

EXHIBIT B

CONDITIONS OF APPROVAL FOR BURKE PARCEL MAP CO16-0122/SUB2015-00058

Approved Project

1. A Tentative Parcel Map (CO 16-0122) to subdivide two parcels totaling 3.8 acres into three parcels of 1.2, 1.3 and 1.3 acres each for the purpose of sale and/or development with related road/access and drainage improvements.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
 - a. The existing Farmhouse Lane improvements fronting the project site shall be reconstructed to repair deteriorated improvements and/or upgraded as required to conform to current Public Improvement Standards for an A-2 urban street standard.
3. 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.
4. The applicant shall 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. The 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.
5. All public improvements shall be completed prior to occupancy of any new structure.

Offers, Easements and Restrictions

6. The applicant shall reserve the following private easements by certificate on the map or by separate document:
 - a. A minimum 30-foot shared private access, drainage, and utility easement in favor of Parcel 3 with additional width as necessary to include all elements of the roadway.
7. The applicant shall show the following restrictions by certificate on the map or by separate document:
 - a. If drainage basins are required then the basin areas shall be indicated as a building restriction on the map or document.
8. 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 Plans

9. 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. 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 improvements.
 - f. Storm water control plan for subdivision related improvements (if subject to MS-4 requirements).
 - g. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
 - h. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
10. 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.
11. **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.

Storm Water

12. **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 storm water 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 Storm Water 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. a. Storm Water treatment facilities for public or common area improvements (including those for fronting and interior roadways) shall be constructed with the subdivision improvements.
 - a. b. If private 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 based on the total new or replaced impervious square footage of those improvements, and in accordance with the *County of San Luis Obispo Post Construction Requirements Handbook* Performance Requirement 4 (PR4).
 - c.
13. **At the time of submittal of the improvement plans or construction permits**, if necessary, the applicant shall submit a draft "Private Storm Water Conveyance Management and Maintenance System" exhibit for any proposed post construction structural treatment device for review and approval by the County.

14. **Prior to approval of the improvement plans or 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.

Fire Protection

13. The applicant shall obtain a fire safety clearance letter from CalFire establishing fire safety requirements prior to filing the final parcel or tract map.

Inclusionary Housing

14. **Prior to filing the final parcel map or tract map**, the applicant shall enter into an inclusionary housing agreement to ensure the construction of inclusionary housing unit(s), in conformance with Section 22.12.080. As an alternative, the applicant may pay the residential in-lieu fee pursuant to Section 22.12.080.C.2.b, or defer in-lieu fee payment pursuant to Section 22.12.080.J.4.c.

Easements

15. **Prior to recordation of the final parcel or tract map**, the property owner shall grant an avigation easement to the County of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel. Based on the encumbrances identified in the preliminary title report submitted to the County, additional documents, including, without limitation, a Consent of Lienholder or Consent of Lessee, may be required in connection with the avigation easement. The avigation easement document shall be reviewed and approved by County Counsel prior to filing of the final parcel or tract map.

Additional Map Sheet

16. 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 until accepted for maintenance by a public agency.
 - b. If a drainage basin is required, that the owner(s) of LOTS 1-3 are responsible for on-going maintenance of drainage basin, fencing, and adjacent landscaping in a viable condition on a continuing basis into perpetuity. The basin(s) area shall be indicated as a building restriction.
 - c. All driveway approaches shall be constructed in accordance with County Public Improvement Standards.
 - d. With development each lot will be required to perform its own storm water treatment on site based on the total new or replaced impervious square footage of those improvements, and in accordance with the *County of San Luis Obispo Post Construction Requirements Handbook* Performance Requirement 4 (PR4).

- e. Storm Water treatment facilities shall be shall be maintained and inspected in perpetuity as stipulated in the "Private Storm Water Conveyance Management and Maintenance System" exhibit (to be recorded as a Constructive Notice).
- f. If improvements are bonded for, all public improvements (access, drainage, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.
- g. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Storm Water Control Plan Application.
- h. Storm Water treatment facilities shall be shall be maintained and inspected in perpetuity as stipulated in the "Private Storm Water 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, and pedestrian amenities in a viable condition and on a continuing basis into perpetuity, or until specifically accepted for maintenance by a public agency.

Covenants, Conditions and Restrictions

- 17. The developer shall remain with the existing Tract 2368 Property Owners' Association 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&Rs shall be the same as to those established for Tract 2368.

Miscellaneous

- 18. 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.
- 19. 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.
- 20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
- 21. 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 the date a time extension request may be acted on.

Attachment 2 - Conditions of Approval
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.
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.

Attachment 2 - Conditions of Approval

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.