

**EXHIBIT D
TENTATIVE TRACT MAP 3074
CONDITIONS OF APPROVAL
SUB2015-0001**

Approved Project

1. This Tract Map/Development Plan/Coastal Development Permit authorizes the subdivision of a 36,772 square foot site into seven buildable lots and one open space lot as follows:
 - a. Lot 1 – 2512 sq. ft.
 - b. Lot 2 – 2432 sq. ft.
 - c. Lot 3 – 2432 sq. ft.
 - d. Lot 4 – 2432 sq. ft.
 - e. Lot 5 – 2432 sq. ft.
 - f. Lot 6 – 4961 sq. ft.
 - g. Lot 7 – 5405 sq. ft.
 - h. Lot 8 – 14,089 sq. ft. (Open Space Lot)

Road Improvements

2. Road and/or streets to be constructed to the following standards, unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
 - a. E Street shall be widened to complete the project frontage of an County A-2 urban street section fronting the property with a minimum 2-10 foot travel lane and 1-8 foot parking lane within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. Cypress Glen Court shall be realigned and improved as shown on the tentative map. Improvement must be designed and constructed to the satisfaction of Cayucos Fire Department standards.
 - c. The intersection of E street and Cypress Glen Court shall be constructed to a modified B-1 urban driveway standard as shown on the tentative map.
 - d. The onsite access road shall be constructed to Cayucos Fire Department road and turnaround standards.

Offers, Easements and Restrictions

3. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. For road improvement purposes 1-foot along E Street to be described as 36-feet from the recorded centerline, with additional width as necessary to contain all elements of the roadway prism.
 - b. For pedestrian access purposes 6-feet along E Street to be described as 42-feet from the recorded centerline, with additional width as necessary to contain all elements of the roadway prism.

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- c. A public utility easement along E Street to be described as 6-feet beyond the right-of-way, plus those additional easements as required by the utility company, shall be shown on the final map.
 - d. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
4. The applicant shall reserve the following private easements by certificate on the map or by separate document:
 - a. A private access, drainage, and utility easement of sufficient width along the realigned Cypress Glen Court in favor of all new and neighboring parcels that require Cypress Glen Court for access to their property.
 - b. An onsite minimum 20-foot private access and utility easement in favor of Parcels 1 through 8, with additional width as necessary to include all elements of the driveway prism and Fire Agency approved road terminus.
 - c. An onsite reciprocal private drainage easement in favor of Parcels 1 through 8. Easement shall include all drainage appurtenances (basins, inlets, pipes, swales, etc).
 5. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be reserved as a drainage easement in favor of the owners and assigns.

Improvement Maintenance:

6. Roads and/or streets shall be maintained as follows:
 - a. E Street shall be accepted for County maintenance following completion and certification of the improvements. No maintenance financing service charge shall be required, as these streets/roads are already in the County-maintained system, or are identified as new Principal Arterials, Arterials or Collectors, or meet the required number of road maintenance related smart growth points to be exempt.
 - b. Cypress Glen Court and onsite private access roads shall not be accepted for County maintenance following completion and certification of the improvements. The developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Planning & Building.
7. Prior to map recordation the developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure inspection, operation, and maintenance of the following improvements:
 - a. The shared private access road serving parcels 1 through 8.
 - b. The shared storm water treatment facilities for public or common area improvements (if required) as stipulated in the "Private Stormwater Conveyance Management and Maintenance System" exhibit (to be recorded as a Constructive Notice).
 - c. The shared storm drainage basins, inlets, pipes, fences, related landscaping and other appurtenances (if required) for public or common area improvements.
 - d. Completion and compliance with the Riparian Restoration Plan.

Improvement Plans

8. 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.

9. 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.
10. 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 plans are to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan to be approved jointly with County Environmental Health.
 - d. Sewer plan to be approved jointly with County Environmental Health.
 - e. Sedimentation and erosion control plan for subdivision related improvement locations.
 - f. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
 - g. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
 - h. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - i. Storm Water Control Plan.
11. All existing overhead electric power, telephone and cable television transmission and distribution lines fronting or contained within the project boundary shall be relocated underground [21.03.10(h)] and the poles removed.
12. 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.
13. Prior to final 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.
14. New gas distribution mains shall be installed along the entire project frontage(s) and gas service laterals shall be stubbed to each new parcel unless otherwise directed by the gas purveyor.

Drainage

15. Submit complete drainage calculations to the Department of Public Works for review and approval. If calculations so indicate, drainage must be detained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basins is/are to be maintained in perpetuity.

16. All project related drainage improvements shall be designed and constructed in accordance with the recommendations of the Cayucos Drainage and Flood Control Study.
17. 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.
18. Prior to issuance of construction permits, the applicant shall provide evidence satisfactory to the Department of Planning and Building that the Army Corps of Engineers and the California Department of Fish and Wildlife environmental permits have either been secured or that the regulatory agency has determined that their permit is not required.

Stormwater Control Plan

19. 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 Storm Water Management by submitting a Storm Water Control Plan (SWCP) to show what is required to satisfy post construction requirements for stormwater treatment. It shall be 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 Control 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.
 - a. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own storm water treatment on site but based on the performance requirements determined by the total new or replaced impervious square footage of the subdivision.
 - b. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own stormwater treatment on site (and as if it were not a detached single family residence) regardless of its own impervious footprint. It will be required to treat its storm water per the performance requirements determined by the total assumed impervious square footage of the tract.
 - c. Storm water treatment facilities for public or common area improvements (including those for fronting and interior roadways) shall be constructed with those improvements
 - d. An impervious area ceiling must be determined for each lot and noting that as a building restriction on an Additional Map sheet is required.
20. At the time of submittal of the improvement plans or construction permits, 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.
21. Prior to approval of the improvement plans or construction permits, 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.

Additional Map Sheet

22. 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. Notification to prospective buyers that all subdivision roads and streets are to be privately maintained, indicating the proposed maintenance mechanism.
 - b. If a fenced drainage basin is required, that the owner(s) of Lots 1 through 8 are responsible for on-going maintenance of drainage basin fencing, in perpetuity.
 - c. If a drainage basin is required, that the owner(s) of Lots 1 through 8 are responsible for on-going maintenance of drainage basin and adjacent landscaping in a viable condition on a continuing basis into perpetuity. The basin(s) area shall be indicated as a building restriction.
 - d. The limits of inundation from a 100 year Hood shall be shown on the additional map sheet. Building sites shall be located out of areas subject to Hooding and all future building permit submittals shall show compliance with County Code for Flood Hazard.
 - e. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.
 - f. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan Application.
 - g. For Stormwater management purposes, an impervious area ceiling must be determined for each lot and noted as a building restriction.
 - h. Stormwater treatment facilities shall be maintained and inspected in perpetuity as stipulated in the "Private Stormwater Conveyance Management and Maintenance System" exhibit (to be recorded as a Constructive Notice).
 - i. 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.
 - j. The following shall apply to the areas within the open space area: no oak trees, or other visually significant vegetation, shall be impacted or removed (removing and impacting trees for leach lines shall be to the least extent feasible); no activities shall be allowed that could adversely impact the sensitive vegetation, as defined in the Botanical Assessment (Althouse and Meade, 2015). Any removal of non-sensitive vegetation shall be done by hand, and by a qualified individual that can identify and avoid those sensitive species identified in the Botanical Assessment. Any vegetation removal shall be consistent with the procedures in the Landscape Restoration and Enhancement Plan.
 - k. Notification to prospective buyers that a development plan/coastal development permit has been approved for and applies to the property and may contain requirements not part of the subdivision map approval.
 - l. 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.
 - m. No parking is allowed in the access drive and signs shall be installed pursuant to these conditions.
 - n. The open carports on lots 1-5 shall be maintained in their approved open condition for the life of the project.

Covenants, Conditions and Restrictions

23. The developer shall submit proposed Covenants, Conditions, and Restrictions (CC&R) for the subdivision to the county Department of Planning and Building for review and approval,

and shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Planning & Building, and in conformance with the requirements of the State Department of Real Estate. The CC&R shall provide at a minimum the following provisions:

- a. Maintenance of Cypress Glen Court along the project frontage and onsite private access roads in perpetuity.
- b. If a fenced drainage basin is required, on-going maintenance of drainage basin fencing, in perpetuity.
- c. If a drainage basin is required, on-going maintenance of drainage basin and adjacent landscaping in a viable condition on a continuing basis into perpetuity.
- d. If storm water treatment facilities are required, on-going maintenance of said facilities in a viable condition on a continuing basis into perpetuity.
- e. Maintenance of all common areas within the subdivision in perpetuity.
- f. 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.
- g. The limits of inundation from a 100 year flood shall be shown on the additional map sheet. Building sites shall be located out of areas subject to flooding and all future building permit submittals shall show compliance with County Code for Flood Hazard.
- h. Notification to prospective buyers that an additional map sheet was recorded with the final parcel or tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.
- i. The following shall apply to the areas within the open space area: no oak trees, or other visually significant vegetation, shall be impacted or removed (removing and impacting trees for leach lines shall be to the least extent feasible); no activities shall be allowed that could adversely impact the sensitive vegetation, as defined in the Botanical Assessment (Althouse and Meade, 2015). Any removal of non-sensitive vegetation shall be done by hand, and by a qualified individual that can identify and avoid those sensitive species identified in the Botanical Assessment. Any vegetation removal shall be consistent with the procedures in the Landscape Restoration and Enhancement Plan.
- j. Notification to prospective buyers that a development plan/coastal development permit has been approved for and applies to the property and may contain requirements not part of the subdivision map approval.
- k. 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.
- l. No parking is allowed in the access drive and signs shall be installed pursuant to these conditions.
- m. The open carports on lots 1-5 shall be maintained in their approved open condition for the life of the project.

Open Space Easement

24. **Prior to recordation of the final map**, the applicant shall execute and record an open space easement for creek habitat protection, in a form approved by County Counsel and the California Coastal Commission in conformance with applicable Coastal Act regulations, for Lot 8 and the portions of Lots 6 and 7 outside the development envelope. The open space easement shall include a formal legal description and graphic depiction of subject properties including the Little Cayucos Creek Riparian Habitat Area. Development shall be prohibited in the open space area except for:

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- a. Restoration, protection, and enhancement of native riparian habitat and Monarch butterfly habitat consistent with the terms of the Final Landscape Restoration and Enhancement Plan;
- b. Public interpretive access improvements approved by a coastal development permit.

Miscellaneous

25. Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final tract map. The date and person who prepared the report are to be noted on the map.
26. 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.
27. All timeframes on approved tentative maps for filing of parcel or final tract maps are measured from the date the Review Authority approves the tentative map as required by the Subdivision Map Act.

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STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS USING
COMMUNITY WATER AND COMMUNITY SEWER

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 the 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 Environmental Health Services.
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. 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 Environmental Health Services 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 the 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.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.

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11. Any existing reservoir or drainage swale on the property shall be delineated on the map.
12. 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.
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 completed prior to recordation 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 the 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.