shell bldg.	DRC2012-00059	PMT2012-02202 and 02203 - issued	No
7	9,479 sq.ft. office	DRC2008-00036	PMT2008-01708	Yes
12	10,800 sq.ft. office	DRC2012-00087	PMT2013-00335 - issued	No
14 (APN - 029)	6,366 sq.ft. equipment rental building	DRC2013-00033	PMT2013-02539 – Under review	No
15	25,067 sq.ft. commercial manufacturing bldg.	DRC2013-00004		
16	9,998 sq.ft wholesale commercial bldg. 3,000 sq.ft. office	DRC2012-00034 and DRC2013-00024	1) PMT2012-01976 and 2) PMT2013-00881	Yes No
17	26,000 sq.ft. manufacturing bldg.	DRC 2012-00014	PMT2012-01094	Yes
19 (APN - 032)	26,378 sq.ft. office	DRC2011-00101	PMT2012-00588	Yes
20 (APN - 030)	46,000 sq.ft. office	DRC2011-00014	PMT2011-00825	Yes

The assumptions during review of Tract 2368, in order to provide mitigation measures primarily for water supply and traffic, were that there would be a total of 1,000 employees once all of the parcels were developed. Overall structural development within the subdivision was limited to 500,000 square feet.

Development is proposed on Lot 5 of Tract 2368. The current proposal is for an approximately 12,000 square foot, one-story building to house offices for a bicycle component manufacturer. The previously approved commercial shell building on adjacent Lot 6 will be leased to the same company and be used for product design and testing and will be connected by a hallway across the property lines between Lots 5 and 6. Planning, Building and CalFire staff met with the applicant to ensure that the proposal will meet fire and building codes. In addition, the hallway connecting the two buildings can be removed in the future should separate tenancy occur that does not require an interior connection between buildings. The project is estimated to employ 25 full-time employees once operational.

The proposed project is the seventh to be processed under the Department’s recently initiated “Business Assistance Team” program, which has been endorsed by the Board of Supervisors as part of the **San Luis Obispo County Clusters of Opportunity Economic Strategy** prepared by the Economic Vitality Corporation. Under this process, new or expanding businesses that will provide good jobs within urban areas are essentially given priority processing by the Planning Department, as well as other referral agencies. In this case, the project will provide well-paying jobs in the manufacturing industry at a location adjacent to the City of San Luis Obispo in an approved business tract with existing infrastructure which has adequate public services.

PROJECT ANALYSIS

Ordinance Compliance:

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	None required	1.08 acres
Setbacks Front Side Rear	10 foot front 0 foot interior sides 0 foot rear	Front – 63 feet, 8 inches Side – 24 feet, 2 inches (north side) Side – 0 feet (south side) Rear – 92 feet, 2 inches
Height	35 feet	28 feet
Parking	Office space - 1 space per 400 square feet of floor area 12,007 s.f.) = 30 spaces	30 spaces provided
Signs	100 square feet maximum for the site Monument signs = 4 foot maximum height per original CUP conditions of approval	No specific proposal at this time (Ordinance requirements for signs, including of 100 square foot maximum for site will be enforced)

Landscaping

These standards are superseded by more stringent requirements set forth in the San Luis Obispo planning area standards and conditions of approval from the previous Conditional Use Permit (please see Table 1, attached, detailing the previous conditions of approval and how the project meets each specific condition).

Fencing and Screening

These standards are superseded by more stringent planning area standards and conditions of approval from the previous Conditional Use Permit.

PLANNING AREA STANDARDS

22.108.020 - Areawide Standards:

Applicable standards include undergrounding of utilities, application referral to the City of San Luis Obispo, transit-oriented standards and highway corridor design. As proposed and conditioned, the project meets these standards (see discussion below).

A condition has been added to the project that all utilities shall be installed underground. The application was referred to the City of San Luis Obispo Community Development Department and Public Works Department for review and comment. Transit-oriented standards pertain to projects with employment centers of 100 jobs or more. When the subdivision was being finalized, the applicant at that time paid into a regional transportation fund to provide bus service in the area. The Regional Transit Authority does not have a bus stop next to this subdivision or at the San Luis Obispo Regional Airport, but does have a stop within approximately one mile of the project (at the Marigold Center in the City of San Luis Obispo). Highway corridor design standards were incorporated into the original conditions of approval for the subdivision and the prior Conditional Use Permit including building and landscape corridors, limited fencing, and screening of parking areas.

22.108.050 –San Luis Obispo Urban Area Standards:

Applicable standards include providing an on-site water supply, limitations on use, airport area standards, landscaping standards and an allowance for a reduction in the number of required parking spaces. As proposed and conditioned, the project complies with these standards (see discussion below).

The project is served by the East Airport Fiero Lane Water Company for water and the Fiero Lane Water Company for sewer. With regard to the airport area standards, the subdivision was required to design for dry sewer and water facilities for future connection to City systems if annexed in the future, and is required to have the wastewater system inspected annually.

Office, small scale manufacturing and storage uses are allowable within the Commercial Service land use category with some exceptions outlined in Section 22.108.50(D)(2) of the Land Use Ordinance. The proposed office use is an allowable use within the land use category.

In addition, conditions have been added regarding business license clearance and a limitation on the height of free-standing signs.

Preliminary landscape plans have been designed to comply with planning area standards and previous conditions of approval to screen parking areas using native, drought-tolerant landscape plants and materials along with street trees along the frontage of the public streets.

The required number of parking spaces for the current proposal is 30; the site plan shows 30 spaces. In addition, Low Impact Design (LID) measures have been incorporated into the parking design including bio-swales and retention basins. By incorporating these features into the current parking lot design, it allows for a more comprehensive and effective drainage system which can be constructed at one time.

COMBINING DESIGNATIONS

Airport Review Area (AR)

Properties located in the AR area are required to have Airport Land Use Commission (ALUC) review to allow for a determination of consistency with the Airport Land Use Plan (ALUP). Tract 2368, a 26-lot commercial service planned unit development subdivision was reviewed by the ALUC on April 4, 2001. The project was found consistent with ALUP. A few of the design elements of the tract resulted from that review. The most significant is the somewhat perpendicular alignment of Kendall Road with the Runway 7-25 and wide dimension of Kendall Road, free from street light poles and center divider trees. The rationale behind this street alignment was to have an open and suitable area for an aircraft to touchdown in the case of an engine/mechanical failure at either a departure or approach to Runway 7-25. The orientation, alignment and wide dimension of Kendall Road also allows for an Airport Compatible Open

Space inside this tract, which according to the ALUP, allows for an increase in non-residential density from 40 people per acre to a maximum of 50 people per acre.

Another notable condition set forth by the ALUC was that future projects within Tract 2368 comply with the current ALUP regarding density. The ALUP allows up to 50 people per acre in Safety Area S-1c, therefore, the allowable density is 50 people x 1.08 acres = 54 people maximum on this site. As previously stated, the project is estimated to employ approximately 24 full-time employees once fully staffed and operational at the completion of construction. This number is consistent and well below the maximum number of people allowed on the site by the ALUP. Future development on the property will also need to comply with this density standard.

Condition Compliance with the previously approved CUP

Table 1 is attached to this staff report and it provides a detailed analysis of the proposed project's compliance with the prior CUP. In summary, the proposed project complies with the conditions of approval from the earlier CUP. Where applicable, those conditions have been carried forward to this project.

ENVIRONMENTAL DETERMINATION

Since the project was approved in 2003, a new Clean Air Plan was adopted by the Air Pollution Control District (APCD). The conditions of approval incorporate the new policies and standards from the 2009 Clean Air Plan. Conditions of approval have been added accordingly and do not represent a significant change to the previously adopted Mitigated Negative Declaration warranting additional environmental review.

AGENCY REVIEW

Public Works – No concerns, provided conditions of approval are met

Environmental Health – No comments received

CalFire – See attached fire safety plan

ALUC – Issues resolved in review of Tract 2368

APCD - No comments received

Cal Trans – No Comments received

City of San Luis Obispo – Require traffic impact fees for the Airport Area Specific Plan

Staff Comments

At the time the final tract map was recorded, the applicant was required to pay City traffic impact fees (\$200,000 [\$57/ADT]). A receipt for these fees was provided by the applicant's agent. No additional traffic fees are considered necessary as the project falls within the parameters reviewed at the time the subdivision was approved.

LEGAL LOT STATUS

The lot was legally created by a recorded map (Tract 2368) at a time when that was a legal method of creating lots.

TABLE 1

Prior Conditional Use Permit Conditions (Adopted August 14, 2003 – as revised with PC approval of Conditional Use Permits DRC2006-00214 and DRC2011-00014)	Staff Comments
1. The following conditions provide guidelines to be applied for all future development within the planned development. Each future development will still be reviewed on its own merits as it relates to the need for any subsequent discretionary permit.	The current proposal is for a Minor Use Permit based on square footage of the proposed office building (structures between 10,000 and 19,999 square feet require a Minor Use Permit.) The project has been designed to incorporate the guidelines as set forth in the original conditions of approval.
2. All future uses must be consistent with those allowed for the subject properties in the Airport area that are in the SLO Urban Area Standards (communitywide) found in Chapter 22.108.050 (Section A.4.g) of the County Land Use Ordinance, and limitation on uses identified under the urban Commercial Service standards (Sections D.1. through D.3).	The project is for an office building which is an allowable use within the San Luis Obispo Area Plan Standards for the Commercial Service land use category. Conditions have been added to the project to ensure compliance at the time of tenant improvement permits or business license clearance.
3. Based on technical reports relating to overall water, wastewater and traffic impacts, the maximum building square footage for the entire development shall be no more than 500,000 square feet. Maximum building square footage for each lot shall be based on the following formula: Individual lot acreage (gross)/“project” acreage (44.49 acres) X 500,000 square feet = maximum building square footage for individual lot. (e.g. 1 acre lot/44.49 acres X 500,000 sf = 11,238 sf)	The project site is 1.08 acres. Based on the calculation: $1.08/44.49 \times 500,000 = 12,138$ square feet maximum is allowable. The current proposal is for 12,007 square feet, so the project meets this condition.
4. Outdoor uses shall not be included in this building square footage limitation if they are clearly shown to be incidental to building uses, and not have substantial water, wastewater, visual or traffic impacts. Additional building square footage may be requested if additional technical reports on cumulative impacts are completed and the additional development is shown to not have a significant effect.	Outdoor uses are not included in the building square footage because they are incidental to the building uses. No additional square footage over what was allowed is part of the proposal.
5. Lots 13, 23 and 26 are non-buildable lots, with Lots 23 and 26 to be used primarily for drainage basins and Lot 13 for water-related facilities (e.g., treatment, storage).	Not applicable because this project involves Lot 5 of Tract 2368.

Aesthetics	
<p>6. A. "Building and landscape corridors" will be established, which will cluster future development in a manner to provide for and maximize at least two unobstructed view corridors of distant scenic views as observed from southbound Highway 227 traffic, with the intent of providing 50% retention of the distant views of the Santa Lucia Hills. Landscaping within these view corridors shall not include any vegetation that would block these long distance views (see Exhibit C);</p> <p>B. As a part of Highway 227 frontage improvements, tract improvement plans shall provide for "gateway" features at focal points, such as the project entry points and along Highway 227. This would include one or more of the following elements: inclusion of specimen trees, intensified landscaped areas, and/or special treatments for sidewalks, trails or paved surfaces;</p> <p>C. Where feasible, drainage basins shall be created to be shallow enough to avoid the need for fencing. Also if possible, curvilinear design shall be used to create a more natural appearing feature. Basin design shall be reviewed and approved by the County prior to approval of tract improvements;</p> <p>D. All cut and fill areas shall be sufficiently "rounded" to provide a natural appearance. These areas shall be replanted as soon as possible after the grading has been completed.</p> <p>E. Gateway development guidelines for all future development shall be developed and submitted for county approval. This shall integrate the visually pleasing architectural components of both the surrounding rural agriculture uses, as well as from the more urban airport development. These guidelines shall also include design and operational provisions for all design-related components, such as landscaping, parking lots, exterior lighting, etc. These measures shall be added to the CC&Rs. As a part of any specific development submittal to the county, the recommendations of the Property Owner's Association and CC&R compliance shall be included.</p>	<p>A. Exhibit "C" contains the graphics from the Tract 2368 staff report. One of the graphics (attached as part of the previously adopted Mitigated Negative Declaration) shows the view corridor areas through the subdivision to the distant scenic views. The project has been designed to retain some of these distant views.</p> <p>B. Not applicable, as Highway 227 frontage improvements were completed with the subdivision improvements.</p> <p>C. This project proposes the use of bioswales in the parking areas.</p> <p>D. The majority of the site will be graded for parking areas and building pads. Landscaping and hydroseeding will be installed prior to final inspection or occupancy, whichever occurs first.</p> <p>E. Architectural design guidelines were developed and approved by the County for the entire commercial service subdivision. The Property Owners Association did not have any specific recommendations for this project. The project complies with the guidelines developed for the tract because it has been designed with similar features of the other approved buildings within the tract by using different scale and mass, as well as long overhangs and awnings with colors proposed from the conditioned color palette.</p>

<p>7. Upon submittal of a discretionary application for new development of any lot:</p> <p>A. All future structures shall show they will be landscaped to provide a 50% screening (at plant maturity) as viewed from Highway 227 and the Union Pacific Railroad. Screening vegetation shall be evergreen, fast-growing in clay soils, and drought-tolerant. As applicable, this shall be reviewed and approved by the county prior to approval of tract improvements, or when a specific use permit application is submitted;</p> <p>B. All parking areas and outside storage areas shall be landscaped to provide a 100% screening (at plant maturity) as viewed from Highway 227 and the Union Pacific Railroad. Screening vegetation shall be evergreen, fast-growing in clay soils, and drought-tolerant. All fencing should be minimized, but when needed shall use attractive materials. Where possible, structures (on-site or surrounding) shall be used to help screen parking areas from Highway 227 and the railroad primarily, with secondary consideration given to screening from internal streets;</p> <p>C. Visibility of the exterior of all buildings or structures (e.g., water tanks, etc.) shall be subdued with darker colors (preferably with a majority of colors with a chroma and value of no greater than "6", as found in the Munsell's Book of Color) that blend with colors of the natural environment. Specific development colors shall be reviewed at the time of specific use permits are submitted for approval;</p> <p>D. No portion of any structure, including roof-mounted equipment, shall exceed 35 feet. All roof-mounted equipment shall not be visible as viewed from Highway 227 and the Union Pacific Railroad, and, as needed, shall be architecturally screened (e.g. roof parapets, etc.); all efforts will be made during building design to make the structure as low profile as possible and in a manner that maximizes views of the surrounding hills.</p> <p>E. For any lot fronting Highway 227, it shall locate structures as far from Highway 227 as is possible, and no closer than 50 feet from the edge of Highway 227;</p>	<p>A. The proposed landscape plan incorporates evergreen, fast-growing and drought tolerant plants that will provide 50% screening when viewed from Highway 227 and the Union Pacific Railroad (UPRR).</p> <p>B. The placement of the building and parking areas is such that the building will partially screen the parking lot from Highway 227 and the UPRR. In addition, the proposed landscape plan provides for a tree canopy that will screen the parking areas when viewed from Highway 227 and the UPRR.</p> <p>C. The proposed project renderings show colors which comply with the conditioned chroma and value. Prior to final inspection of construction permits, compliance with the approved color and materials board will be verified in the field.</p> <p>D. The proposed building is approximately 28 feet in height which complies with the standard.</p> <p>E. Not applicable because the project site does not front Highway 227.</p> <p>F. The site is not directly on Highway 227. The proposed building has a low profile roof with colors and landscaping proposed along the front and south eastern property line to partially screen the structure when viewed from the road.</p> <p>G. The colors of the proposed building are harmonious with the surrounding hillsides and rural character of the area. The materials used are similar to those used by other buildings approved in this subdivision which also blend with the rural character of the adjacent vineyard to the southeast while providing for a transition from the urbanized area surrounding the airport to the rural Edna Valley to the south.</p> <p>H. The design of the building provides articulation, human scale visual interest and has distinctive qualities.</p>
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<p>F. The structures on the first lots most visible from Highway 227 (Tentative Tract Map Lots 1, 2, 15, 16, 17, 21, 22, 24, 25) shall be low profile and include a variety of architectural features (e.g., vary exterior planes and depths and roof heights, articulated surfaces, use a variety of materials, etc.) to reduce massing. As a gateway to the City of San Luis Obispo, these lots shall consider those gateway components provided in the City's Airport Area Specific Plan that would be applicable to the development, recognizing the rural nature and Edna Valley wine country influences;</p> <p>G. Building design and materials shall utilize to the extent possible, features that recognize and are harmonious with the surrounding agricultural and rural character of the area;</p> <p>H. Buildings shall be well articulated which provide for human scale, visual interest, and distinctive qualities;</p> <p>I. All monument signage shall be low profile and no more than four feet in height. Building or other signage shall not be "backlit"; if the sign is illuminated, it shall be internally illuminated.</p> <p>J. The following areas will be fully screened from Highway 227 and the railroad: loading, service, storage, trash, recycling collection areas, utilities. Where appropriate, landscaping shall be used to "soften" or enhance the screened area.</p> <p>K. All landscaping not needed for buildings or other structures shall be "low profile", where long distance views through the site are maximized.</p>	<p>I. Proposed elevations show a sign at the entry and on the northern side of the building, however no sign program has been proposed at this time. The rendering complies with the overall square footage allowed of 100 square feet per site. The project has been conditioned accordingly for any future sign plans.</p> <p>J. The service and storage areas proposed are screened with the landscaping trees along the south eastern boundary of the property. The trash enclosure and loading areas have been located in an area where it will be screened from Highway 227 and the UPRR by landscaping and solid screening.</p> <p>K. All landscaping, besides the proposed trees used for screening, is primarily low profile, native and low-water using grasses and shrubs.</p>
<p>8. All water tanks, as applicable, shall be low profile and landscaped to provide a 100% screening (at plant maturity) as viewed from Highway 227 and the Union Pacific Railroad. Screening vegetation shall be evergreen, fast-growing in clay soils, drought-tolerant, and maintained by the Property Owner's Association for the life of the development.</p>	<p>Not applicable - No water tanks are proposed with this Minor Use Permit.</p>
<p>9. All fencing should be minimized, but when needed shall use attractive materials. Such materials shall be shown on any applicable plans submitted to the county for review and approval.</p>	<p>No fencing is proposed with the project.</p>

<p>10. All exterior lighting proposed shall be shielded and directed downwards into the development. The height of light standards shall be no higher than determined absolutely necessary for its specific application. Light intensity shall be no more than determined necessary for safety purposes. Light sources shall be of energy efficient design (e.g. sodium-based, metal halide, etc.). As a part of any specific use permit application submittal, a lighting plan shall be submitted that incorporates the above measures.</p>	<p>No specific proposal at this time. The project will be conditioned to comply with the lighting requirements at the time of application for construction permit.</p>
<p>11. The Master Landscape Concept Plan (see Exhibit C) for streets, drainage basins and well fields shall be implemented at the time each of these improvements has been completed, and prior to final inspection of said improvement. Detailed plans shall be submitted for county approval at the time plans are submitted for each improvement. These landscaped areas shall be maintained in perpetuity by the Property Owner's Association.</p>	<p>Not applicable, this condition pertains to subdivision improvements which were installed in 2006.</p>
<p><u>Agriculture</u> 12. For tentative tract map Lots 14, 15 and 16: A. At the time specific development is proposed, a landscape plan shall be included with application submittal which will provide a solid landscaped buffer along the southeastern edge of the lot (closest to the agricultural operations to the southeast) within 5 years. Plant materials shall consist of a mix of trees and shrubs that are evergreen, fast-growing in clay soils, and drought tolerant; B. Due to potential agricultural compatibility concerns with certain allowed uses, a Minor Use Permit (or higher level of discretionary review if required otherwise) shall be obtained to establish any use (referrals shall be sent to Ag. Department to determine use compatibility). Only uses that are determined compatible with nearby agricultural activities shall be allowed. Establishing compatibility may include incorporation of an agricultural setback buffer for structures or certain outdoor activities; C. Disclose to all owners, potential purchasers, occupants and potential occupants of the existing agricultural operation to the southeast, as well as provide the most current "Right to Farm" ordinance.</p>	<p>A -C. Not applicable, this project is on Lot 5 of Tract 2368.</p>
<p><u>Airport Safety</u> 13. The applicant shall incorporate all of the components identified in the attached "Airport</p>	<p>Not applicable because this condition specifically pertains to tract improvements.</p>

<p>Compatibility Analysis” as it relates to tract design and improvements, as well as all subsequent development. In addition, if any exterior lighting is proposed as a part of tract improvements, a lighting plan shall be prepared and submitted for county approval that shows how exterior lighting will not conflict with airport lighting.</p>	
<p>14. The “extended centerline of Runway 25” shall be shown on all applicable tract improvement plans, as well as for all applicable construction or discretionary plans of tract lots proposing development in the future that are within 250 feet of the centerline and within Safety Area S-1a.</p>	<p>The parcel and proposed building are entirely within Safety Area S-1c which is over 250 feet from the centerline of Runway 25’, so this area is not depicted on the proposed plans.</p>
<p>15. As a part of any specific development application submittal:</p> <ul style="list-style-type: none"> A. All applicable plans shall locate the Airport “Zone(s)” that is (are) on the property; B. No buildings shall be allowed within 50 feet of the “extended centerline of Runway 25”; C. No more than 50% of the area between the runway centerline and 250 feet from the centerline shall be considered “usable” for structures or concentrations of people. The remaining “non-building” area can be used for non-habitable uses, such as parking lots, landscaping, leach fields, etc. Where practical, surrounding approved or built structures shall be considered when placing new structure(s) with the goal to provide extended “non-habitated” areas that are parallel with the runway centerline; D. All uses shall discuss its electrical needs and discuss how each use will not interfere with navigation signals or radio communications between aircraft and the airport. If the use could interfere with this communication it shall not be allowed; E. All roof materials will be non-reflective; F. All uses, as a part of its application submittal, shall show how all exterior lighting will not conflict with airport lighting; G. No portion of the structure, including roof mounted equipment, shall exceed 35 feet in height; H. No landscaping, at maturity, shall exceed 40 feet in height; I. All future development shall meet and maintain the requirements of FAR 77 “Objects Affecting Navigable Airspace”; J. A noise analysis shall be included, by a qualified expert, that would include all 	<ul style="list-style-type: none"> A. Planning staff has verified that the project is within Safety Area S-1c, which is outside the prohibition zone. B. No building is proposed in the prohibition zone. C. The parcel and proposed building are located over 250 feet from the centerline of Runway 25’, so this standard does not apply. In addition the parcel is located in Safety Area S -1c, outside the prohibition zone. D. The office use utilizes standard broadband and electrical uses known to not interfere with airport operations. No radio transmissions are proposed. E. Proposed roof material is a non-reflective metal panel assembly. F. The project is conditioned to meet the lighting requirements at the time of application for construction permit. G. As proposed and conditioned, the project complies with this condition. In addition, all future development shall meet and maintain the requirements of FAR 77 “Objects Affecting Navigable Airspace”. H. Plants chosen for the landscape plan will not exceed 40 feet in height once mature. I. All of the structures within this subdivision have had a “no obstruction” determination by the FAA (the tallest building being the computer software company at 41’-6”) The current proposed project is at maximum 28 feet, but will have to obtain a “no obstruction”

<p>necessary measures to achieve a 45 dB CNEL interior noise level. All applicable construction plans shall show installation of these noise measures;</p> <p>K. No uses shall be permitted that are not allowed in the most current Airport Land Use Plan.</p>	<p>determination by the FAA before issuance of construction permits.</p> <p>J. Construction documents for the proposed building will include construction related noise level reduction techniques.</p> <p>K. The proposed use is an allowed use.</p>
<p>16. Prior to map recordation or occupancy of any structure, an avigation easement shall be executed and recorded for each lot, and/or amended as needed. This document shall be disclosed to all owners, potential purchasers, occupants, potential occupants of the presence of the San Luis Obispo County Regional Airport and its associated airport operation impacts prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property within this tract.</p>	<p>An avigation easement was recorded concurrent with Tract 2368 over the entire property. A new avigation easement will be needed prior to issuance of construction permits.</p>
<p>17. At the time specific development is proposed, plans shall clearly show what Airport Land Use zone(s) overlay the property. Proposed uses shall comply with the most current San Luis Obispo County Airport Land Use Compatibility Use Matrix for Zones 3, 4 and 5, as applicable.</p>	<p>Planning staff has verified that the project is within Safety Area S-1c, which is outside the prohibition zone.</p>
<p><u>Air Quality</u></p> <p>18. During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) and ozone control measures. These measures shall be shown on the tract improvement plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.</p> <p>A. Reduce the amount of disturbed area where possible;</p> <p>B. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;</p> <p>C. All dirt stock pile areas should be sprayed</p>	<p>Still applicable, the project is conditioned to provide information on construction plans.</p>

<p>daily as needed;</p> <p>D. Permanent dust control measures, such as implementation of approved landscape plans, shall be implemented as soon as possible following completion of any soil disturbing activities;</p> <p>E. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating non-aggressive grass seed (e.g., native, barley) and watered until vegetation is established;</p> <p>F. All disturbed soil areas not subject to revegetation must be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD that will not have a negative impact to downstream creeks;</p> <p>G. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible;</p> <p>H. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114 (This measure has the potential to reduce PM10 (particulate matter) emissions from this source by 7 to 14%);</p> <p>I. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site (This measure has the potential to reduce PM10 emissions from this source 40 to 70%);</p> <p>J. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible (This measure has the potential to reduce PM10 emissions from this source 25 to 60%);</p> <p>K. Maintain equipment in tune per manufacturer's specifications;</p> <p>L. Limit the cut and fill process to less than 2,000 cubic yards per day.</p> <p>M. At the time of application for construction permits, the applicant shall show all dust control measures from Condition #18 (above) on the construction plans along with the following: the contractor or builder shall designate a person or persons to monitor fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible</p>	
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<p>emissions below 20% opacity, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to start of any grading, earthwork or demolition.</p> <p>N. At the time of application for construction permits, the applicant shall provide the APCD with a list of equipment to be used during construction activities to determine if an APCD permit is required. A list of equipment that may require a permit can be obtained by contacting the APCD directly.</p> <p>O. Prior to issuance of construction permits, the applicant shall obtain an APCD permit and show proof of such permit, if required or an exemption if not permit is needed.</p> <p>P. At the time of application for construction permits, the applicant shall implement a minimum of eight mitigation measures from the Mitigation Measures Table 3-5 of the APCD's CEQA Handbook. Many of these measures are already included in the project's current design, however, these measures shall be outlined on the project plans and indicated how they are met.</p> <p>Q. At the time of application for construction permits, the applicant shall include all feasible and applicable green building techniques outlined on the project plans.</p>	
<p>19. At the time specific development is proposed:</p> <p>A. Parking areas should include the planting of trees that will provide shade for vehicles to reduce latent emissions from hot vehicle engines;</p> <p>B. Provide for attractive and desirable on-site eating areas;</p> <p>C. Determine if the location and/or amount of proposed development would warrant the need for an additional transit stop, and as appropriate, include in the project design.</p>	<p>The proposal includes planting of the parking areas to provide shade for vehicles, and an outdoor break area. The scope of this proposal does not warrant an additional transit stop according to the Regional Transit Authority (RTA) based on current development and population density; however, due to increased development in this area, planning staff and the applicant's representative are having on-going discussions with the RTA to consider a new transit stop once the approved businesses are operational.</p>

<p>Cultural Resources</p> <p>20. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:</p> <p>a. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.</p> <p>b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.</p>	<p>Standard ordinance requirement, no specific condition needed.</p>
<p>Drainage</p> <p>21. Future development shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program, as applicable.</p>	<p>Additional conditions have been added to address Stormwater Pollution Prevention ordinance requirements adopted since the original subdivision and Conditional Use Permit were approved.</p>
<p>22. To the extent possible, all future development shall drain into the tract drainage basins. For all portions of development where drainage will not be directed into a basin, it shall be first intercepted by properly sized hydrocarbon separators/filters. These measures shall be shown on all applicable construction plans and approved by the county prior to commencement of improvements.</p>	<p>Not applicable, this condition pertains to subdivision improvements which were installed in 2006.</p>
<p>23. At the time specific development is proposed, to minimize potential sedimentation to downstream resources, a sedimentation and erosion control plan shall be prepared for all proposed grading. Any disturbed areas shall be revegetated as soon as possible, and prior to final inspection.</p>	<p>Additional conditions have been added to address Stormwater Pollution Prevention ordinance requirements adopted since the original subdivision and Conditional Use Permit were approved.</p>

<p>Fire Safety</p> <p>24. Per CDF's correspondence (6/25/02), the following measures, in addition to standard fire safety measures shall be incorporated into the project: provide for a "secondary fire access" along the southern edge of proposed lots 21 and 23 (one-way 12-foot wide all weather road would be acceptable); providing a future connection with existing access along southern edge of property (Lots 14-16) or eventually to Buckley Road is encouraged; adequate measures (per CDF approval) shall be placed over water reservoir to keep debris out.</p>	<p>Not applicable, the current permit is for Lot 5 of Tract 2368.</p>
<p>25. At the time specific development is proposed, the applicant shall show on plans to the county Department of Planning and Building compliance with the county Fire Department (CDF)-approved fire safety plan. The plans shall show, but not be limited to the following, to the satisfaction of CDF:</p> <ul style="list-style-type: none"> A. Installation of a commercial fire/life safety sprinkler system (monitored by licensed alarm company); B. Provision of portable fire extinguishers; C. Buildings to have a protected stairway access to the roof if the building eave is over 18 feet in height and the building is over 5,000 square feet; D. Any building that is over 20,000 square feet and over 18 feet in eave height shall have a 2-1/2 inch dry standpipe system which includes an outlet on the roof near the roof access; E. Any building over 18 feet in eave height will install fixed laddering at two remote locations or provide landscaping (as defined by CDF) which reduces the ladder access height to 18 feet. The exception to this requirement is if the building has a protected stairway to the roof; F. Any building that exceeds 12,001 square feet that will be used for "high piled storage" (as defined by CDF), or the building has an unspecified use capable of "high piled storage" will be required to have a smoke and heat removal system as required in Table 81A of the California Fire Code; G. Sprinkler systems in buildings that have unspecified uses will require an automatic sprinkler system with a minimum density of no less than that required for an Ordinary Hazard Group 2, which uses a minimum design area 	<p>The original fire safety plan from the subdivision and Conditional Use Permit approval still applies.</p> <ul style="list-style-type: none"> A.-G. To be shown on construction plans. H. As proposed, the project is within 150 feet of a fire access road. I.-L. Done with subdivision improvements. M. Any use or storage of hazardous materials or wastes shall be included as part of the construction permit application.

<p>of 3,000 square feet. For buildings of unspecified use with ceiling heights of over 20 feet, the system shall be designed for a minimum density of 0.33 square feet with a minimum design area of 3,000 square feet; higher fire safety risk uses may require more extensive sprinkler systems;</p> <p>H. All buildings shall be within 150 feet from a fire access road;</p> <p>I. Provision of at least 180,000 gallons exclusively for stored fire water (1,500 gallons/minute for 120 minutes) available at all times with water pressure between 20 and 150 psi;</p> <p>J. Installation of several fire hydrants meeting CDF standards;</p> <p>K. Provision of a minimum of 20 foot fire lanes that are all-weather surfaces;</p> <p>L. Roads that provide for at least a 30-ton load capacity (City of SLO Fire Department requirement); and</p> <p>M. Identify what, if any, hazardous materials or wastes could result from the proposed use. In addition, the application will identify how any such materials or wastes will be handled or stored on-site.</p> <p>N. Prior to issuance of construction permits, the applicant shall list all hazardous materials or wastes that could result from any proposed use, and how it will be handled to keep out of the community wastewater system and groundwater.</p>	
<p>Noise</p> <p>26. For tentative tract map Lots 1 - 12 and 25: at the time specific development is proposed, the application shall include all proposed indoor and outdoor uses, as well as any loud, noise generating equipment to be used. Should any of these uses or equipment have the potential to generate noise that may exceed Noise Element thresholds (including potential impacts to residences to the north and east), a noise study shall be submitted evaluating these items and determine what measures can be implemented to reduce noise impacts to less than significant levels.</p>	<p>At the time of construction permit application (including tenant improvements) or business license clearance, the applicant will need to comply with this condition.</p>
<p>Traffic/Circulation</p> <p>27. Pre-realignment of Airport Drive west of Highway 227 - Should specific development within the tract be approved prior to the County Airport realigning Airport Drive with the tract's northern access road, the applicant shall install a median (or functional equivalent)</p>	<p>According to CalTrans and the Public Works Department, no additional traffic improvements are needed or required with the current Minor Use Permit proposal.</p>

<p>along Highway 227, meeting Caltrans approval and design standards, to prevent left turns to or from Airport Drive onto Highway 227, prior to occupancy of the first development.</p>	
<p>28. At the time specific development is proposed (involving the establishment of new buildings or outdoor use areas), a cumulative summary of all previously approved and pending applications shall be submitted for the 68 acres known as the Senn/Glick development (D000336D) and the Morabito/Burke development (Tract 2368 - see Figure 1, attached). If the cumulative total (including the proposed use) of approved and pending uses is greater than 450,000 square feet of gross floor area, a traffic signal warrant analysis shall be conducted by the applicant for review by the County and Caltrans. When the warrants for the installation of the traffic signal are met, the signal shall be installed at the Highway 227/project access road/Airport Drive (realigned location) intersection prior to occupancy or final inspection (whichever occurs first) of the proposed building(s). All monies previously collected by Caltrans/ MOU for this purpose shall be provided to help offset the costs of the traffic signal.</p>	<p>The following lots have constructed or approved developments: Lot 6 – 13,400 sq ft commercial Lot 7 – 9,500 sq ft & 20,000 sq ft offices Lot 12 – 10,600 sq ft office Lot 14 - 8,059 square foot, two-story, commercial/service building and an 8,400 square foot outdoor storage area, to be used for equipment rental and service and outdoor storage of larger equipment Lot 15 – 25,000 sq ft manufacturing Lot 16 –Existing 10,500 warehouse Lot 16 - Proposed 2,998 sq ft office Lot 17 – 26,000 manufacturing Lot 19 (Pc 3 COAL11-0086)- 26,500 sq ft office Lot 20 (Pc 1 COAL11-0086)- 46,000 sq ft office</p> <p>The total square footage, including this proposal, would be approximately 210,564 square feet, which is under the 450,000 square foot threshold for requiring a traffic signal warrant analysis.</p>
<p>29. At the time specific development is proposed: A. Pedestrian access shall be provided between the main building entrance and the primary street serving the development; pedestrian access shall also be provided to adjacent development, where appropriate; B. Parking lot design shall consider and design for where feasible, connection to adjacent property parking lots.</p>	<p>A. Pedestrian access has been provided from Allene Way. B. The existing sidewalk along Allene Way and Farmhouse Lane provide adequate access to adjacent parcels.</p>
<p>Wastewater 30. Prior to issuance of construction permits, the applicant shall provide will-serve letters from service provider to the County that shows the wastewater provider has sufficient capacity to serve the proposed development.</p>	<p>Wastewater from the project will be handled by the Fiero Lane Water Company wastewater facilities.</p>
<p>Water 31. Based on the tentative tract map, the wells to be used for community potable water will be as follows: #1, #5, #6 & #7. Two existing private on-site community wells (#3 & #9) are proposed for off-site use (Senn development). All other wells existing at tentative map approval (e.g., #2 & #4) shall be for non-potable uses.</p>	<p>Not applicable, done with subdivision improvements.</p>

<p>32. Further well drilling for potable use shall be at least 200' from existing or future leach line areas (undeveloped or partially developed properties where percolation testing has been done [with acceptable rates] for future leach lines).</p>	<p>Not applicable, no additional well drilling is part of the current Minor Use Permit proposal.</p>
<p>33. All landscaping shall be drought tolerant and considered low water users. As a part of specific future development application submittal, the applicant shall show how the landscaping will have low-water requirements. As applicable, at a minimum the following shall be used:</p> <ul style="list-style-type: none"> a. all common area irrigation shall employ low water use techniques (e.g., drip irrigation); b. landscaping be drought-tolerant and having low water requirements (e.g. use of native vegetation); and c. all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible. 	<p>The proposed landscape plan shows no turf areas, drought tolerant plants and ornamental native plants and grasses. All these requirements shall be shown on the landscape and irrigation plans submitted with construction permit applications.</p>
<p>34. Prior to issuance of construction permits, the applicant shall provide will serve letters from service provider to the County that shows the water provider has sufficient water to serve the proposed development.</p>	<p>The applicant has provided a will-serve letter dated March 13, 2014 from the Fiero Lane Water Company. Environmental Health shows that water service is provided by East Airport Fiero Lane Water Company and sewer provided by the Fiero Lane Water Company. They are seen by Environmental Health as two separate entities even though they are managed by the same firm. A condition has been added accordingly.</p>
<p>35. Prior to occupancy or final inspection, whichever occurs first, water meters shall be installed to meter the following: all potable and non-potable water sources; all outdoor water use; and each interior use within the building. Prior to issuance of construction permits, these meters shall be shown on all applicable construction plans. For the life of the project, all meters shall be kept in good working order. Tertiary-treated water shall be metered, but not to be included further in this condition.</p>	<p>Conditions have been added accordingly.</p>
<p>36. For the life of the project on the proposed parcel, the East Airport Mutual Water Company (EAMWC) or Fiero Lane Mutual Water Company (FLMWC) or property owner's association (POA) shall establish a water usage allocation for Lot 16 "water use maximum" (see subsequent "maximum water use" condition). The EAMWC or FLMWC or</p>	<p>Condition has been added accordingly.</p>

<p>POA will provide each tenant with their monthly usage, their year-to-date running total, their overall yearly “base” allotment, and Lot 16’s running total and overall maximum allowed. Bi-annual reports for the previous six months of usage shall be made available to the county (Planning & Building Department) and each tenant no later than July 31st and January 31st respectively. Should the mid-year report show that at the current usage rate the maximum Lot 16 yearly allotment will be exceeded, all tenants will be put on notice to conserve and those exceeding their “base” (plus any approved “reserve”) allotments (see following “reserve program” discussion) will be subject to additional conservation measures (e.g., replace toilets with dual-flush toilets, etc.) if the annual Lot 16 maximum amount (including all approved “reserve” amounts) is exceeded. When applicable, these additional water conservation measures shall be implemented within 60 days of the release of the annual report, but no later than March 31.</p> <p>In the event that other lots within Tract 2368 use less water than their respective, pro-rata share of the available capacity, the water company may create a “reserve program” whereby on a monthly basis, any unused reserves can be requested and allocated to other lots within the Tract on a monthly basis, as long as unused “reserve” water is available. Such modifications shall be summarized annually in writing to the SLO County Planning Department, and an updated allocation summary shall be maintained on file by the Water Company for each legal parcel in the service area.</p>	
<p>37. At the time a specific development is proposed, all uses shall be specified and water usage and extraction quantified using accepted “industry” averages (e.g., UPC, County Master Water Plan, etc.), or based on similar project-specific water data that has been adequately verified for accuracy, as available. Use(s) shall be compared to the proportional estimate for the entire development (see below), based on annual “drought year” project total of 11.42 afy and “average year” total of 16.06 afy. Prior to specific development approval, the proposed use must clearly show how the project can achieve drought water usage levels during a</p>	<p>Based on the formula contained in this condition, the project’s fair share proportional water use for “drought year” will be 0.34 acre feet per year.</p> <p>$(68 \text{ acres} \times 0.24 \text{ acre feet/year}) - 2.5 \text{ afy} = 13.82 \text{ acre feet} \times 1.08 \text{ acres (total project acreage)} / 44.49 = 0.34 \text{ afy.}$</p> <p>For the average year estimate, the usage would be acre feet per year. $68 \times 0.32 = 21.76 \text{ afy} - 2.5 \text{ afy} \times 1.08$ $(\text{acres for the project site}) / 44.49 = 0.47$</p>

<p>“severe” drought, which will go into effect at the point a “severe drought” is identified (see Item #7a). The maximum water usage amount to be allowed for a project will be its proportional share of the “average recharge” estimate.(16.06 afy) Proportional water estimates will be based on the following formulas: “Drought Year Estimate” - [(68 acres X 0.24 acre feet/year*) - 2.5 afy (Senn/ APN 076-511-010)] X project acreage/ 44.49(“adjusted” acreage) = estimated water usage for parcel Example: 1.5 acres = 0.466 afy “Average Year Estimate” - [(58 acres X 0.32 acre feet/year*) - 2.5 afy (Senn/ APN 076-511-010)] X project acreage/ 44.49(“adjusted” acreage) = estimated water usage for parcel Example: 1.5 acres = 0.649 afy <i>*recharge rate based on Katherman reports (Undated; Dec., 2001)</i></p>	<p>afy. Since the tract was recorded, the water company has developed tertiary treatment of water. All of this water can be used for landscaping.</p>
<p>38. For the life of the project, tertiary-treated water that originated from the development’s wastewater may be used for landscaping purposes. Based on the non-drought maximum amount allocated for this lot (0.79 afy) and that up to 70% would be expected for indoor use, up to 0.24 afy of treated water may be used for landscaping above the non-drought maximum amount. Any such secondary water delivery system will include the necessary components to avoid cross-contamination with the potable supply.</p>	<p>Condition added accordingly.</p>
<p>38. At the time a specific development is proposed, the application shall show how it complies with the master “Drought Water Management Program”. Any water usage feature not fully covered under the master “Drought Water Management Plan” shall be fully discussed and shown how it will achieve at least a 25% reduction during drought periods. All drought water conservation measures would go into effect during periods of “severe”drought, as defined in the master plan.</p> <p>Once it is determined that a “severe” drought condition exists, restricted (drought) water usage measures shall remain in effect until it is shown satisfactorily to the county that the “severe” drought condition no longer exists.</p>	<p>The project will comply with Table 2: Drought Response Summary for the various Drought Condition Stages I-III. The tract receives tertiary non-potable water from East Airport Fiero Lane Water System used for supplemental irrigation purposes. The proposed project will use low-flow fixtures and comply with the allocated share of water supply based on its percentage of adjusted land area within the development.</p>

<p>39. As a part of each individual development application submittal:</p> <p>A. The summary information specified in condition #34 shall be obtained and submitted as a part of any new development application. Should the water usage summary information on existing and previously approved development, combined with the proposed project, show that more than its proportional share of water is being used, additional groundwater analysis shall be provided (prepared by a qualified hydrogeologist) to determine what additional conservation measures can be incorporated into the project or off-site to achieve the proportional amount, such as considering additional water conservation measures or use/size limitations on the proposed development;</p> <p>B. All water fixtures installed (including showers) that are not specified in the Uniform Plumbing Code shall be of “ultra-low” flow design, where applicable;</p> <p>C. Identify on all applicable plans the location of project water meters for potable and non-potable water sources that include all indoor and outdoor water uses. Prior to final building permit or occupancy, these meters shall be installed.</p> <p>D. If any water filtering system (e.g., reverse osmosis, etc.) is used or needed to provide potable water, the resulting “waste” water (e.g., brine) shall be included as a part of the project’s water usage estimate (i.e., if it takes 1.5 afy of untreated water to create 1.0 afy of potable water, water usage is 1.5 afy). All efforts will be made to incorporate the re-use of the “waste” water into the project design (e.g., second line installed for non-potable uses). Any such secondary system will include the necessary components to avoid cross-contamination with potable supply.</p>	<p>A. According to information provided by with the first land use permit application within this tract, water use for the 9,474 square foot building located on Lot 7 of Tract 2368 for the 12-month period ending June 29, 2011 was approximately 300 gallons/day or .33 acre feet per year equating to 0.0348afy/1000 SF.</p> <p>B.-D. These shall be shown on construction permit plans.</p>
<p>40. All public improvements (roads, drainage, utilities) shall be completed prior to occupancy of any new structure.</p>	<p>Not applicable, all public improvements completed with the subdivision.</p>
<p>41. CC&Rs</p>	<p>Not applicable – CC&Rs prepared and recorded with Tract 2368.</p>

<p>42. All future development is subject to the standard conditions of approval for community water and individual septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.</p>	<p>The project would be subject to conditions for community water and sewer since the project is connected to wastewater facilities from the Fiero Lane Water Company.</p>
<p>43. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board for subsequent development on each lot. Provide evidence that it has been obtained or is unnecessary upon submittal of any development application.</p>	<p>A stormwater pollution prevention plan (SWPPP) will be required because the project will involve over one acre of disturbance.</p>
<p>44. Prior to map recordation, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.</p>	<p>Not applicable – Map recorded in 2006.</p>
<p>45. All timeframes on approved tentative maps for filing of final tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.</p>	<p>Not applicable – Map recorded in 2006.</p>
<p>46. At the time of construction permits, the applicant shall pay all applicable public facilities fees. The amount of the fees collected shall be what is currently in effect as of the time of the issuance of construction permits.</p>	<p>Project conditioned accordingly.</p>
<p>47. To address the cumulative effects of the project, the applicant shall:</p> <ol style="list-style-type: none"> 1. Pay Transportation Improvement Fees to City Public Works not to exceed \$200,000 (\$57 per ADT), and 2. One of the following: <ol style="list-style-type: none"> i. Payment of Road Improvement Fees to County Public Works, not to exceed \$116,000 (\$33 per ADT), if an impact fee program for this area has been established under the authority of the Mitigation Fee Act and County Ordinance No. 2379. Any capital improvements constructed by the applicant, which are included in the calculation of the fees, or reports prepared by the applicant which are related to the implementation of the impact fee program, shall be considered an "in-kind" contribution and credited against the amount that would otherwise be owed; or 	<p>Transportation fees were paid at the time of final map recordation.</p>

<ul style="list-style-type: none"> ii. Enter into an "Agreement for Pro-Rata Share for Improvements" with Caltrans, in which the applicant agrees to deposit \$116,000 (\$33 per ADT), plus an inflation factor based on Caltrans Highway Construction Cost Index, toward improvements as specified in Table 8 of the Traffic Impact Analysis prepared for the project, or additional improvements listed in #32.h.iii below. Applicant shall provide receipt or other written documentation from Caltrans that the funds have been deposited. Any capital improvements constructed by the applicant, or reports prepared by the applicant, which are related to the implementation of the cumulative mitigation measures, shall be considered an "in-kind" contribution and credited against the amount that would otherwise be owed; or iii. Construct one or more of the following improvements and document that the total value of improvements constructed equals or exceeds \$116,000 (\$33 per ADT), plus an inflation factor based on Caltrans Highway Construction Cost Index: <ul style="list-style-type: none"> a. Southbound right-turn deceleration lane on Highway 227 at Crestmont Drive. b. Two-way left-turn lane on Highway 227 between Crestmont Drive and Los Ranchos Road. c. Extend the southbound right-turn deceleration lane on Highway 227 at Los Ranchos Road. Any capital improvements constructed by the applicant, or reports prepared by the applicant, which are related to the implementation of the cumulative mitigation measures, shall be considered an "inkind" contribution and credited against the amount that would otherwise be owed. 	
<p>48. Permit Requirements and Design Standards for Lots 9, 11 and 12 of Tract 2368 A. At the time specific development is proposed, a Minor Use Permit (or higher level of discretionary review if required otherwise) shall be obtained to establish the use and compatibility with the neighboring residential uses (i.e., viewer group expectations and</p>	<p>Not applicable – Current proposal is for Lot 5 of Tract 2368.</p>

<p>sensitivity).</p> <p>B. Lighting: Lighting shall be prohibited on those portions of structures directly facing the northeastern edge of the lots.</p> <p>C. Building heights on Lots 9, 11, and 12 shall be limited to a single-story with a maximum height of twenty-five feet (25') above existing grade(s).</p> <p>D. Windows: Windows shall be prohibited on those portions of proposed buildings on Lots 11 and 12, located along the northeastern edge of the lots neighboring residential use(s). Windows on those portions of the proposed building on Lot 9 along the northeastern edge of the lot shall be limited to a height of ten feet (10'). Windows shall be tinted, angled and/or recessed to prevent indoor lighting from being visible from the neighboring residential uses after sunset.</p> <p>E. Building Setbacks;</p> <ul style="list-style-type: none">i. Lot 9 - Thirty feet (30') from the northeastern edge of the lot. All other Land Use Ordinance setbacks shall apply.ii. Lots 11 & 12 - Seventy-five feet (75') from the northeastern edge of the lot. All other Land Use Ordinance setbacks shall apply. <p>F. The following plans and/or reports shall be included with application submittal:</p> <ul style="list-style-type: none">i. Visual Impact Analysis. The visual impact analysis shall identify the critical project components as proposed by the applicant (building location, building height, location of and type of glazing, building color, site lighting and landscaping) and allowed under applicable ordinances. The analysis shall include determining impacts to the neighboring residential uses and possible mitigation measures to lessen any potentially significant visual impacts. The analysis shall utilize line of sight diagrams, photographic simulations or other available technology to evaluate the project's impact to the neighboring residential use(s) and to depict applied mitigation measures illustrating potential effectiveness.ii. Landscape Plan: Submit a landscape plan, prepared by a qualified individual, that will either provide for a solid landscaped buffer along portions of the northeastern edge of the lots 9, 11 and 12 or demonstrate (through the visual impact analysis) that the proposed landscape will provide for adequate privacy screening. Plant material shall consist of a mix of	
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<p>trees and shrubs that are evergreen, fast-growing in clay soils, and drought tolerant.</p> <p>iii. Lighting Plan: Submit a building and site lighting plan. Plan shall depict that all lighting fixtures that are visible to surrounding residences be designed to direct light downward, fully contain direct glare on site, and shall be hooded and shielded, accordingly. Low-profile (bollard type with a maximum height of four feet), minimum intensity lighting shall be utilized. Non-glare lighting shall be used throughout the proposed project. Any security lighting shall be screened such that lights are not visible at a distance of 30 feet.</p> <p>G. These measures shall no longer be in effect if the neighboring residential uses cease to exist.</p>	
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