

**EXHIBIT B - CONDITIONS OF APPROVAL
DRC2013-00107 / Longworth**

Approved Development

1. This approval authorizes a Minor Use Permit/ Coastal Development Permit to allow for the construction of a new 2,420 square foot single family residence with an attached 565 square foot guesthouse.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details 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 adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated September 26, 2014.

Public Works

5. **At the time of application for construction permits**, the applicant shall submit a drainage, sedimentation, and erosion control plan for review and approval by the Department of Public Works.
6. **At the time of application for construction permits**, the applicant shall submit an application, fee and plans to the Department of Public Works to secure an Encroachment Permit to construct the project access driveway in accordance with County Public Improvement Standards.

Building

7. **At the time of application for construction permits**, the applicant will prepare and submit a full soils report for the design of all building foundations.
8. **At the time of application for construction permits**, a fire sprinkler system will be required. The sprinkler plans shall be submitted with a separate application for a separate fire sprinkler permit with the application for the structure. The application for the sprinkler system shall be approved prior to issuance of the structure.

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Services

9. **At the time of application for construction permits**, the applicant shall provide a letter from Golden State Water Company stating they are willing and able to service (water) the property.
10. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Aesthetics

11. (VS-1) **Prior to issuance of construction permits**, construction plans shall note that night lighting of the residence and access to the development shall be limited to minimal, downward-facing fixtures, sufficient only to provide safe access, and screened to not be seen off-site.

Biological Resources

12. (BR-1) **Prior to issuance of construction permits**, the applicant shall provide evidence that issuance of an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884) as amended (Act), from the U.S. Fish and Wildlife Service occurred.
13. (BR-9) **Prior to issuance of building permits**, any individual special status plant species that cannot be avoided by the proposed project shall be salvaged prior to the onset of construction activities, by a qualified botanist. Salvage plant species shall be relocated and re-installed within the existing and non-impacted area of non-native grassland that is located in the eastern portion of the site.

Fire Safety

14. (FS-1) Fire Safety Plan. **Prior to construction permit issuance**, the Applicant shall obtain a Cal Fire-approved fire safety plan for use during construction and operation. The fire safety plan shall contain notification procedures and emergency fire precautions including, but not limited to, the following:
 - a. All internal combustion engines, stationary and mobile, shall be equipped with spark arresters. Spark arresters shall be kept in good working order.
 - b. Light trucks and cars with factory-installed (type) mufflers shall be used only on roads where the roadway is cleared of vegetation. Said vehicle types shall maintain their factory-installed (type) muffler in good condition.
 - c. Fire rules shall be posted on the project bulletin board at the contractor's field office and areas visible to employees.
 - d. Equipment parking areas and small stationary engine sites shall be cleared of all extraneous flammable materials.
 - e. Personnel shall be trained in the practices of the fire safety plan relevant to their duties. Construction and maintenance personnel shall be trained and equipped to extinguish small fires in order to prevent them from growing into more serious threats.
 - f. Applicant shall make an effort to restrict use of chainsaws, chippers, vegetation masticators, grinders, drill rigs, tractors, torches, and explosives to outside of the official fire season. When the above tools are used, water tanks equipped with hoses, fire rakes, and axes shall be easily accessible to personnel.

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- g. Smoking shall be prohibited in wildland areas and shall be limited to paved areas or areas cleared of all vegetation. Smoking shall be prohibited within 30 feet of any combustible material storage area (including fuels, gases, and solvents).
- h. During project operation, the approved fire plan shall be implemented.

All measures shall be shown on construction drawings as a part of any construction permit submittal, as applicable and operational measures installed prior to final inspection or occupancy, whichever occurs first. Cal Fire/San Luis Obispo County Fire Department shall also verify compliance post-construction. Operational measures shall be kept in good working order for the life of the project. The County Environmental Monitor shall work with the Cal Fire/ San Luis Obispo County Fire Department to verify that the approved Plan is followed or incorporated.

Public Works

- 15. **Prior to issuance of construction and/or grading permits**, the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board.

Water Resources

- 16. (W-1) **Prior issuance of building permits**, the applicant shall submit to the Department of Planning and Building for review and approval evidence to the satisfaction of the Planning Director that the applicant has retrofitted enough existing homes and businesses to save twice the amount of water the new residence will use (consistent with Title 19).
- 17. (W-2) **At the time of application for construction permits**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 23.04.186 of the San Luis Obispo County Coastal Zone Land Use Ordinance. All plants utilized shall be drought tolerant. Drip-line irrigation shall be used for all landscaped areas (except turf areas) installed for new construction. The drip irrigation system must include an automatic rain shut-off device, soil moisture sensors, and an operating manual to instruct the building occupant on how to use and maintain the water conservation hardware.

Conditions to be completed during project construction

Biological Resources

- 18. (BR-2) Pre-construction and Construction Activity Surveys. **Prior to site disturbance**, in coordination with the U.S. Fish and Wildlife Service, the applicant and/or their legal successor in ownership shall retain a Service-approved permitted biologist (a person with a valid recovery permit for Morro shoulderband snail) to conduct pre-construction and construction activity surveys as a measure to minimize take of Morro shoulderband snail that may be present. These surveys will represent systematic search of vegetation and objects onsite that could provide suitable shelter for Morro shoulderband snail. The results will be presented as part of the Habitat Conservation Plan reporting requirements. The surveys shall be submitted to the County of San Luis Obispo Planning Department and no construction work will be initiated until the monitor determines that the work area is clear of Morro shoulderband snails.
- 19. (BR-3) Capture and Moving of Morro Shoulderband Snail. **Prior to site disturbance**

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and during project construction, all live Morro shoulderband snails in any life stage found during the pre-construction surveys or construction monitoring will be captured and relocated to a Service-approved receptor site by the Service-approved permitted biologist.

20. (BR-4) Pre-construction Environmental Awareness Training. **Prior to site disturbance**, a Service-approved biologist with knowledgeable and experience with Morro shoulderband snail and its habitat will conduct a pre-construction training session for all construction personnel who will be involved in site disturbance. This session is intended to inform construction crews, field supervisors, and equipment operators about the status and presence of the species, grading and construction-activity restrictions, and those minimization measures specified in the Habitat Conservation Plan and Incidental Take Permit.
21. (BR-5) **Prior to site disturbance**, the applicant shall demonstrate that the development and presentation of a contractor and employee training program for Morro shoulderband snail has been completed.
22. (BR-7) **Prior to construction**, a USFWS-approved biological monitor shall be present during the installation of construction fencing, initial vegetation clearing and grubbing, and earthwork in the form of initial grading and excavation. The permitted biologist recovery permit shall include, as a permit condition, authorization to capture and move the species. Any live Morro shoulderband snails found during these monitoring events will be captured and relocated to the conservation areas by the authorized biological monitor. This monitor shall have the authority to order any reasonable measure necessary to avoid the take of Morro shoulderband snail and to immediately stop any work or activity that is not in compliance with the conditions set forth in the ITP. The USFWS office in Ventura and the County of San Luis Obispo shall be notified of any "stop work" order and the order shall remain in effect until the issue has been resolved. No construction work will be initiated until the biological monitor determines that the work area is clear of Morro shoulderband snails.

Building Height

23. The maximum height of the project is 15 feet from the highest point of the lot when measured to the highest point of the roof.
 - a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish grade of the highest point of the lot to set a reference point (benchmark).
 - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a licensed surveyor prior to pouring footings or retaining walls, as an added precaution.
 - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Water Resources

24. (W-3) **Prior to final building inspection**, landscaping shall be installed or bonded for to ensure the implementation of the landscaping consistent with the approved landscaping plan.

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25. (W-4) **Prior to final building inspection**, one of the following shall be installed as a part of the water supply system: 1) A "Point-of-use" supplemental water heater system in all bathrooms and kitchen, or 2) a circulating hot water system.
26. Grading activities shall occur between April 15 and November 1 (dry season) to avoid the rainy season. As conditioned, no ground-disturbing project activities shall be conducted during rain events or within 24 hours of any predicted rain event (i.e., 50% chance of rain or greater).

Conditions to be completed prior to issuance of a construction permit

Architectural Review Committee

27. **Prior to issuance of a construction permit**, the applicant shall submit to the Planning and Building Department, evidence that the Architectural Review Committee has reviewed and approved the final construction plans for the proposed development.

Fees

28. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Aesthetics

29. (VS-2) **Prior to final inspection or occupancy**, whichever occurs first, all exterior lighting shall comply with the lighting condition above. This condition shall be maintained for the life of the project.

Biological Resources

30. (BR-8) **Prior to final building inspection**, the applicant shall make payment of an in-lieu fee of \$10,200 to fund Morro shoulderband snail recovery task actions on conserved lands within the known range of the species. The applicant shall submit evidence to the County of San Luis Obispo that this fee has been paid.
31. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
32. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from Cal Fire of all required fire/life safety measures.
33. **Prior to occupancy or final inspection**, the driveway will be in place prior to issuance of an occupancy permit for the residence.
34. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

Biological Resources

35. (BR-6) Annual reports and a final report will be submitted to the USFWS by December 31 of each year for the duration of the 10-year ITP and will include: (1) a brief summary or list of project activities accomplished during the reporting year (e.g., this includes development/construction activities, and other covered activities); (2) project impacts (e.g., number of acres graded, number of buildings constructed, etc.); (3) a description of any take that occurred for the covered species (includes cause of take, form of take, take amount, location of take and time of day, and deposition of dead or injured individuals); (4) a brief description of conservation strategy implemented; (5) results of monitoring (compliance, effects and effectiveness monitoring) and survey information (if applicable); (6) a description of circumstances that made adaptive management necessary and how it was implemented; (7) a description of any changed or unforeseen circumstances that occurred and how they were addressed; (8) all funding expenditures, balance, and accrual; and (9) a description of any minor or major amendments. Once construction activities are completed, these reports will be brief in nature and are not anticipated to add significant cost to the overall plan implementation costs.
36. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code the applicant shall be responsible for paying to the Department of Public Works the Los Osos Road Improvement Fee for each future building permit in the amount prevailing at the time of payment.
37. **On-going condition of approval (valid for the life of the project)**, 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.
38. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
39. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.