

**EXHIBIT B - CONDITIONS OF APPROVAL
Nicholson DRC2015-00062**

Approved Development

1. This approval authorizes the following development:
 - a. Construction of one new farm support dwelling (2,421 square-feet) on prime soils.
 - b. Maximum allowed height is 35 feet from average natural grade.

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

Site Development

2. **At the time of application for grading and/or construction permits**, the applicant shall submit to the Department of Planning and Building for review and approval a final site plan, floor plan, and architectural elevations showing:
 - a. Revised elevations to show the height of the residence from average natural grade.
 - b. Revised site plan to show a 100 foot setback from top of the distributary creek bank (on western side of site) to protect the adjacent creek and implement the Ordinance standards listed below.
 - c. Coastal Creek Setbacks. All development including but not limited to cut and fill slopes, retaining walls, drainage features, fencing, decking, and parking areas, shall be set back a minimum distance of 100 feet from top of the distributary creek bank (on western side of site) and 100 feet or greater from the upland edge of Little Morro Creek riparian vegetation.
 - d. **Project Limit Area.** The final plans shall clearly identify specific locations of construction, areas for staging and storage, and construction access corridors. Such areas shall be minimized to the maximum extent feasible to minimize impacts on the creek habitat areas. Silt fences, or equivalent shall be installed at the perimeter of allowable construction area to prevent runoff and/or sediment from entering the riparian habitat area.
 - e. **Construction Plan Notes.** The final plans shall include a final construction schedule and erosion control/ water quality Best Management Practices (BMPs) and locations. The following required criteria must be shown on the Plan Notes:
 - i. All work shall take place during daylight hours. Lighting of the creek and riparian area is prohibited.
 - ii. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside the defined construction, staging, and storage areas.

Development shall be consistent with these revised and approved plans.

3. **At the time of application for grading and/or 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 grading and/or 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 Cal Fire for this proposed project and dated December 5, 2015.

Services

5. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposed farm support dwelling.
6. **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.

Grading, Drainage, Sedimentation and Erosion Control

7. **At the time of application for construction permits**, the applicant shall submit a drainage plan for review and approval by the County Public Works Department in accordance with Section 23.05.040 et.seq of the Coastal Zone Land Use Ordinance.
8. **At the time of application for construction permits**, the applicant shall submit a complete erosion and sedimentation control plan for review and approval in accordance with 23.05.036 of the Coastal Zone Land Use Ordinance.

Conditions to be completed prior to issuance of a construction permit

Fees

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

Farm Support Unit Density

10. **Prior to issuance of a construction permit**, the applicant shall submit a complete application for a Farm Support Quarters and sign and submit a Farm Support Quarters Agreement (prepared by County Counsel). The applicant shall also execute a covenant and agreement with the County in a form acceptable to County Counsel whereby the applicant agrees, on behalf of himself and his successors in interest, not to separate the subject parcel (APN: 073-031-038) by sale or land division from the contiguous ownership unless a Development Plan has been first approved, with the Planning Commission making the following findings in Section 23.08.167: a) the proposed reduction on the total acreage of the ownership will not affect its continuing use as a productive agricultural unit; b) the proposed reduction of the ownership size will not encourage population increases in the surrounding area incompatible with continuing agricultural operations; and c) the findings in Section 23.02.034(c)(4) (Development Plan – Required Findings). The parcel on which this Farm Support Quarters is to be located

(APN: 073-031-038) shall not be sold separately from the other parcels under Land Conservation Contract so long as the property is under contract.

Conditions to be completed during project construction

11. **During project construction**, the applicant shall protect the habitat of the stream by ensuring construction debris and sedimentation are retained or directed away from the stream channel.

Archaeology

12. **During construction**, in the event archaeological resources are unearthed or discovered, the following standards apply:
 - 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 evaluated by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. The applicant shall implement the mitigation as required by the Environmental Coordinator.
 - 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.

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

13. **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.
14. **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)

15. 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.
16. 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

ATTACHMENT 02

conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.