

**EXHIBIT D - CONDITIONS OF APPROVAL
VESTING TENTATIVE TRACT MAP / SUB2019-00017 / TRACT 3130**

Approved Project

1. Vesting Tentative Tract Map to: 1) subdivide an existing 1.23-acre parcel into a 14-lot residential Planned Development of approximately 3,470 to 4,900-square-foot (gross) in size.

Fire Protection

2. The applicant shall obtain a fire safety clearance letter from the Five Cities Fire Authority establishing fire safety requirements prior to filing the final parcel or tract map.
3. Designate the internal drive isle as a no-parking fire lane with signage.

Parks and Recreation (Quimby) Fees

4. 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 or tract map, 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 or remainder parcels shown on the map that do not already have legal residential units or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.

Affordable Housing

5. **Prior to filing the final parcel map or tract map (or prior to issuance of any construction permit for a structure)**, the applicant shall enter into an affordable housing agreement to ensure the construction of one Very-Low Income single family dwelling unit, in conformance with Section 22.12.070 and the state Government Code 65915. The long-term affordability requirements shall comply with Government Code 65915(c).

Access and Improvements

6. 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. Wilmar Ave shall be widened to complete the project frontage of an A-2 urban street section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. A private access road serving Parcels 1-14 shall be constructed to Cal Fire Standards within a 20-foot minimum shared private access, public utility easement, and private drainage easement with additional width as necessary to include all elements of the roadway prism and the cul-de-sac or other Cal Fire approved road terminus.
 - c. All roadway grading shall be done in accordance with Title 19 and the California Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
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.

8. 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.

Offers, Easements and Restrictions

9. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. For future road improvement 24-foot wide road right-of-way along Wilmar Avenue to be described as 24-feet from the recorded centerline, with additional width as necessary to contain all elements of the roadway prism.
 - b. A public utility easement along Wilmar Avenue 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.
 - c. A 10-foot minimum public utility easement serving Parcels 1-14.
 - d. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
10. The applicant shall reserve the following private easements by certificate on the map or by separate document:
 - a. A minimum 20-foot shared private access and drainage easement in favor of Parcels 1-14 with additional width as necessary to include all elements of the roadway prism and the cul-de-sac or other Cal Fire approved road terminus.
11. The applicant shall show the following restrictions by certificate on the map or record by separate document:
 - a. Access shall be denied to lots 1 and 8 from Wilmar Avenue and this shall be by certificate and designation on the map.
 - b. If drainage basins are required, then the basin areas shall be indicated as a building restriction on the map.

Improvement Maintenance

12. 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 and 14.
 - b. The shared storm water treatment and retention facilities shall record an operation and maintenance plan via an recorded agreement or through recorded Covenants, Codes, and Restrictions (CC&Rs).
 - c. The shared storm drainage basins, inlets, pipes, fences, landscaping and other related appurtenances (if required) for public or common area improvements.

Improvement Plans

13. 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:

Attachment 4

- a. Street plan and profile.
- b. Drainage ditches, culverts, and other structures (if drainage calculations require).
- c. Utility plan.
 - (1) Water plan to be approved jointly with County Environmental Health. Water facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
 - (2) Sewer plan to be approved jointly with County Environmental Health. Sewer facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
 - (3) New electric power, telephone and cable television service conduits and appurtenances shall be constructed and service conduits stubbed to each new parcel.
 - (4) New gas distribution mains and appurtenances shall be installed along the entire project frontage(s) and gas service laterals stubbed to each new parcel.
- d. Sedimentation and erosion control plan for subdivision related improvements.
- e. Stormwater control plan for subdivision related improvements (if subject to MS-4 requirements).
- f. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
- g. 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.
- h. All grading shall be done in accordance with the County Public Improvement Standards and the California Uniform Building Code. Lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Subdivision Grading

14. Grading not associated with required public improvements shall be subject to the Subdivision Grading Process per the latest Public Improvement Standards.

Drainage & Flood Control

15. All subdivision improvements must be designed and constructed in accordance with the recommended Best Management Practices (BMPs) as listed in Table 4.10 of the "Arroyo Grande Creek Erosion, Sedimentation and Flooding Alternatives Study" (Swanson Hydrology & Geomorphology, January 2006), and county Public Improvement Standards. These BMPs shall include and not be limited to:
 - a. Dispersing and/or slowing runoff with swales, infiltration trenches or similar
 - b. Controlling concentrated runoff with curb usage or culverts or similar
 - c. Soil stabilization with decomposed granite, retaining walls or slough walls or similar
 - d. Sediment retention with staged catch or retention basins, vegetated filter strips or similar.
16. Submit complete drainage calculations prepared by a licensed civil engineer to the Department of Public Works for review and approval. If calculations so indicate, drainage must be retained 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 basin/s is/are to be maintained in perpetuity.

Stormwater Pollution Prevention Plan (SWPPP)

17. **At the time of application for construction permits**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

Stormwater Control Plan (SWCP)

18. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to post-construction stormwater requirements by submitting a Stormwater Control Plan application or Stormwater Post Construction Requirements (PCRs) Waiver Request Form.
- a. The applicant must submit a SWCP for all regulated projects subject to Performance Requirement #2 and above. The SWCP must be prepared by an appropriately licensed professional and submitted to the County for review and approval. Applicants must utilize the County's latest SWCP template.
 - b. If post-construction stormwater control measures (SCMs) are proposed, the applicant must submit a draft Stormwater Operations and Maintenance Plan for review by the County. The plan must consist of the following Planning & Building Department forms;
 - i) Structural Control Measure Description (Exhibit B)
 - ii) Stormwater System Contact Information
 - iii) Stormwater System Plans and Manuals
 - c. If applicable, following approval by the County, the applicant shall record with the County Clerk-Recorder the Stormwater Operation and Maintenance Plan and an agreement or provisions in the CCRs for the purpose of documenting on-going and permanent storm drainage control, management, treatment, inspection and reporting.
19. **Prior to acceptance of the improvements (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes, approved by the County, and re-recorded with the County Clerk-Recorder as amendments to the original document.

Additional Map Sheet

20. 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. 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.
 - b. Notification to prospective buyers that all subdivision roads and streets are to be privately maintained, indicating the proposed maintenance mechanism.

Attachment 4

- c. Notification that the owner(s) of all lots are responsible for on-going maintenance of drainage and flood control improvements including basins, pipes, manholes, inlets, headwalls, sediment control devices, fencing, landscaping, etc. in a viable condition on a continuing basis into perpetuity, and indicating the proposed maintenance mechanism. The improved areas shall be indicated as a building restriction.
- d. Notification that the owner(s) of all lots are responsible for on-going maintenance of stormwater quality improvements including basins, water quality control devices, landscaping, etc. in a viable condition on a continuing basis into perpetuity, and indicating the proposed maintenance mechanism.
- e. 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.
- f. Lot development must be designed and constructed in accordance with the recommended Best Management Practices (BMPs) as listed in Table 4.10 of the "Arroyo Grande Creek Erosion, Sedimentation and Flooding Alternatives Study" (Swanson Hydrology & Geomorphology, January 2006), and county Public Improvement Standards.
- g. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan Application.
- h. The property owners shall be responsible for the operation and maintenance of public road frontage landscaping and driveway sight distance in a viable condition and on a continuing basis into perpetuity.
- i. The additional map sheet shall contain the final conditions of approval for the Tentative Map/Conditional Use Permit (SUB2019-00017) (if applicable) as they are shown in the Notice of Final Action.

Covenants, Conditions and Restrictions

21. 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 inspection, operation, and maintenance (Maintenance) of the below project features in a form acceptable to the Department of Planning & Building, and in conformance with the requirements of the State Department of Real Estate:
 - a. Maintenance of all private access roads in perpetuity.
 - b. Maintenance of all drainage and flood control facilities including basins, inlets, pipes, fencing, landscaping, and related drainage appurtenances in a viable condition on a continuing basis into perpetuity.
 - c. Maintenance of all stormwater quality facilities as stipulated in the Stormwater Operations and Maintenance Plan recorded with the County Clerk-Recorder's Office.
 - d. Maintenance of any proposed common areas within the subdivision in perpetuity.
 - e. Maintenance of public road frontage improvements, landscaping, and driveway sight distance in a viable condition and on a continuing basis into perpetuity, or until specifically accepted for maintenance by a public agency.
 - f. 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.

Miscellaneous

22. 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.
23. All lots must be numbered in sequence.
24. 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.
25. For land use permits that are required in conjunction with a land division application, the effective approval period of the land use permit shall run with the tentative map, subject to the time extension provisions of the Subdivision Map Act (as it may be amended by the Legislature). The land use permit time frame may exceed the 5, 12-month time extensions allowed by ordinance section 22.64.070 C. (or section 23.02.034c. in the Coastal Zone), if the concurrent tentative map time extension request is consistent with the Subdivision Map Act time extension provisions. Time extensions for tentative maps with concurrent use permits must be submitted in writing with processing fees prior to the expiration date of the tentative map and use permit. Time extensions for tentative maps with concurrent use permits, other than those approved by operation of law, are subject to discretionary review. Time extensions may be approved or denied based on the circumstances prevailing at the time of the request.
26. This vesting tentative tract map (and concurrent conditional use permit) are subject to a two-year initial approval period. Prior to expiration a time extension with applicable fees must be submitted in writing to the Department of Planning and Building. 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.

STANDARD CONDITIONS OF APPROVAL FOR
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community 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 county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
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 the county Health Officer.
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 county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created 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 Ordinance)
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 the county Health 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 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 "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.

Attachment 4

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 complied with prior to the filing 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 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.