EXHIBIT B

CONDITIONS OF APPROVAL
DRC2010-00013 – ALLEN

Approved Development

1. This approval authorizes a Variance/Coastal Development Permit to allow grading on slopes in excess of 30% for a three level single family residence of approximately 2,734 square feet with an approximately 784 square foot garage on a 6,250 square foot lot. The proposal includes the following components: (1) grading and excavation for the lower level garage, driveway, grade transition to the street and building foundation; (2) site disturbance of approximately 4,200 square feet including on-site drainage improvements; and (3) development of the residence with perimeter landscaping.

2. Maximum height shall not exceed 28 feet (as measured from average natural grade and verified by a licensed land surveyor). Raised decks shall not protrude into required setbacks.

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

Site Development

3. **Prior to applying for construction permits,** the applicant shall submit a revised site plan, floor plans and architectural elevations to the Department of Planning and Building for review and approval. The revised plans shall show the following:

    a. 50% of the third floor required setback area (between its alignment with the second floor front wall face and the required 6 foot setback) may be setback less than 6 feet, but in no case less than 3 feet if the design includes significant articulation consistent with Cayucos Urban Area Planning Area Standard – Residential Single Family C. 1. a through c.

    b. The second and third floor front decks shall not protrude into the required front setback (10 foot front setback). A maximum of a 100 square foot front balcony is allowed, and may project into the required front set back up to one-third the width of the required setback.

    The construction plans, permits and resulting development shall be consistent with these approved plans.

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

Site Development

4. **At the time of application for construction permits,** plans submitted shall show:

    a. All development consistent with the approved revised site plan, revised floor plans, revised architectural elevations, landscape plan and these conditions of approval;

    b. The recommendations from the Engineering Geology Investigation, prepared by Geosolutions, Inc. dated April 28, 2010; and

    c. The recommendations from the Soils Engineering Report, prepared by Geosolutions, Inc. dated June 3, 2010.

5. **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.

Access and Improvements/Public Works Department

Access

6. **At the time of application for construction permits,** the applicant shall submit plans to the Department of Public Works to construct the project access driveway in accordance with County Public Improvement rural road driveway standards.

Drainage

7. **At the time of application for construction permits,** the applicant shall submit complete drainage plans and report prepared by a licensed civil engineer for review and approval by the County Public Works Department in accordance with Section 23.05.040 (Drainage) of the Land Use Ordinance. The plan shall, at a minimum evaluate: 1) the effects of the project's projected runoff on adjacent properties and existing drainage facilities and systems, and 2) estimates of existing and increased runoff resulting from the proposed improvement. The plan shall include Best Management Practices (BMPs) to address polluted runoff, including, but not limited to minimizing the use of impervious surfaces (e.g., installing pervious driveways and walkways) and directing runoff from roofs and drives to vegetative strips before it leaves the site.

8. **At the time of application for construction permits,** the applicant shall submit an erosion and sedimentation control plan prepared per County Coastal Zone Land Use Ordinance Section 23.05.036 for review and approval by the County Public Works Department, and it shall be incorporated into the project to minimize sedimentation and erosion. The plan shall be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices, final erosion control measures, and control of off-site effects.

9. **At the time of application for construction permits,** the applicant shall submit complete drainage calculations to the Department of Public Works for review and approval. These calculations will show the difference between the pre and post development 100 year storm run-off.

10. **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 sec.

Storm Water Control Plan

11. **At the time of application for construction permits,** the applicant shall demonstrate whether the project is subject to the CZLUO Section for Storm Water Management. Applicable projects shall submit a Storm Water Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.

Geology and Grading

12. **Prior to any ground-disturbing construction activities or issuance of construction or grading permits,** the following recommendations from the *Engineering Geology Investigation, prepared by Geosolutions, Inc. dated April 28, 2010* shall be implemented as conditions of approval and included on all construction and grading plans:

    a. It is recommended that the soils engineer and engineering geologist review the project plans prior to construction (plan review).

    b. It is recommended that the engineering geologist observe foundation excavations during construction.

    c. It is recommended that the foundations for the proposed residence be based in Franciscan Complex material.

    d. Shoring of cut slopes during construction is recommended due to the potential for Franciscan Complex (chert) to cave.

    e. It is recommended that numerical slope stability analyses be conducted on soil (collivial) or rock slopes cut steeper than 2-to-1 (horizontal to vertical). Due to the presence of competent Franciscan Complex units in the subsurface, un-retained rock cuts with slopes up to 1.5-to-1 (horizontal to vertical) may be considered under the supervision of the Engineering Geologist or Soil Engineer after determining rock quality and performing a stability analysis at that particular location. Locally steeper slopes may be allowed depending on further study and slope stability analysis.

    f. Fill slopes designed or constructed steeper than California Building Code requirements (2-to-1 horizontal to vertical) are recommended to be evaluated by a numerical slope stability analysis completed by the project soils engineer.

    g. The following dust mitigation measures are recommended to be initiated at the start and maintained throughout the duration of the construction or grading activity.

        i. Construction vehicle speed at the work site must be limited to fifteen (15) miles per hour or less;
        ii. Prior to any ground disturbance, sufficient water must be applied to the areas to be disturbed to prevent visible emissions from crossing the property line;
        iii. Areas to be graded or excavated must be kept adequately wetted to prevent visible emissions from crossing the property line;
        iv. Storage piles must be kept adequately wetted, treated with a chemical dust suppressant, or covered when material is not being added to or removed from the pile;
        v. Equipment must be washed down before moving from the property onto a paved public road; and
        vi. Visible track-out on the paved public road must be cleaned using wet sweeping or a HEPA filter equipped vacuum device within twenty-four (24) hours.

    h. Surface drainage should be controlled to prevent concentrated water-flow on either natural or constructed slopes. Surface drainage gradients should be planned to prevent ponding and promote drainage of surface water away from building foundations, edges of pavements

and sidewalks or natural or man-made slopes. For soil areas we recommend that a minimum of five (5) percent gradient be maintained.

i. Seepage is anticipated along the interface of the surface colluvial materials and the underlying formational units. Seepage within formational units should also be anticipated. Surface drainage facilities (graded swales, gutters, positive grades, etc.) are recommended at the base of cut slopes that allow surfacing water to be transferred away from the base of the slope. The project designer is recommended to offer specific design criteria for mitigation of water drainage behind walls and other areas of the site. This is especially imperative upslope of retaining walls for residences. Material such as Akwadrain or Ameridrain or equivalent should to be installed on the wall per manufacturer's specifications. A contractor experienced in this type of installation should be consulted for this work. Drainage from the subsurface should not be connected into conduit from surface drains and should not connect to downspout drainage pipes. Separate piping for surface and subsurface drains is recommended.

j. Excavation, fill, and construction activities should be in accordance with appropriate codes and ordinances of the County of San Luis Obispo. In addition, unusual subsurface conditions encountered during grading such as springs or fill material should be brought to the attention of the Engineering Geologist and Soils Engineer.

k. A final plan review is recommended by the Soils Engineer and Engineering Geologist.

Fire Safety

13. **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 as required by the County Fire Department.

Services

14. **At the time of application for construction permits,** the applicant shall provide letters from County Service Area 10a and Cayucos Sanitary District stating they are willing and able to service the property for water and sewer services, respectively.

Conditions to be completed prior to issuance of a construction permit

Fees

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

Conditions to be completed during project construction

16. **During all phases of development,** the project shall comply with the requirements of the National Pollution Discharge Elimination System Phase I and/or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance.

Soils and Grading

17. **During project construction/ground disturbing activities,** the applicant shall retain a certified soils engineer of record and shall provide the engineer's Written Certification of Adequacy of the Proposed Site Development for its Intended Use to the Department of Planning and Building.

Building Height

18. The maximum height of the project is 28 feet (as measured from average natural grade).

    a. **Prior to any site disturbance,** a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).

    b. **Prior to approval of the foundation inspection,** the benchmark shall be inspected by a building inspector 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.

Construction

19. At all times during the construction phase, the owner shall ensure that all vehicles associated with the construction of the project are legally parked on Richard Avenue and do not unnecessarily block access to any driveways or access to residences. Music shall be kept at a volume so that it is not audible at adjacent residences. No domestic pets are allowed on site at any time during construction.

Conditions to be completed prior to occupancy or final building inspection

20. 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.

21. **Prior to occupancy or final inspection,** whichever occurs first, the applicant shall obtain final inspection and approval from Cayucos Fire Protection District of all required fire/life safety measures.

22. **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.

Geology and Grading

23. **Prior to occupancy or final inspection,** whichever occurs first, the soils engineer and certified engineering geologist of record, shall verify, as applicable, that construction is in compliance with the intent of the plan review, geologic report and the soils engineering reports (Engineering *Geology Investigation, prepared by Geosolutions, Inc. dated April 28, 2010, and the Soils Engineering Report, prepared by Geosolutions, Inc. dated June 3, 2010.)* The soils engineer and certified engineering geologist of record shall provide written verification that the recommendations of the preceding geologic reports and information have been incorporated into the final design and construction, and such verification shall be submitted to the Department of Planning and Building for review and approval.

Miscellaneous

24. 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.

25. 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.