

ATTACHMENT 02
EXHIBIT B - CONDITIONS OF APPROVAL
NOVY DRC2015-00092

Approved Development

1. This approval authorizes:
 - a. Construction of a 3,048 square-foot single-family residence with a 484 square-foot attached garage and a 351 square-foot attached workshop
 - b. Maximum height is 14 feet from average natural grade.
 - c. All new development shall be setback a minimum of 62 feet from the edge of wetland vegetation. An engineered survey shall be completed to establish this edge prior to ground disturbance. This setback shall be shown on all applicable plans submitted for County approval.

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

Site Development

2. **At the time of application for construction permits**, a revised site plan shall be submitted and shall show the residence shifted 5 feet towards the front property line, and shall have a front setback of 10 feet.
3. **At the time of application for construction permits**, a drought tolerant landscaping plan shall be provided.
4. **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.
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.

Fire Safety

6. **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 April 7, 2016.

Access

7. **At the time of application for construction permits**, the applicant shall submit fees 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.

Drainage

8. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 23.05.040 (Drainage) of the Land Use Ordinance.

9. **At the time of application for construction permits**, the applicant shall show the 100 year flood hazard boundary on the project plans.
10. **At the time of application for construction permits**, the applicant shall submit evidence to the Department of Public Works that all new structures comply with County flood hazard construction standards.
11. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.

Services

12. **At the time of application for construction permits**, the applicant shall provide a letter from Los Osos Community Services District stating they are willing and able to service water to the property.
13. **At the time of application for construction permits**, the applicant shall provide proof of ownership of a septic system credit from 1250 Pine Avenue.
14. **At the time of application for construction permits**, the applicant shall provide proof that a sewer assessment fee or other form of clearance from the Public works Department has been attached to the project parcel, or transfer in part from 2150 Pine Avenue.

Storm Water Control Plan

15. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO 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.
16. **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Storm Water Conveyance Management and Maintenance System" exhibit for review and approval by the County.

Conditions to be completed prior to issuance of a construction permit

Fees

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

Storm Water Control Plan

18. **Prior to issuance of construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Storm Water Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Lateral Access

19. **Prior to issuance of construction permits**, the applicant shall record a minimum 30-foot lateral easement extending from the inland extent of wetland vegetation, primarily

for habitat protection and secondary for public access. The offer shall be in a form acceptable to County Counsel, and shall be approved by the Planning Director and the Executive Director the California Coastal Commission.

Conditions to be completed during project construction

Site Development

20. The federal letter of concurrence of no-take expires on February 4, 2017. If all necessary permits have not been issued and exterior construction is not complete by this date, all construction shall cease until an extension is granted and provided to the county. If additional survey work is required to obtain an extension, copies of the surveys shall be provided to the county.

Building Height

21. The maximum height of the project is 14 feet 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 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.

Archaeology

22. **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

Services

23. **Prior to occupancy or final inspection**, provide evidence that the dwelling unit at 2150 Pine Avenue has been demolished.

Fire Safety

24. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.

Development Review

25. **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.

Landscaping

26. **Prior to final building inspection, drought tolerant landscaping** shall be installed or bonded for to ensure the implementation of the landscaping consistent with the approved landscaping plan.

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

27. 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.
28. 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.

Archaeology

29. If any significant archaeological resources or human remains are found during construction, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

Fees

30. 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 Impact Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of application for building permits.