

WEYBICK

**REVISED EXHIBIT- C / FINDINGS
PARCEL MAP**

CEQA Exemption

A. The project qualifies for a General Rule Exemption pursuant to CEQA Guidelines Section 15303 because the subdivision is within an urban area and will be subdivided into four or fewer parcels. All services and access to the proposed parcels are available and meet local standards. No special status animals and no state or federally listed animals were located on the property as noted in the Biological report (July 2015, Althouse and Meade, Inc.). No significant cultural resources were identified as a result of Archaeological survey (February 17, 2015, Heritage Discoveries, Inc.). Therefore, it can be determined that any future development would not create a significant effect on the environment.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Commercial Retail, Commercial Service and Residential Rural land use categories.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate areas for development of commercial retail, commercial service and residential uses.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support the existing lumberyard, and allowed uses listed in Table 2-2, Section 22.06.030
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because mitigation measures have been determined in order to mitigate the impacts resulting from this project to a level of insignificance.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

J. "In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within the time frame approved in the Subdivision Agreement and prior to issuance of a permit or other grant of approval for development on a parcel."

Adjustment to the Undergrounding Utilities Requirement

K. There are special circumstances or conditions affecting the subdivision because the existing overhead power lines along the western property line of parcel 2 on the parcel map are higher voltage lines and would be very expensive to underground. Based on the parcel frontage and lot configuration, the undergrounding required for this project would only capture a small segment of the utility infrastructure along this segment of Theater Drive. The County's Circulation Element calls for the extension of Bennett Way from Peterson Ranch Road to Theater Drive, reference Figure 1 on following page. The alignment has not yet been designed. It is anticipated that this entire intersection will be reconfigured to accommodate the Bennett Way extension and future improvements to the North Main Street Interchange. Any undergrounding of utilities done at this time would likely be required to be rerouted with the future project.

L. The granting of the adjustment will not have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision because the utilities will remain in their current state. All utilities will remain untouched overhead until such intersection will be reconfigured to accommodate the Bennett Way extension and future improvements to the North Main Street Interchange.

M. The granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision because the location of such undergrounding improvements are located on Theatre Drive between Parcel 2 and southbound Highway 101 frontage, the only property and improvements it would have affected are those approved in previous Condition Use Permit DRC2007-00024. Previously approved Conditional Use Permit required expansion of retention basins by 18,515 cubic ft. (PMT2009-01303) among landscaping setback and masonry walls were required to mitigate visual impacts for structures to be constructed. With granting of this adjustment these improvements will remain intact until such time as the intersection will be reconfigured to accommodate the Bennett Way extension and future improvements to the North Main Street Interchange.

Revise

WEYALIK

**REVISED EXHIBIT - D / CONDITIONS OF APPROVAL
PARCEL MAP**

Approved Project

1. This approval authorizes:
 - Vesting Tentative Parcel Map and concurrent Conditional Use Permit to 1): subdivide an existing 27.98 acre parcel into three parcels of 3.26, 9.49, and 15.23 acres each for the sale and/or development;

Offers, Easements and Restrictions

2. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - For future public road improvement 60-foot wide road right-of-way along Theater Drive to be described as 40 feet off the westerly US 101 right-of-way.
3. The applicant shall show the following restrictions by certificate on the map:
 - Access shall be denied to Parcel 3 from Main Street except for the southeasterly 100 feet.
4. Easements shown to be quitclaimed on the tentative map shall be done so prior to filing the final map.

Improvement Plans

5. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
 - a. Water plan to be approved jointly with County Environmental Health.
 - b. Sewer plan to be approved jointly with County Environmental Health.
 - c. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.

~~6. The existing overhead electric power, telephone and cable television transmission and distribution lines fronting Theater Drive and those contained within the project boundary shall be relocated underground [21.03.10(h)]~~

7.6. All new electric power, telephone and cable television services shall be completed to each new parcel and ready for service. Applicant responsibilities for electric service and distribution line extensions (facilities and equipment) are detailed in PG&E Electric Rule No.15 and Rule No.16, respectively.

8.7. The applicant shall enter into an agreement and post a deposit 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.

Delete
Remember

9-8. The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Stormwater Pollution Prevention

40-9. At the time of application for construction permits, the applicant shall demonstrate whether the project (including both public and private improvements) is subject to the LUO Section for Stormwater Management. Applicable projects shall submit a Stormwater Control Plan (SWCP) to satisfy post construction requirements for stormwater treatment prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation control plan. The applicant shall submit complete drainage calculations for review and approval.

44-10. At the time of submittal of the improvement plans, if necessary, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for any proposed post construction structural treatment device for review and approval by the County.

42-11. Prior to approval of the improvement plans, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Wastewater Disposal

12. Prior to the filing of the final parcel map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system (for Parcels 3 and Parcel 1).

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 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 new parcels shown on the map that do not already have legal residential units on them.

Additional Map Sheet:

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. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads or

project related roads to be accepted for County maintenance shall require an encroachment permit.

- b. In accordance with the Agreement between the Subdivider and the County, applicants shall be responsible for paying to the Department of Public Works the Templeton Area A Road Improvement Fees for each future building permit in the amount prevailing at the time of payment.
- c. 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 Storm Water Control Plan.
- d. 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.
- e. The additional map sheet shall contain the final conditions of approval for the Conditional Use Permit as they are shown in the Notice of Final Action.

Miscellaneous

15. 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 sec.
16. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
17. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS USING COMMUNITY WATER AND SEPTIC TANKS

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved Public water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to Environmental Health Services for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Construction of required improvements (water main extensions, laterals to each parcel) may be delayed, through preparation of plans, posting of bonds, and subject to the approval of County Public Works, Environmental Health Services, and the public water utility. However, bonding may **not** occur for the water well(s) construction, quantity and quality.
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 Environmental Health Services.
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 Environmental Health Services destruction standards. The applicant is required to obtain a permit from the County Health Department.
5. When a potentially operational or existing auxiliary water supply (in the form of an existing well(s)) is located on the parcels created by this subdivision 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 Code).
6. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan and County Building and Construction Ordinance, Title 19, will be an acceptable method of sewage disposal, until public sewers may become available.
7. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek bank, drainage swale or area subject to inundation.
8. For parcels created with approved community (public) water but no community sewers, the approved on-site sewage disposal system shall be designed, where feasible, for ease in ultimate sewerage.
9. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve 5 or more parcels shall be separated by a minimum of two hundred (200) feet from a leach field, two hundred and fifty (250) feet from seepage pits or dry wells.

10. Individual systems on new land divisions shall be designed and constructed to either reserve sufficient site area for dual leach fields (100% replacement area), or construct the dual leach fields with a diverter valve at the time of initial septic system installation.
11. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the County Planning and Environmental Health Services for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for on-site subsurface sewage disposal.
12. An encroachment permit shall be obtained from County Public Works for any work to be performed within the county right-of-way.
13. An encroachment permit shall be obtained from the California Department of Transportation for any work to be performed on the state highway.
14. Any existing reservoir or drainage swale on the property shall be delineated on the map.
15. Prior to submission of the map "check prints" to County Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
16. Required public utility easements shall be shown on the map.
17. Approved street names shall be shown on the map.
18. 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.
19. The developer shall submit a preliminary subdivision guarantee to County Public Works for review prior to the filing of the map.
20. Any private easements on the property shall be shown on the map with recording data.
21. All conditions of approval herein specified, unless otherwise noted, shall be completed prior to recordation of the map.
22. 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.
23. A map shall be filed in accordance with the Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
24. 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.