

**CONDITIONS OF APPROVAL - EXHIBIT D
CONDITIONS FOR TENTATIVE PARCEL MAP CO14-0021**

Approved Project

1. This approval authorizes:
 - a. Request by Damien and Katheryne Mavis and Patrick Arnold for a Tentative Parcel Map and Development Plan/ Coastal Development Permit to allow for 1) the subdivision of an existing 6,000 square foot parcel into two 3,000 square foot residential parcels, 2) construction of two single family residential units of 1,983 square feet and 1,917 square feet with attached two car garages on the proposed residential parcels, and 3) use of the residences as two separate vacation rentals. The project will result in the disturbance of the entire parcel through development, landscaping and associated improvements.

Access and Improvements

2. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Common Use Area Easement

3. Reserve easements on the map for front and rear yard common use areas to comply with condominium/planned development design requirements.

Improvement Plans

4. **Prior to map recordation**, electric, telephone and cable television services shall be completed, and shall meet the utilities' installation requirements, unless (in-lieu) financial arrangements with the utility for the installation of these systems have been made.
5. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

Improvement Maintenance

6. **Prior to map recordation** the developer shall submit a proposed Constructive Notice for the subdivision to the county Public Works Department for review and approval. The constructive notice shall provide at a minimum the following provisions:

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- a. The maintenance, within the public road right of way and / or any public pedestrian easement adjacent thereto, of the sidewalks, landscaping, and pedestrian amenities fronting each of the separate lots or parcels within the subdivision in accordance with the county Public Improvement Standards shall be solely responsibility of the owner of each of the separate lots or parcels aforesaid and said owner's heirs, executors, administrators, successors and assigns in perpetuity, or until specifically accepted for maintenance by a public agency.
- b. After approval the Constructive Notice shall be recorded in the office of the County Recorder and a copy of the recorded document submitted to the Public Works Department.

Utilities

7. Electric and telephone lines shall be installed underground.
8. Cable T.V. conduits shall be installed in the street.
9. Gas lines shall be installed.

Vector Control and Solid Waste

10. **Prior to Recordation** a determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Coastal Zone Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

11. The applicant shall obtain a fire safety clearance letter from Cal Fire establishing fire safety requirements prior to filing the final parcel or tract map.
12. Designate a fire lane within all the driveway areas. This lane to be a minimum width of twenty (20) feet.

Parks and Recreation (Quimby) Fees

13. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.

Additional Map Sheet

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14. 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 be recorded with the final parcel or tract map. The additional map sheet shall include the following:
 - a. The additional map sheet shall contain the final conditions of approval for the Development Plan/Coastal Development Permit as they are shown in the Notice of Final Action.
 - b. The additional map sheet shall show the common use areas as an easement across the front and rear yards.
 - c. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the Avila Road Improvement Fees for each future building permit in the amount prevailing at the time of payment.
 - d. The applicant shall demonstrate that the project construction plans are in conformance with the Source Control BMPs as identified for project incorporation in the applicant's Stormwater Quality Plan Application for Priority Projects.
 - e. The property owner shall be responsible for the operation and maintenance of public road frontage sidewalks, landscaping, street lighting, and pedestrian amenities in a viable condition and on a continuing basis into perpetuity, or until specifically accepted for maintenance by a public agency.
 - f. The additional map sheet shall contain the final conditions of approval for the Development Plan as they are shown in the Notice of Final Action.

Covenants, Conditions and Restrictions

15. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall establish a home owners association and provide at a minimum the following provisions:
 - a. A site plan showing the common use areas.
 - b. Maintenance of landscaping.
 - c. Maintenance of common areas.
 - d. Maintenance of all driveways.
 - e. A common wall or party wall agreement, deed restriction or other enforceable restriction will be recorded.

Miscellaneous

16. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

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17. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary **prior to filing the map.**
18. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et seq.
19. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

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STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.

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10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.
12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.