



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
Trevor Keith *Director of Planning & Building*

June 12, 2020

ASHLEY & VANE ENGINEERING
1413 MONTEREY ST
SAN LUIS OBISPO CA 9301

SUBJECT: Notice of Final County Action, Parcel Map SUB2018-00015

Dear Sir/Madam,

On **June 01, 2020**, the above-referenced application was approved by the **Subdivision Review Board** based on the approved Findings, and subject to the approved Conditions, which are both enclosed for your records.

If you disagree with this action, pursuant to (County Real Property Ordinance Section 21.04.020 / County Land Use Ordinance Section 22.70.050 / County Coastal Zone Land Use Ordinance (CZLUO) Section 23.01.042), and in the manner described therein, you have the right to appeal this decision, or a portion of this decision, to the Board of Supervisors within 14 calendar days after the date of the action.

The appeal must be submitted on the proper Department of Planning and Building appeal form, as provided on the County website, to the Clerk of the Board of Supervisors with a copy filed with the Department of Planning and Building. The original appeal form filed with the Clerk of the Board of Supervisors must be submitted with an original signature; a facsimile will not be accepted. The appeal fee is set by the current fee schedule and must accompany the copy of the appeal form filed with the Department of Planning and Building for your appeal to be accepted for processing.

If you have any questions regarding your project, please contact **Stephanie Fuhs** at 805-781-5721.

Sincerely,

Daniela Chavez

Daniela Chavez, Secretary
County of San Luis Obispo
Department of Planning & Building

CC: CHUCK BRAFF
835 AEROVISTA
SAN LUIS OBISPO CA 93401

BRAFF (SUB2018-00015/CO18-0029)
EXHIBIT A - FINDINGS

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on February 13, 2020 for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Biological Resources, Cultural Resources, Public Services, Recreation and Transportation and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Suburban land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of primary residences, accessory dwelling units and residential accessory structures allowed in the Residential Suburban land use category.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support primary residences, accessory dwelling units and residential accessory structures allowed in the Residential Suburban land use category.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the subdivision has been conditioned to provide a 50-foot setback from the edge of riparian vegetation on the site and conduct a nesting bird survey if any construction will occur during the nesting season.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Road Improvements

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

Road Abandonment

- K. The elimination of a portion of the Windmill Way easement that was recorded on Parcel Map CO 94-095 as shown on the tentative map would not eliminate, delay or unreasonably interfere with the opportunity to develop the proposed lots within this proposed parcel map and would not preclude development of the properties in the immediate neighborhood because the proposed easement provides a preferable alignment for future extension of Windmill Way to the parcels to the north and south of the project site. These future road connections will provide an alternative access between Crestmont Drive and Los Ranchos Road rather than using Highway 227.

- L. The elimination a portion of the Windmill Way easement would not eliminate, delay interest in, or conflict with other elements of the County General Plan because the portion of the easement being abandoned for road purposes is being shifted to another portion of the subdivision that provides a preferable alignment for future access between Crestmont Drive and Windmill Way. This realignment is consistent with the goals, objectives and policies of the other elements of the General Plan.

- M. The elimination of a portion of the Windmill Way easement will not conflict with the applicable sections of the General Plan because the residential properties will continue to have safe access to their properties and the County and State's maintained road system.

BRAFF (SUB2018-00015/CO18-0029)
EXHIBIT A - FINDINGS

Approved Project

1. A Tentative Parcel Map (CO 18-0029) to subdivide an existing 7.13-acre parcel into four parcels ranging in size from 1.2 to 1.6 acres each with a 1.2-acre remainder parcel.
2. 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.
3. This approval is valid for 24 months from the date of approval by the Review Authority. Up to six (6) one-year time extensions can be granted. These one-year extensions must be requested, one year at a time, **prior to the expiration date of the map**. Per the State Subdivision Map Act, Government Code section 66463.5, if a map expires, no further action can be taken by the County unless a new map is applied for and approved. It is the applicant's responsibility to track expiration dates.

Access and Improvements

4. Roads 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. Windmill Way shall be constructed to a complete A-1a rural road section within the existing 60-foot (or proposed 50-foot) offer of dedication for road easement purposes through the entire project site, and northerly through the adjacent property (Parcel 3 of 1/PM/96, APN 044-082-033) to connect back to the County maintained segment. Windmill Way shall terminate at the southerly project boundary in a Cal Fire standard cul-de-sac, hammer head or other approved terminus with additional easement width as necessary to contain all elements of the roadway terminus improvements. The terminus shall allow for future connection to Crestmont Drive.

OR
 - b. Windmill Way shall be constructed to a complete A-1a rural road section within the existing 60-foot (or proposed 50-foot) offer of dedication for road easement purposes through the entire project site, and southerly through the adjacent property (Parcel 1 of 52/PM/17, APN 044-082-034) to connect back to the County maintained segment or to the northerly terminus of the road improvements constructed for Parcel Map CO 16-0126 (tentative map application currently in progress). Windmill Way shall terminate at the northerly project boundary in a Cal Fire standard cul-de-sac, hammer head or other approved terminus with additional easement width as necessary to contain all elements of the roadway terminus improvements. The southerly terminus shall allow for future connection to Hacienda Avenue.
 - c. If private access rights for the shared access driveway easement on Parcel 3 of 1/PM/96 to State Route 227 as shown on the tentative map, is to remain for use by the Parcels within the subdivision, the existing State Route 227 shared access driveway entrance over Parcel 3 of 1/PM/96, as shown on the tentative map, must be improved to state driveway standards under a separate encroachment permit issued by Caltrans. Upon commencement of State Route 227 at Los Ranchos Road intersection improvements, the driveway will be restricted to right-in and right-out turning movements.

- d. 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.
5. 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.
6. 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

7. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. For public road easement purposes, the applicant shall acquire an offer of dedication for a 50-foot minimum right-of-way for any proposed re-alignment located across Parcel 1 or Parcel 3 of 1/PM/96.
 - b. For public road easement purposes, a 50-foot minimum right-of-way with a 6-foot public utility easement along both sides, for any re-alignment plus additional width as necessary to contain the roadway terminus. Windmill Way may be accepted for future County maintenance following completion and certification of the improvements and future connection to Los Ranchos Road.
 - c. Additional utility easements as required by the utility companies serving the subdivision, shall be shown on the final map.
 - d. Public Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
8. The applicant shall reserve the following private easements by certificate on the map or by separate document:
 - a. Private drainage easement(s) as necessary to contain both existing and proposed drainage and stormwater improvements as needed for the public road improvements.
9. The applicant shall show the following restrictions by certificate on the map or record by separate document:
 - a. Except where permitted via a Caltrans encroachment permit, access shall be denied to all new parcels fronting State Route 227 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.
10. 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

11. 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. 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 underground 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.
 5. All existing overhead electric power, telephone and cable television transmission and distribution lines fronting or contained within the project boundary shall be relocated underground [Section 21.03.010(8)] and the poles removed.
 - d. Sedimentation and erosion control plan for subdivision related improvements.
 - e. Stormwater control plan for subdivision related improvements.
 - 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. 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.
 - j. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 1. Submit a copy of all such permits to the Department of Public Works OR
 2. Document that the regulatory agencies have determined that said permit is not required.

Drainage

12. Submit complete drainage calculations 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.

13. **At the time of application for subdivision improvement plans and/or construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
14. All project related drainage shall be designed and constructed in accordance with the recommendations of the San Luis Creek Watershed Drainage Design Manual.

CSA 18

15. **Prior to application for construction permits**, the applicant shall obtain a conditional intent to serve water letter from CSA 18 and must enter into a reimbursement agreement. Additional documents specific to the project may include resolution of application, Public Works Annexation Agreement, Pipeline Extension Performance Agreement, and General Conditions for Additions to District Facilities.

Stormwater Pollution Prevention Plan (SWPPP)

16. **At the time of application for subdivision improvement plans and/or 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)

17. **At the time of application for subdivision improvement plans and/or construction permits**, the applicant shall demonstrate whether the project is subject 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;
 1. Structural Control Measure Description (Exhibit B)
 2. Stormwater System Contact Information
 3. 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 CC&Rs for the purpose of documenting on-going and permanent storm drainage control, management, treatment, inspection and reporting.
18. **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.

Fire Protection

19. The applicant shall obtain a fire safety clearance letter from the County Fire/CalFire establishing fire safety requirements **prior to filing the final parcel map**.

Fees

20. 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 shown on the map that do not already have legal residential units on them.
21. Subsequent residential development is subject to the inclusionary housing fee pursuant to Section 22.12.080.C.3.a and D.2. As an alternative, **prior to filing the final parcel map or tract map**, the applicant may enter into an inclusionary housing agreement to ensure the construction of inclusionary housing unit(s), in conformance with Section 22.12.080.
22. **Prior to recordation of the final map**, the project is located within the City of San Luis Obispo Sphere of Influence per Memorandum of Agreement approved by the Board on October 18, 2005. The applicant shall submit evidence to the County that all City impact fees applicable to this project have been paid, or that none are required.
23. **Prior to map recordation**, the applicant shall:
 - a. Enter into a State Route 227 Corridor Traffic Mitigation Fee agreement with the Department of Public Works per Board Resolution 2017-266, in a form acceptable to County Counsel, for payment of their fair share participation in the costs for planning, design, and/or construction of five intersection improvements (SR227 at Farmhouse Lane; at Kendall Drive; at Buckley Road; at Crestmont Drive; and at Los Ranchos Road) as identified in the SLOCOG adopted State Route 227 Corridor Study (2016). The actual fee shall be paid prior to issuance of building permits and based on the afternoon peak hour trip (pht) generated by the project as determined by the applicant's civil or traffic engineer; **or**
 - b. The applicant must enter into a similar circulation or mitigation fee program adopted by the Board of Supervisors, the City of San Luis Obispo, Caltrans or SLOCOG (or any joint program) that is substantially equivalent to the State Route 227 Corridor Traffic Mitigation Fee agreement as approved by the County; **or**
 - c. The applicant must construct operational improvements consistent with the State Route 227 Corridor Traffic Mitigation Fee agreement to an extent preapproved by the County and Caltrans. If the cost of improvements is anticipated to exceed the applicant's fair-share fee contribution they may request, prior to construction, a reimbursement agreement with the County as allowed under the applicable County Code 13.01.040 or 13.20 for reimbursement in excess of the applicant's fair share participation.

Easements

24. **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 map.**

Airport Review Area

25. For properties within the Airport Review Area, note that the property owner shall submit future construction plans to the Air Traffic Division of the FAA regional office having jurisdiction over San Luis Obispo County to determine compliance with the provisions of FAR Part 77. Applicable construction activities must be reported via FAA Form 7460-1 at least 45 days before proposed construction or application for a building permit.

Mitigations

Air Quality

26. Projects with grading areas that are less than 4-acres and that are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to significantly reduce fugitive dust emissions, to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts. **During construction/ground disturbing activities,** the applicant shall implement the following particulate (dust) control measures. **These measures shall be shown on the subdivision improvement, grading and building plans:**

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions:

<http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>

- c. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used;
- e. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and,
- f. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below

the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition ((805) 781-5912).

27. **At the time of application for construction permits, the following shall be added to the construction plans:** Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.
28. Naturally occurring asbestos (NOA) has been identified by the California Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain NOA. The APCD has identified areas throughout the county where NOA may be present ([NOA Map](#)). The following requirements apply because the project site is in a candidate area for NOA. The applicant shall ensure that a geologic evaluation is conducted to determine if the area disturbed is or is not exempt from the CARB Asbestos Air Toxics Control Measure (Asbestos ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) regulation.
 - a. If the site is not exempt from the requirements of the regulation, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD; or
 - b. If the site is exempt, an [exemption request](#) must be filed with the APCD.

Biological Resources

- 29.. **At the time of application for subdivision improvement plans and/or construction permits,** the applicant shall show all development located a minimum of 50-feet from riparian vegetation.
30. **Prior to any site disturbance,** the applicant shall provide construction fencing at the edge of the riparian vegetation on the project site, where construction activities will be within 200 feet. This area will be marked by orange construction fencing which shall be installed prior to any site disturbance and remain in place throughout the grading and construction phases.
31. The applicant shall avoid removal of vegetation or any other ground disturbance between February 1st and September 1st to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a County-approved biologist shall survey all breeding and nesting habitat on the site and adjacent sites for breeding and/or nesting birds no more than two weeks **prior to construction or site disturbance activities**. Results of the surveys shall be submitted to the Department of Fish and Wildlife (CDFW) for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures shall be developed in consultation with the CDFW and the applicant shall adhere to these measures during all construction activities on the site.

Cultural Resources

32. **Prior to any ground disturbing construction activities,** the applicant shall retain a County-qualified archaeologist to provide construction personnel training relative to unidentified archaeological resources. Evidence of the training will be provided to the

County Planning and Building Department, **prior to issuance of construction permits or approval of subdivision improvement plans.**

Additional Map Sheet

33. 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 until accepted for maintenance by a public agency, indicating the proposed maintenance mechanism.
 - c. Notification to prospective buyers that the driveway connection to State Route 227 may be restricted to future right-in and right-out turning movements only, commencing at the time of work for the State Route 227 at Los Ranchos Road intersection improvements.
 - d. Notification to prospective buyers that if a drainage basin is required, that the owner(s) of Lots 1-4 are responsible for on-going maintenance of drainage basin, sedimentation control devices, 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.
 - e. 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.
 - f. 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.
 - g. Notification to prospective buyers that the applicant for building permits shall be responsible for paying to the Department of Public Works the State Route 227 Corridor Traffic Mitigation Fee, estimated in the agreement with CO 18-0029, on file with the Department of Public Works. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. The fee may be subject to annual adjustment and the applicant shall be responsible for paying the fee in effect at the time of issuance of building permits.
 - h. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Storm Water Control Plan.
 - i. The property owner shall be responsible for the operation and maintenance of public road frontage landscaping in a viable condition and on a continuing basis into perpetuity, or until specifically accepted for maintenance by a public agency.

Aesthetics

- j. **At the time of application for residential construction permits**, the applicant shall provide a lighting plan for review and approval. The lighting plan shall show low intensity lighting, shielded lighting and lighting directed downward onto the project site in accordance with Section 22.10.060 of the Land Use Ordinance.

Air Quality

- k. Projects with grading areas that are less than 4-acres and that are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to significantly reduce fugitive dust emissions, to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. **These measures shall be shown on the grading and building plans:**

1. Reduce the amount of the disturbed area where possible;
2. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions:

<http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>

3. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
 4. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used;
 5. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and,
 6. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition ((805) 781-5912).
- i. **At the time of application for construction permits, the following shall be added to the construction plans:** Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.

Biological Resources

- m. **At the time of application for construction permits**, the applicant shall show all development located a minimum of 50-feet from riparian vegetation.
- n. **Prior to any site disturbance**, the applicant shall provide construction fencing at the edge of the riparian vegetation on the project site where construction activities will be within 200 feet. This area will be marked by orange construction fencing which shall be installed prior to any site disturbance and remain in place throughout the grading and construction phases.
- o. The applicant shall avoid removal of vegetation or any other ground disturbance between February 1st and September 1st to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a County-approved biologist shall survey all breeding and nesting habitat on the site and adjacent sites for breeding and/or nesting birds no more than two weeks **prior to construction or site disturbance activities**. Results of the surveys shall be submitted to the Department of Fish and Wildlife (CDFW) for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures shall be developed in consultation with the CDFW and the applicant shall adhere to these measures during all construction activities on the site.

Cultural Resources

- p. **Prior to any ground disturbing construction activities**, the applicant shall retain a County-qualified archaeologist to provide construction personnel training relative to unidentified archaeological resources. Evidence of the training will be provided to the County Planning and Building Department, **prior to issuance of construction permits**.

Airport Review

- q. For properties within the Airport Review Area, note that the property owner shall submit future construction plans to the Air Traffic Division of the FAA regional office having jurisdiction over San Luis Obispo County to determine compliance with the provisions of FAR Part 77. Applicable construction activities must be reported via FAA Form 7460-1 at least 45 days before proposed construction or application for a building permit.

Miscellaneous

- 34. The project shall comply with the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
- 35. 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.
- 36. All lots must be numbered in sequence.

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.
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.