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Promoting the wise use of land
Helping build great communities

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

SUBDIVISION REVIEW BOARD

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
November 7, 2005	Michael Conger 805-781-5136	Joe Rodrigues	CO 05-0289 SUB2005-00053

SUBJECT
Request by Joe Rodrigues for a Vesting Tentative Parcel Map to subdivide an existing 22.67 acre parcel into two parcels of approximately 7.0 acres and 15.67 acres each for the purpose of sale and/or development. The proposed project is within the Residential Rural land use category and is located at 2350 Homestead Road, north of Highway 41, approximately 1.6 miles east of the City of Atascadero. The site is in the El Pomar-Estrella planning area.

RECOMMENDED ACTION
Approve Vesting Tentative Parcel Map CO 05-0289 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION
The Environmental Coordinator finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Residential Rural [RR]	None	034-461-023	5

PLANNING AREA STANDARDS:
Landfill Operations Disclosure

LAND USE ORDINANCE STANDARDS:
Minimum Parcel Size; Parcel and Site Design Criteria

EXISTING USES:
Single Family Residential

SURROUNDING LAND USE CATEGORIES AND USES:
North: Residential Rural/Residential
South: Residential Rural/Residential
East: Agriculture/Chicago Grade Landfill
West: Residential Rural/Residential

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:
The project was referred to: Templeton Area Advisory Group, Public Works, Air Pollution Control District, Environmental Health, County Parks, CDF/County Fire

TOPOGRAPHY:	VEGETATION:
Gently Sloping to Steeply Sloping	Grasses, Forbs, Scattered Oaks

PROPOSED SERVICES:	ACCEPTANCE DATE:
Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF/County Fire	September 29, 2005

BACKGROUND:

The applicant submitted a request for Vesting Tentative Parcel Map CO 02-0130 (County File Number S010342P) in June 2002. At that time, a Negative Declaration was prepared pursuant to the California Environmental Quality Act (ED 02-221). The Negative Declaration was adopted and the tentative map was conditionally approved by the Subdivision Review Board in December 2002. The approval subsequently expired two years later in December 2004. A final map was never recorded.

On August 30, 2005, the applicant submitted a request for Vesting Tentative Parcel Map CO 05-0289. This map is substantially identical to the previously approved map (CO 02-0130). During the processing of Map CO 02-0130, referrals were sent to several agencies. Responses were received from Public Works, Environmental Health, CDF/County Fire, and the Air Pollution Control District. No response was received from Templeton Area Advisory Group. Map CO 05-0289 was referred to these groups with a copy of their comments from the previous map.

ORDINANCE COMPLIANCE:

Minimum Parcel Size
Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based on the distance from an urban areas, fire response time, type of access serving the property and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 7 and 10 acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Remoteness	1.92 miles from the Atascadero urban reserve line	5 acres
Fire Hazard/ Response Time	Within the 15 minute response time In the Moderate fire hazard area	5 acres
Access	Located on a County Road with a 45-foot right-of-way	5 acres
Slope	Average slope is between 16% and 30%	7 acres (Parcel 1)
	Average slope is over 30 %	10 acres (Parcel 2)

Quimby Fees
Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees
Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards
The applicant has requested an adjustment to the 3:1 depth-to-width ratio set in the Parcel Design Standards of Title 21. The proposed configuration would result in Parcel 2 having a depth-to-width ratio of approximately 6:1. The requested adjustment is described in further detail in the Adjustments section of this report. As proposed, with the requested adjustment, the parcel map is consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

Road Improvements
This application was reviewed in detail by both Public Works and Planning and Building relative to access and circulation requirements for the area. This is done in response to the potential for further divisions and development in the site vicinity. As a result of this review, an offer of dedication without additional road improvements is recommended as a means of providing appropriate access and circulation for this area.

PLANNING AREA STANDARDS:

Landfill Operations Disclosure
El Pomar-Estrella planning area standards for the rural area require that all land divisions within a one-half mile radius of the Chicago Grade Landfill include a disclosure statement. The project site is immediately adjacent to the Chicago Grade Landfill. The disclosure shall include language regarding possible inconveniences and discomforts resulting from continuing and future landfill operations, including potential expansion. Additionally the disclosure shall state that persons are not prevented from notifying appropriate agencies or seeking available remedies concerning any improper or unlawful activities. The project is conditioned to require a disclosure statement to be placed on the additional map sheet.

ADJUSTMENTS:

Adjustment to Design Standard
Section 21.03.010(c)(3) of the Real Property Division Ordinance requires that the average depth of a parcel be no more than three times the average width. This section also allows for an adjustment where special circumstances exist, including unusual topographic conditions. In order to grant the adjustment the following findings must be made:

<u>That there are special circumstances or conditions affecting the subdivision</u>

Special circumstances exist on the subject site pertaining to the shape and topography of the parent parcel. The average depth of the parent parcel is approximately 5.4 times the average width. Additionally, the topography on the rear portion of the site is steeply sloping with slopes often exceeding 30%. In order to meet the depth-to-width standard, the parcel would have to be divided in such a way that one of the parcels would be significantly constrained by the steep topography. The proposed design corrects for this by providing sufficient area on each parcel towards the western portion of the property where slopes are more moderate.

Staff recommends that a building control line be established at the 1120-foot contour. This will limit development to the portions of the site with a more moderate slope. Additionally, a building control line will ensure that the project adheres to other parcel design standards, such as those that require minimizing site disruption (cuts/fills), efficient use of land, and reduction of visibility from public roads.

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That the granting of the adjustment will not have a materially adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision

The proposed parcel map was referred to several agencies including CDF/County Fire, Environmental Health, Air Pollution Control District, and the Templeton Area Advisory Group. Recommended measures have been carried forward as conditions of approval. This parcel map has also been reviewed for consistency with the Safety Element of the General Plan during the environmental review process. Impacts to safety (i.e. air quality, geology, hazardous materials, public services, water, etc.) were found to be insignificant after the incorporation of mitigation measures.

That the granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision

The project site is located in a residential area composed of large lots with scattered single-family residences. The proposed project is a residential subdivision, which is consistent with the development patterns of the surrounding neighborhood. As conditioned with the adjustment, the project meets all standards of the Land Use Ordinance and Real Property Division Ordinance. Through the environmental review process, no significant impacts to land use consistency were identified.

COMMUNITY ADVISORY GROUP COMMENTS:

As of October 12, 2005, the Department of Planning and Building has not received a response from the Templeton Area Advisory Group. A referral was sent on September 1, 2005. No response was received for the previous referral for Parcel Map CO 02-0130, originally sent on June 10, 2002.

AGENCY REVIEW:

The comments from referral agencies received in relation to Parcel Map CO 02-0130 have been carried forward in this report. On September 1, 2005, a new referral was sent to the agencies, requesting any additional comments.

Public Works – No additional comments. In the original referral, the Public Works Department requested an offer of dedication.

Environmental Health – As of October 12, 2005, no response to the new referral has been received. In the original referral, the Environmental Health Department requested that stock conditions be attached.

County Parks – No additional comments. In the original referral, County Parks requested payment of Quimby Fees and applicable building fees.

CDF/County Fire – No additional comments. In the original referral, CDF provided a Fire Safety letter dated June 27, 2002.

APCD – The project falls below emissions significance thresholds. APCD is concerned with the fracturing of rural lands. The APCD has provided recommendations relating to dust control, demolition (asbestos), developmental burning, naturally occurring asbestos, and residential wood combustion. The original APCD referral response posed similar concerns.

LEGAL LOT STATUS:
The one existing lot was legally created by a recorded map (CO 74-006).

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FINDINGS - EXHIBIT A

Environmental Determination

A. The Environmental Coordinator finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.

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 Rural 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 no improvements are required, 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 a single family residence and secondary dwelling.

F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling.

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 add specific reason.

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.

Adjustments

J. That there special circumstances or conditions affecting the subdivision because existing topography limits parcel design and the proposed parcel design, along with the building control line, will achieve a more efficient use of land and minimize site disruption.

K. That the granting of the adjustment will not have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision because the project will be required to meet county standards for health and safety.

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L. That the granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision because the modified depth to width ratio, along with the building control line, will not result in a parcel design that adversely impacts surrounding properties nor will it affect the public's ability to use and benefit from future development of the property.

Staff report prepared by Michael Conger
and reviewed by Kami Griffin

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CONDITIONS OF APPROVAL – EXHIBIT B

Approved Project

1. This approval authorizes the division of a 22.67 acre parcel into two (2) parcels of 7 acres and 15.67 acres each.

2. An adjustment to the 3:1 depth-to-width ratio established in the Parcel Design Standards of Title 21 is granted pursuant to Section 21.03.020 of the Real Property Division Ordinance.

Final Map

3. The applicant shall offer for dedication to the public by certificate on the map or by separate document:

   a. For future road improvement, a variable width along Homestead Road to be described as 25 feet from the recorded centerline or from a 510 foot radius curve at the inside angle point, whichever is greater.

4. Access shall be denied to lot 2 from Homestead Road, except where it is shown that a safe access point exists (Co A II std), and that this be by certificate and designation on the map.

5. The applicant shall enter into an agreement 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.

Parks and Recreation (Quimby) Fees

6. 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 on them.

Affordable Housing Fee

7. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Fire Protection

8. **Prior to filing the final parcel map**, the applicant shall obtain a fire safety clearance letter from CDF/County Fire Department establishing the fire safety requirements stated in the fire safety letter dated June 27, 2002.

Additional Map Sheet

9. 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 map. The additional map sheet shall include the following:

Notification

a. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.

b. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.

c. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated June 27, 2002 from the CDF/County Fire Department are completed. Prior to occupancy or final inspection, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

d. Notification of possible inconveniences and discomforts resulting from continuing and future landfill operations at the Chicago Grade Landfill, including possible expansion of landfills. Persons are not prevented from notifying appropriate agencies or seeking available remedies concerning any improper or unlawful activities at the landfills.

Improvements

e. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.

Design

f. A building control line for proposed Parcel 2 limiting development to the area below the 1,120-foot contour. No development shall occur above the 1,120-foot contour.

Archaeological Resources

g. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

   i. 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 recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

   ii. 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.

Air Quality

h. 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. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their

duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

i. Reduce the amount of disturbed area where possible
ii. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
iii. All dirt stock pile areas should be sprayed daily as needed.
iv. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.
v. Exposed ground areas that are planned to be reworked at dates greater then one month after initial grading should be sown with a fast germinating native grass seed and watered until vegetation is established.
vi. All disturbed soil areas not subject to revegetation must be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD.
vii. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
viii. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
ix. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
x. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
xi. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

i. If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated, this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFT61, Subpart M – asbestos NESHAP). These requirements include but are not limited to:
   i. Notification requirements to the Air Pollution Control District.
   ii. Asbestos survey conducted by a Certified Asbestos Inspector.
   iii. Applicable removal and disposal requirements of identified ACM.

   Please contact Tim Fuhs of the Enforcement Division at (805) 781-5912 for further information.

j. Developmental burning of vegetative material is prohibited. Under certain circumstances, limited developmental burning under restrictions may be allowed upon obtaining a burn permit from the Air Pollution Control District and CDF/County Fire Department.

k. **Prior to any grading activities at the site**, the applicant shall ensure that a geologic evaluation is conducted to determine if Naturally-Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the Air Pollution Control District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos Air Toxics Control Measure (ATCM).

l. Under APCD Rule 504, only APCD approved wood burning devices can be installed in new dwelling units.

Aesthetics

m. **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc.

n. All new development on Parcel 2 shall be located to avoid structures silhouetting against the sky when viewed from Homestead Road.

o. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall implement the approved color board. The Department of Planning and Building will approve the color board and insure that it is implemented.

p. **At the time of application for construction permits**, the applicant shall clearly delineate the location and visual treatment of water tanks on the project plans. All new water tanks shall be located to minimize their visibility from Homestead Road. Screening with topographic features, existing vegetation or existing structures is encouraged. If the tank(s) cannot be screened, then the tank(s) shall be a neutral, non-contrasting color, and landscape screening shall be provided.

Biological Resources

q. All new development on Parcels 1 & 2 shall be located to minimize removal of oak trees.

r. At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Department of Planning and Building if removal of oak trees is proposed. The plan shall provide for the replacement, in kind at a 4:1 ratio , of oak trees removed as a result of the development. In addition, the plan shall provide for the planting of oak trees at a 2:1 ratio to mitigate for oak trees impacted but not removed.

s. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

t. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

u. These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures

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Miscellaneous

10. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

11. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.

12. Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.

13. 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 any date of possible reconsideration action.

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING INDIVIDUAL WELLS AND SEPTIC TANKS

1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2C.

2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:

   A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.

   B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.

   C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by County Public Works and the county Health Department, prior to the filing of the final map.

3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.

4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.

5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.

6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.

7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.

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

9. Any existing reservoir or drainage swale on the property shall be delineated on the map.

10. 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.

11. Required public utility easements shall be shown on the map.

12. Approved street names shall be shown on the map.

13. 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.

14. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.

15. Any private easements on the property shall be shown on the map with recording data.

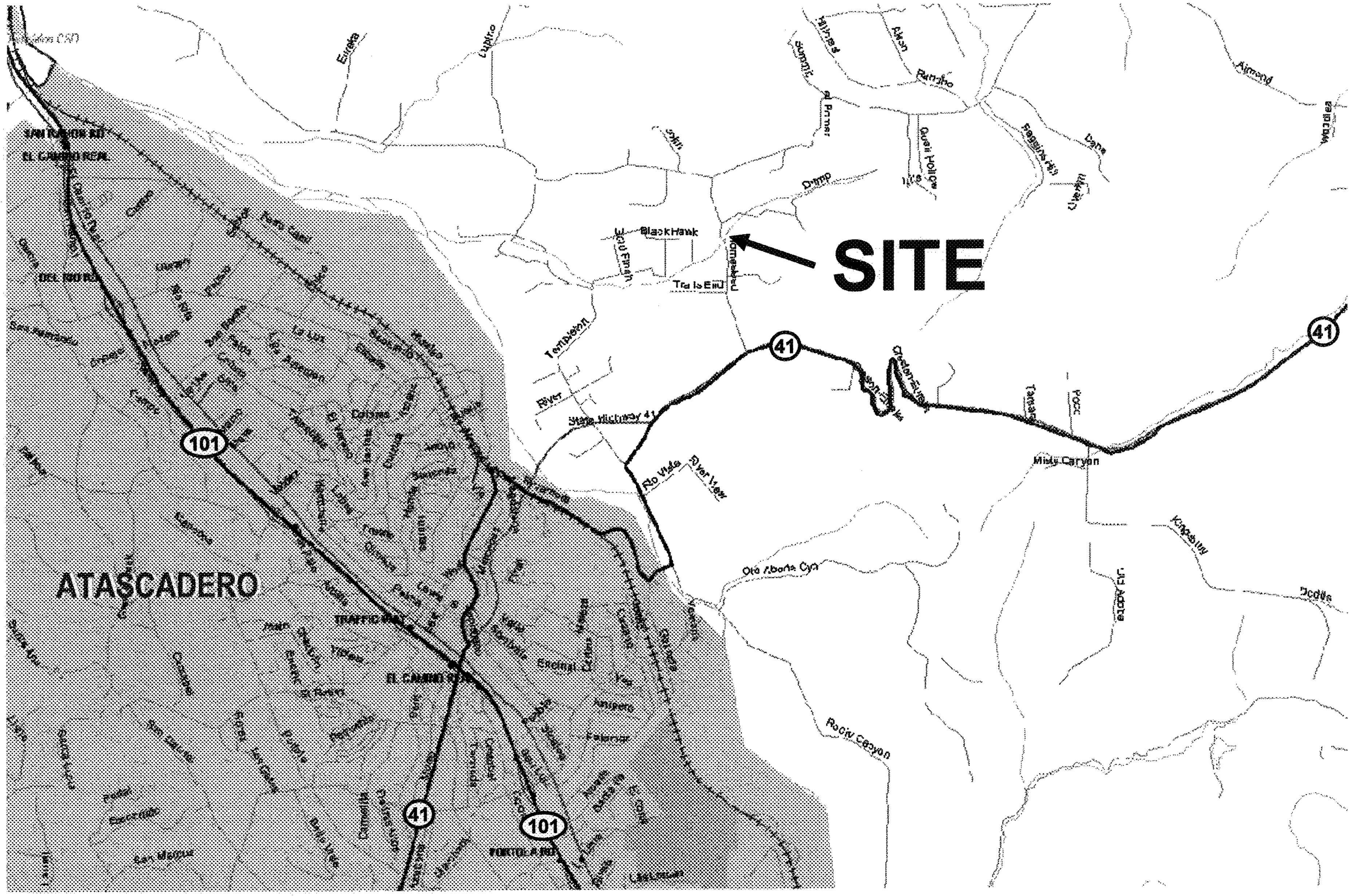
16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.

17. 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.

18. 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.

19. 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.

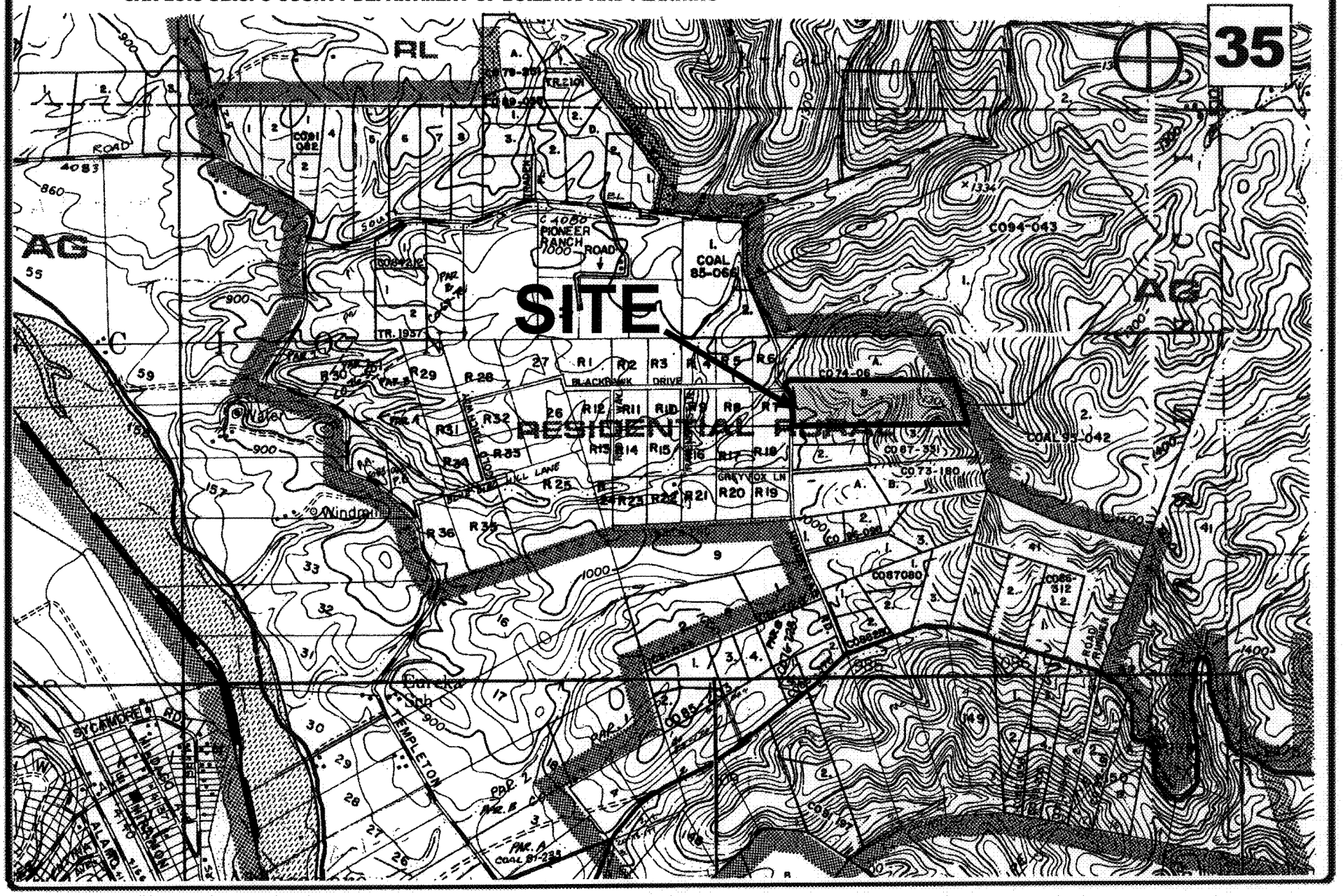
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT
Rodrigues Parcel Map
SUB2005-00053 / CO 05-289

EXHIBIT
Vicinity Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Rodrigues Parcel Map

SUB2005-00053 / CO 05-289

EXHIBIT

Land Use Category Map

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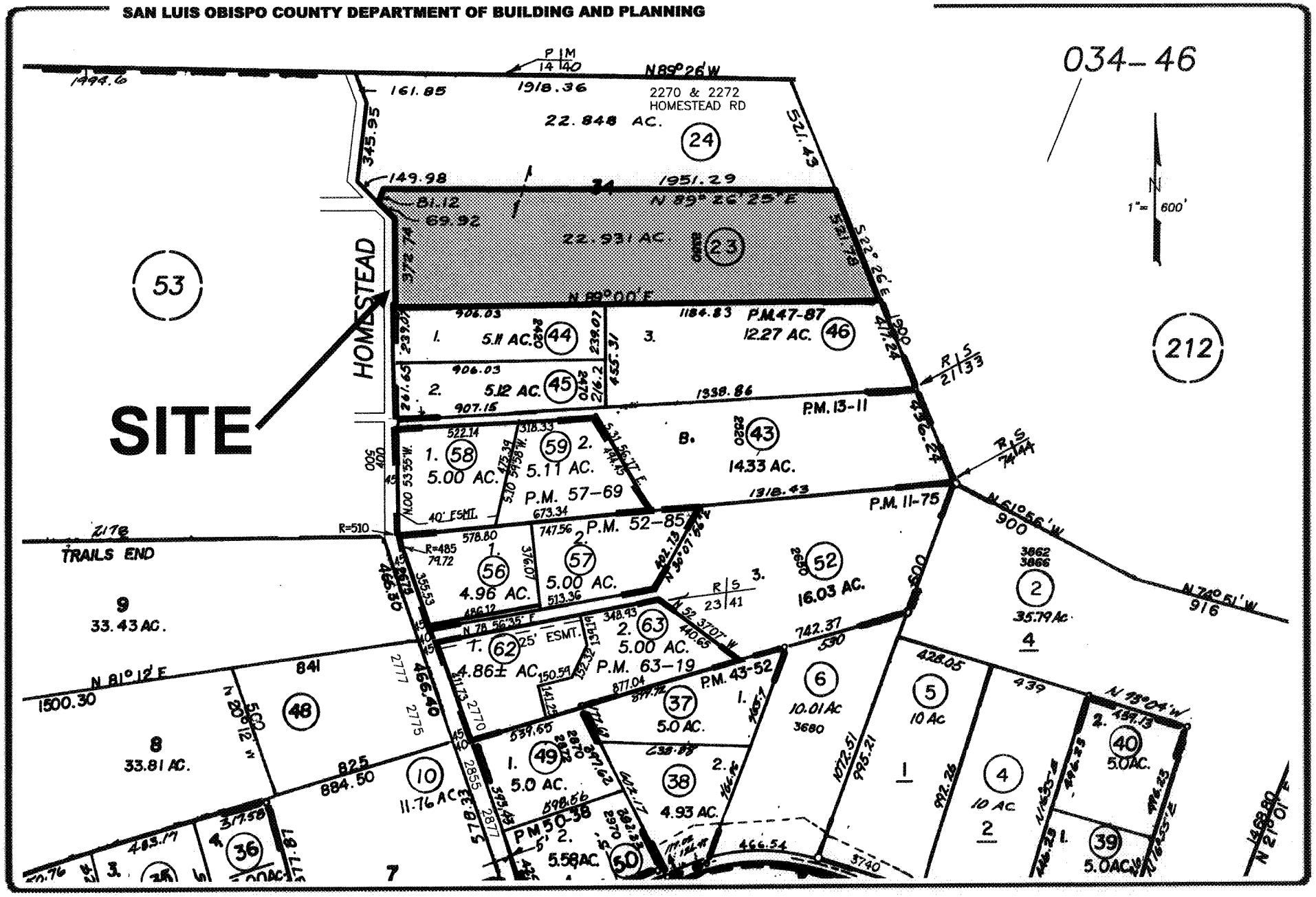
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Rodrigues Parcel Map

SUB2005-00053 / CO 05-289

EXHIBIT

APN Map

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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

PROJECT

Rodrigues Parcel Map

SUB2005-00053 / CO 05-289

EXHIBIT

Aerial Photograph

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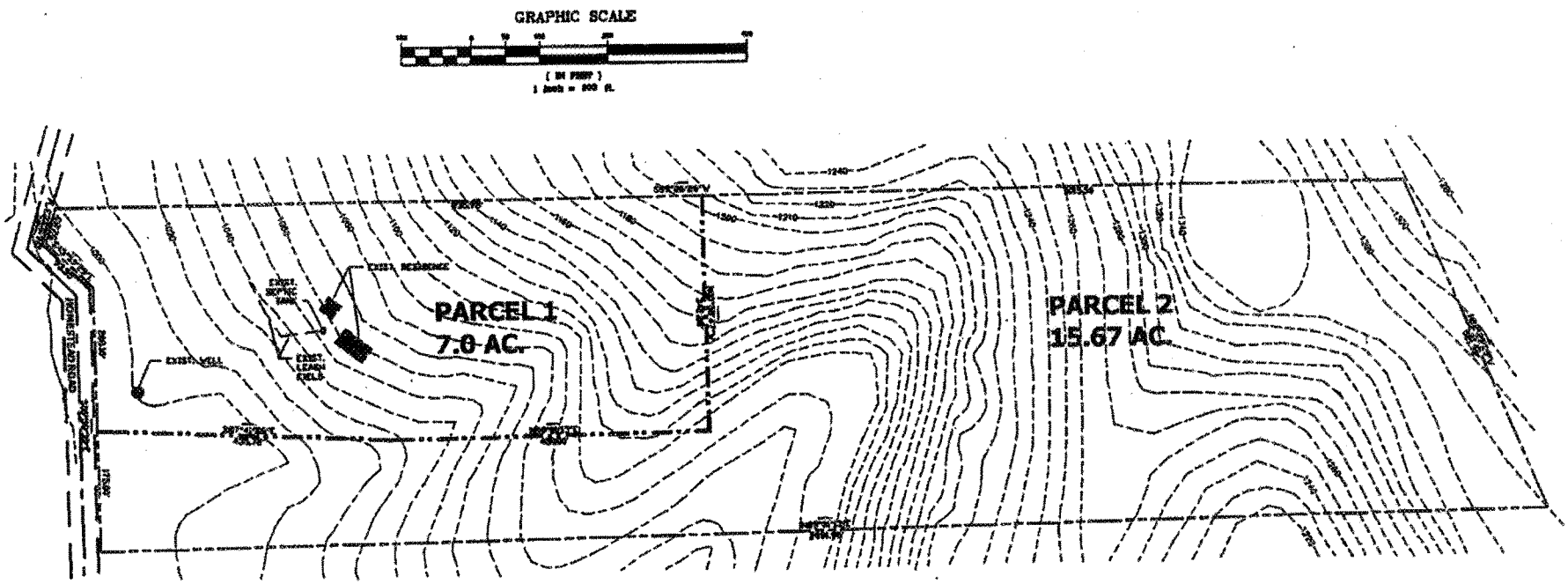

PROJECT

Rodrigues Parcel Map

SUB2005-00053 / CO 05-289

EXHIBIT

Parcel Map

ED 05-139 4-19

San Luis Obispo County

Department of Planning and Building
Memorandum

DATE: October 4, 2005

TO: File

FROM: Michael T. Conger, Project Planner

SUBJECT: Environmental Determination for SUB2005-00053 / CO05-0289 Rodrigues Parcel Map

The Negative Declaration prepared and issued for the previously reviewed Rodrigues Parcel Map S010342P / CO02-0130 / ED02-221 (see attached), is still adequate. Therefore, no new environmental determination is necessary. The original Negative Declaration was prepared for a Parcel Map approval that expired in December 2004. Parcel Map CO05-0289 is substantially identical to Parcel Map CO02-0130.

ADDITIONAL INFORMATION
Additional information pertaining to this environmental determination may be obtained by contacting the Department of Planning and Building - Environmental Division, County Government Center, Room 310, San Luis Obispo, CA 93408-2040, (805) 781-5600.

STATEMENT OF FINDINGS
The Environmental Coordinator, after review of the previously-prepared Negative Declaration, finds that: there are no substantial changes proposed for the project which would require substantial revisions of the previous Negative Declaration; no substantial changes have occurred with respect to the circumstance under which the project is undertaken; and, no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted. Therefore, use of the previously-prepared Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) is proposed.

Notice of Determination **State Clearinghouse No.** _____

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency* ☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature	Title	Date	Public Agency

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4-20

COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (JB)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED02-221

DATE: November 8, 2002

PROJECT/ENTITLEMENT: Rodrigues Parcel Map, S010342P/CO02-0130

APPLICANT NAME: Joe Rodrigues
ADDRESS: 2350 Homestead Road, Atascadero, CA 93422
CONTACT PERSON: Robert Tartaglia **Telephone: (805) 466-5660**

PROPOSED USES/INTENT: A request to subdivide an existing 22.67 acre parcel into two parcels of approximately 7 acres and 15.67 acres each for the sale and/or development of each proposed parcel.

LOCATION: The project is located on the northeast side of Homestead Road, approximately 1/4 mile north of Highway 41, approximately 3 miles east of the City of Atascadero.

LEAD AGENCY: County of San Luis Obispo Planning & Building Dept.
County Government Center (Rm. 310)
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting someone at the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT ..... 5 p.m. on November 22, 2002
(Circle one) 20-DAY 30-DAY PUBLIC REVIEW PERIOD begins at the time of notice publication

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County_____ as ☐ *Lead Agency* ☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

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Signature	Title	Date	Public Agency
			County of San Luis Obispo

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California Department of Fish and Game

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

PROJECT TITLE & NUMBER: Rodrigues Parcel Map- C0 02 0130 (ED 02-221)

Project Applicant

Name:	Joe Rodrigues
Address:	2350 Homestead Road
City, State, Zip Code:	Atascadero, Ca. 93422
Telephone #:	466-7896

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

(x) The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.

( ) The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.

(x) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.

( ) The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____.

( ) Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

for

Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: November 8, 2002

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COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Rodriques Parcel Map C0 02-0130

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

■ Aesthetics	❑ Geology and Soils	❑ Recreation
❑ Agricultural Resources	❑ Hazards/Hazardous Materials	❑ Transportation/Circulation.
❑ Air Quality	❑ Noise	❑ Wastewater
■ Biological Resources	❑ Population/Housing	❑ Water
❑ Cultural Resources	❑ Public Services/Utilities	❑ Land Use

■ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

❑ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

■ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

❑ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

❑ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

❑ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

John Busselle	Jon Busselle		11/8/02
Prepared by(Print)	Signature		Date
Eric N. Wier	Eric N. Wier	Ellen Carroll, Environmental Coordinator (for)	11/8/02
Reviewed by(Print)	Signature		Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: - Proposal by Joe Rodriques to divide an existing parcel of approximately 22.6 acres into two parcels of approximately 7 acres and 15.67 acres each. The project is located on the northeast side of Homestead Road, approximately 1/4 mile north of the intersection of Highway 41 and Homestead Road, approximately 3 miles east of Atascadero, in the El Pomar-Estrella planning area.

ASSESSOR PARCEL NUMBER(S): 34-461-023 SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: El Pomar-Estrella

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): N/A

EXISTING USES: Single Family Residence

TOPOGRAPHY: Moderate to steep slopes

VEGETATION: Grasses, forbs, oak trees

PARCEL SIZE: 22.6 acres

SURROUNDING LAND USE CATEGORIES AND USES:

North: Residential Rural/ residential

East: Agriculture/scattered residential

South: Residential Rural/ residential

West: Residential Rural./ Residential

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST

1.	**AESTHETICS** - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	*Create an aesthetically incompatible site open to public view?*	❑	❑	■	❑
b)	*Introduce a use within a scenic view open to public view?*	❑	❑	■	❑
c)	*Change the visual character of an area?*	❑	■	❑	❑
d)	*Create glare or night lighting which may affect surrounding areas?*	❑	❑	■	❑
e)	*Impact unique geological or physical features?*	❑	❑	❑	■
f)	*Other* _____	❑	❑	❑	❑

Setting. The area is predominantly low density residential and agricultural. The site has moderate to steep slopes and is visible from Homestead Road, a public road.

Impact. The site is not in a designated visual corridor. However, there is a possibility that buildings on proposed parcel two could silhouette against the sky.

Mitigation/Conclusion. The applicant has signed a developers agreement to locate buildings on proposed parcel two in a manner that avoids areas where they might silhouette.

2.	**AGRICULTURAL RESOURCES** - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	*Convert prime agricultural land to non-agricultural use?*	❑	❑	■	❑
b)	*Impair agricultural use of other property or result in conversion to other uses?*	❑	❑	■	❑
c)	*Conflict with existing zoning or Williamson Act program?*	❑	❑	■	❑
d)	*Other* _____	❑	❑	❑	❑

Setting/impact. The property is located in a low density residential area with residential zoning on three sides. The easterly side has agricultural zoning. However, the area immediately adjacent to this property is steep and not conducive to agricultural uses other than grazing.

3. AIR QUALITY - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?*	❑	❑	■	❑
b) *Expose any sensitive receptor to substantial air pollutant concentrations?*	❑	❑	■	❑
c) *Create or subject individuals to objectionable odors?*	❑	❑	■	❑
d) *Be inconsistent with the District's Clean Air Plan?*	❑	❑	■	❑
e) *Other* _____	❑	❑	❑	❑

Setting/impact. The site has moderate to steep slopes. Some additional grading will be required to construct a residence on parcel two. There will be some increase in vehicle emissions from residents of a new dwelling on parcel two. In addition, there will be some short-term vehicle emissions and dust during construction of a residence. The applicant has agreed to dust control measures during construction to mitigate any short term impacts. The project will result in less than 10 pounds per day of pollutants, which is below the threshold warranting any mitigation. Therefore, no significant impacts are anticipated.

4. BIOLOGICAL RESOURCES - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Result in a loss of unique or special status species or their habitats?*	❑	❑	■	❑
b) *Reduce the extent, diversity or quality of native or other important vegetation?*	❑	■	❑	❑
c) *Impact wetland or riparian habitat?*	❑	❑	■	❑
d) *Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?*	❑	❑	■	❑
e) *Other* _____	❑	❑	❑	❑

Setting. The property has numerous oak trees on proposed parcel two

Impact. Construction of a residence on proposed parcel two could result in a loss of some oak trees.

Mitigation/Conclusion. The applicant has agreed minimize oak tree removal and agreed to mitigation measures to replace oak trees that have been removed (4:1 replacement) or impacted (2:1 replacement).

5. CULTURAL RESOURCES - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Disturb pre-historic resources?*	❑	❑	■	❑
b) *Disturb historic resources?*	❑	❑	■	❑
c) *Disturb paleontological resources?*	❑	❑	■	❑
d) *Other* _____	❑	❑	❑	❑

Setting/impacts: The property is in the area previously occupied by the Obispeno Chumash and Southern Selinan. The site is currently developed with a single family residence. The property is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. The property is not located near a creek or other area that would be considered culturally sensitive. No paleontological resources are known to exist in the area. No impact to historical or paleontological resources are anticipated.

6. GEOLOGY AND SOILS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?*	❑	❑	■	❑
b) *Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?*	❑	❑	■	❑
c) *Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?*	❑	❑	■	❑
d) *Change rates of soil absorption, or amount or direction of surface runoff?*	❑	❑	■	❑
e) *Include structures located on expansive soils?*	❑	❑	■	❑
f) *Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?*	❑	❑	■	❑
g) *Involve activities within the 100-year flood zone?*	❑	❑	■	❑
h) *Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?*	❑	❑	■	❑
i) *Preclude the future extraction of valuable mineral resources?*	❑	❑	■	❑

6. GEOLOGY AND SOILS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
j) Other _____	❑	❑	❑	❑

Setting/Impacts. The property contains predominantly Linne Colado complex which is moderately well drained with moderate erodibility and moderate shrink swell potential. The Linne Colado complex has a slow percolation rate which effects septic tank and leachfield use. The parcels are large enough that septic tank and leachfield location will not be a problem. The project will not result in excess erosion or landslides, nor will adversely affect drainage patterns. No specific measures are needed beyond what is required by building code for construction.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	❑	❑	❑	■
b) Interfere with an emergency response or evacuation plan?	❑	❑	■	❑
c) Expose people to safety risk associated with airport flight pattern?	❑	❑	❑	■
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	❑	❑	■	❑
e) Create any other health hazard or potential hazard?	❑	❑	■	❑
f) Other _____	❑	❑	❑	❑

Setting/impacts. The project does not involve use or storing of hazardous substances, it is not in an airport review area nor is it in an area where it could interfere with an emergency evacuation plan. It is not located in an area of known hazardous material contamination. No significant fire safety risk was identified. The County Fire Department has reviewed the project and a fire safety plan has been prepared for the project. The applicant will be required to meet all fire department requirements.

8. NOISE - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels which exceed the County Noise Element thresholds?	❑	❑	■	❑
b) Generate increases in the ambient noise levels for adjoining areas?	❑	❑	■	❑
c) Expose people to severe noise or vibration?	❑	❑	■	❑

8. NOISE - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Other _____	❑	❑	❑	❑

Setting/impacts. The project is located in rural area that is low density residential. The ultimate development of the property will be another single family residence and potentially two secondary dwellings. There are no point noise sources near the property and the potential future development will not result in any significant increase in noise levels.

9. POPULATION/HOUSING - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	❑	❑	■	❑
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	❑	❑	❑	■
c) Create the need for substantial new housing in the area?	❑	❑	■	❑
d) Use substantial amount of fuel or energy?	❑	❑	■	❑
e) Other _____	❑	❑	❑	❑

Setting/impacts. The project is a division of an existing residential parcel into two parcels. It will not displace existing housing nor create a significant need for new housing, therefore, no significant impact is anticipated.

10. PUBLIC SERVICES/UTILITIES - *Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	❑	■	❑	❑
b) Police protection (e.g., Sheriff, CHP)?	❑	■	❑	❑
c) Schools?	❑	■	❑	❑
d) Roads?	❑	❑	■	❑
e) Solid Wastes?	❑	❑	■	❑
f) Other public facilities?	❑	■	❑	❑
g) Other _____	❑	❑	❑	❑

Setting/impacts. The project is served by the county sheriffs department and county fire department. It is within 15 minutes of the nearest county fire station. This project, along with numerous others in

the county, will have a cumulative effect on police, fire and schools. Public facility fee and school fee programs have been adopted to address the cumulative impacts to police fire and schools.

11. RECREATION - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Increase the use or demand for parks or other recreation opportunities?*	☐	■	☐	☐
b) *Affect the access to trails, parks or other recreation opportunities?*	☐	☐	■	☐
c) *Other* _____	☐	☐	☐	☐

Setting/impacts. The project is in a rural area without any public recreation areas in the immediate vicinity. Since an additional residential lot is being created, there will potentially be a slight increase in the demand for parkland. The project will be required to pay Quimby fees for parkland acquisition. The County Trails Plan does not show a future trail for this property.

12. TRANSPORTATION/ CIRCULATION - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Increase vehicle trips to local or areawide circulation system?*	☐	☐	■	☐
b) *Reduce existing "Levels of Service" on public roadway(s)?*	☐	☐	■	☐
c) *Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?*	☐	☐	■	☐
d) *Provide for adequate emergency access?*	☐	☐	■	☐
e) *Result in inadequate parking capacity?*	☐	☐	■	☐
f) *Result in inadequate internal traffic circulation?*	☐	☐	■	☐
g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?*	☐	☐	■	☐
h) *Result in a change in air traffic patterns that may result in substantial safety risks?*	☐	☐	■	☐
i) *Other* _____	☐	☐	☐	☐

Setting/impacts: The project is located on a county maintained road (Homestead Road) that is able to handle any increase in traffic resulting from the project. The applicant will be required to get an encroachment permit from county Public Works if an additional driveway is created.

13. **WASTEWATER** - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?*	❑	❑	■	❑
b) *Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?*	❑	❑	■	❑
c) *Adversely affect community wastewater service provider?*	❑	❑	■	❑
d) *Other* _____	❑	❑	❑	❑

Setting/impacts. Based upon the Natural Resource Conservation (NRCS) Soil Survey map, the soil type is Linne Calado Complex. This soil is identified as having some percolation limitations when leachfields are used. However, the parcel sizes requested are large and adequate area exists for septic tank and leachfield waste disposal systems. No special measures are needed beyond current code requirements and potential impacts are considered less than significant.

14. **WATER** - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Violate any water quality standards?*	❑	❑	■	❑
b) *Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?*	❑	❑	■	❑
c) *Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?*	❑	❑	■	❑
d) *Change the quantity or movement of available surface or ground water?*	❑	❑	■	❑
e) *Adversely affect community water service provider?*	❑	❑	■	❑
f) *Other* _____	❑	❑	❑	❑

Setting/impacts: The project will use an on-site well. The primary uses for water will be residential. The applicant will be required to provide final evidence of adequate water supply prior to recording the map. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality. No additional measures are necessary.

15. LAND USE - *Will the project:*	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) *Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?*	☐	☐	■	☐
b) *Be potentially inconsistent with any habitat or community conservation plan?*	☐	☐	■	☐
c) *Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?*	☐	☐	■	☐
d) *Be potentially incompatible with surrounding land uses?*	☐	☐	■	☐
e) *Other* _____	☐	☐	☐	☐

Setting/impacts: The project is a residential land use category and is surrounded by residential uses. The project complies with the county General Plan and is compatible with surrounding land uses.

16. MANDATORY FINDINGS OF SIGNIFICANCE - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*	☐	☐	■	☐
b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)*	☐	■	☐	☐
c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*	☐	☐	■	☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.slocoplanbldg.com" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

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Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an "X") and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
X	County Public Works Department	**Attached**
X	County Environmental Health Division	**Attached**
___	County Agricultural Commissioner's Office	**Not Applicable**
___	County Airport Manager	**Not Applicable**
___	Airport Land Use Commission	**Not Applicable**
X	Air Pollution Control District	**Attached**
___	County Sheriff's Department	**Not Applicable**
___	Regional Water Quality Control Board	**Not Applicable**
___	CA Coastal Commission	**Not Applicable**
___	CA Department of Fish and Game	**Not Applicable**
X	CA Department of Forestry	**Attached**
___	CA Department of Transportation	**Not Applicable**
___	_____ Community Service District	
___	Other_____	

* *"No comment" or "No concerns"-type responses are usually not attached*

The following checked ("✔") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

✔ Project File for the Subject Application

County documents

___ Airport Land Use Plans
___ Annual Resource Summary Report
___ Building and Construction Ordinance
___ Coastal Policies
✔ Framework for Planning (Coastal & Inland)
✔ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
  ___ Agriculture & Open Space Element
  ___ Energy Element
  ___ Environment Plan (Conservation, Historic and Esthetic Elements)
  ✔ Housing Element
  ✔ Noise Element
  ✔ Parks & Recreation Element
  ✔ Safety Element
✔ Land Use Ordinance
___ Real Property Division Ordinance
___ Trails Plan
___ Solid Waste Management Plan
___ _____ Area Plan and Update EIR
___ _____ Circulation Study

Other documents

✔ Archaeological Resources Map
✔ Area of Critical Concerns Map
✔ Areas of Special Biological Importance Map
✔ California Natural Species Diversity Database
✔ Clean Air Plan
✔ Fire Hazard Severity Map
___ Flood Hazard Maps
✔ Natural Resources Conservation Service Soil Survey for San Luis Obispo County
___ Regional Transportation Plan
✔ Uniform Fire Code
___ Water Quality Control Plan (Central Coast Basin - Region 3)
___ Other _____
___ Other _____

In addition, the following project-specific information and/or reference materials have been considered as a part of the Initial Study:

Exhibit B - Mitigation Summary Table

Biological Resources

Tree removal

1. All new development on Parcels 1 & 2 shall be located to minimize removal of oak trees. **At the time of application for construction permits,** the applicant shall submit a tree replacement plan to be reviewed and approved by the Department of Planning and Building if removal of oak trees is proposed. The plan shall provide for the replacement, in kind at a 4:1 ratio , of *oak* trees removed as a result of the development. In addition, the plan shall provide for the planting of oak trees at a 2:1 ratio to mitigate for oak trees impacted but not removed. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

   Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

   These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

2. **At the time of application for construction permits,** the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced <u>prior to any grading</u>. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

3. **Prior to final inspection of construction permits,** the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3' radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant)

shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis [at least once in late spring (April) and once in early winter (December) until plant is 3' tall or for 3 years, whichever occurs first. Use of weed-free mulch (at least 3" deep) with regular replenishment may be substituted for the weed-mat.

4. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe
situation exists, trimming shall be done only during the winter for deciduous species.

   Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Aesthetic/Cultural Resources

5. **At the time of application for construction permits,** the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc..

6. **Prior to occupancy or final inspection, whichever occurs first,** the applicant shall implement the approved color board.

7. All new development on Parcel 2 shall be located to avoid *structures* silhouetting against the sky when viewed from Homestead Road.

8. **At the time of application for construction permits**, the applicant shall clearly delineate the location and visual treatment of water tanks on the project plans. All new water tanks shall be located to minimize their visibility from Homestead Road. Screening with topographic features, existing vegetation or existing structures is encouraged. If the tank(s) cannot be screened, then the tank(s) shall be a neutral, non-contrasting color, and landscape screening shall be provided.

9. In the event archaeological resources are unearthed or discovered during any construction activities, 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 recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

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.

Fire Safety

10. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures described in the Fire Safety Plan dated June 27, 2002, unless amended by the County Fire Department.

Air Quality

11. **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. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

    a. Reduce the amount of disturbed area where possible

    b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.

    c. All dirt stock pile areas should be sprayed daily as needed.

    d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.

    e. Exposed ground areas that are planned to be reworked at dates greater then one month after initial grading should be sown with a fast germinating native grass seed and watered until vegetation is established.

    f. All disturbed soil areas not subject to revegetation must be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD.

    g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.

i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.

j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.

k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

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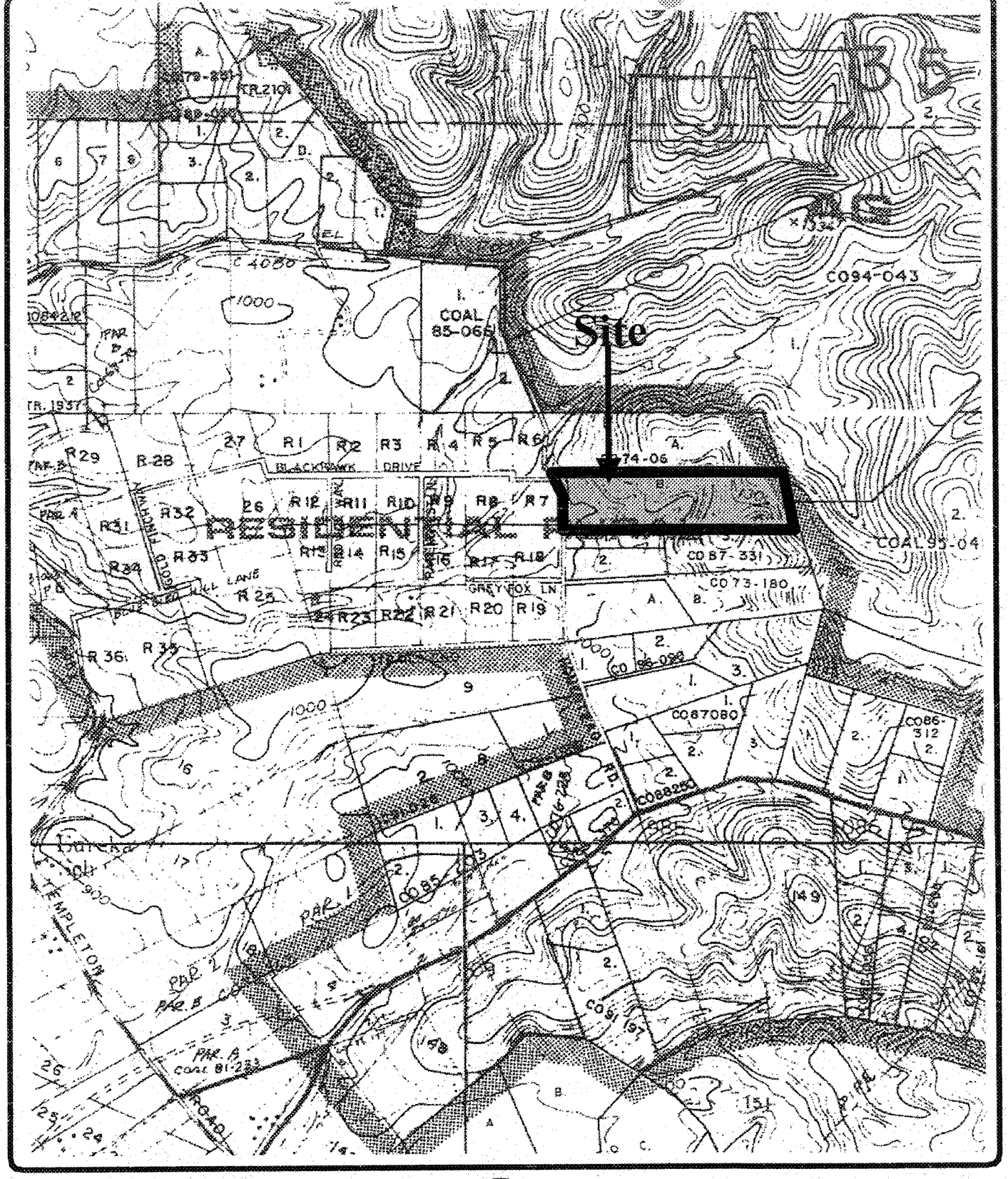
SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



PROJECT

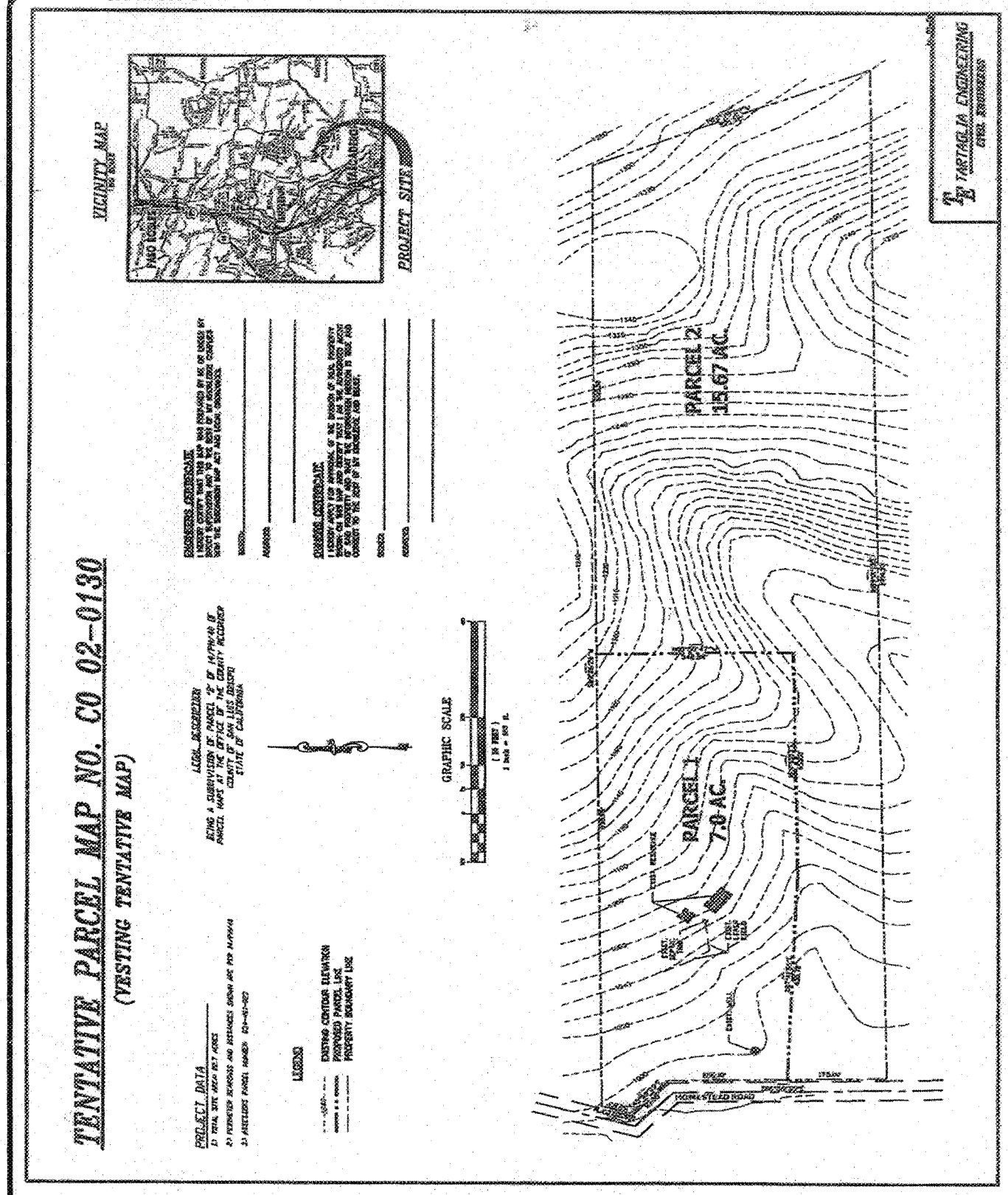
Subdivision Review Board
Rodrigues -S010342P/CO 02-0130

EXHIBIT

Land Use Category

4-39

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



PROJECT

Subdivision Review Board
Rodrigues -S010342P/CO 02-0130

EXHIBIT

Tentative Map

DATE: October 23, 2002

DEVELOPER'S STATEMENT FOR THE RODRIGUES PARCEL MAP ED02-221 (S0103423P, CO 02-0130)

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Biological Resources

Tree removal

1. All new development on Parcels 1 & 2 shall be located to minimize removal of oak trees. **At the time of application for construction permits,** the applicant shall submit a tree replacement plan to be reviewed and approved by the Department of Planning and Building if removal of oak trees is proposed. The plan shall provide for the replacement, in kind at a 4:1 ratio , of *oak* trees removed as a result of the development. In addition, the plan shall provide for the planting of oak trees at a 2:1 ratio to mitigate for oak trees impacted but not removed. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

   Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

   These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Monitoring: Will be shown on an additional map sheet. Department of Planning and Building will verify compliance at the time of application for construction permits.

2. **At the time of application for construction permits,** the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

Monitoring: Will be shown on additional map sheet, if a map is filed, or as an exhibit to the Certificates of Compliance. Compliance will be verified by the Department of Planning and Building.

3. **Prior to final inspection of construction permits,** the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3' radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis [at least once in late spring (April) and once in early winter (December) until plant is 3' tall or for 3 years, whichever occurs first. Use of weed-free mulch (at least 3" deep) with regular replenishment may be substituted for the weed-mat.

Monitoring: Will be shown on an additional map sheet, if a map is filed, or as an exhibit to the Certificates of Compliance. Compliance will be verified by the Department of Planning and Building.

4-42

4. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

   Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

   Monitoring: Will be shown on an additional map sheet, if a map is filed, or as an exhibit to the Certificates of Compliance. The Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on tree trimming issues.

Aesthetic/Cultural Resources

5. **At the time of application for construction permits,** the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc..

   Monitoring: Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

6. **Prior to occupancy or final inspection, whichever occurs first**, the applicant shall implement the approved color board.

> **Monitoring:** The Department of Planning and Building and the Environmental Coordinator will approve the final color board and insure that it is implemented.

7. All new development on Parcel 2 shall be located to avoid *structures* silhouetting against the sky when viewed from Homestead Road.

> **Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

8. **At the time of application for construction permits**, the applicant shall clearly delineate the location and visual treatment of water tanks on the project plans. All new water tanks shall be located to minimize their visibility from Homestead Road. Screening with topographic features, existing vegetation or existing structures is encouraged. If the tank(s) cannot be screened, then the tank(s) shall be a neutral, non-contrasting color, and landscape screening shall be provided.

> **Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

9. In the event archaeological resources are unearthed or discovered during any construction activities, 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 recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

   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.

> **Monitoring:** Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

Fire Safety

10. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures described in the Fire Safety Plan dated June 27, 2002, unless amended by the County Fire Department.

> **Monitoring:** Compliance will be verified by the Department of Planning and Building in consultation with the County Fire Department/CDF.

Air Quality

11. **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. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

    a. Reduce the amount of disturbed area where possible

    b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.

    c. All dirt stock pile areas should be sprayed daily as needed.

    d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.

    e. Exposed ground areas that are planned to be reworked at dates greater then one month after initial grading should be sown with a fast germinating native grass seed and watered until vegetation is established.

    f. All disturbed soil areas not subject to revegetation must be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD.

    g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

    h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.

4-45

i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.

j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.

k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Monitoring: To be shown on an additional map sheet. All particulate (dust) mitigation measures will be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to implement the dust control program. Compliance will be verified by the APCD in consultation with the Department of Planning and Building.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Joe L Rodrigues
Signature of Owner(s)

10/24/02
Date

JOE L RODRIGUES
Name (Print)

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4-46

AIR POLLUTION
CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

RECEIVED
OCT 03 2005
Planning & Bldg

DATE: September 29, 2005

TO: Michael Conger
San Luis Obispo County Department of Planning and Building

FROM: Melissa Guise MAG
San Luis Obispo County Air Pollution Control District

SUBJECT: Response to Project Description Regarding the Rodriguez Parcel Split
(Agency Project # S010342P)

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at 2350 Homestead Road in Templeton. The project as described would subdivide one 22.6-acre parcel into two parcels (7 acres and 15.6 acres). The property is zoned Residential Rural. We have the following comments regarding this project.

This project, like so many others, falls below our emissions significance thresholds and is, therefore, unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are very concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan, which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development.

The District understands that under the County's Land Use Ordinance, parcels within the Residential Rural category can be subdivided to a minimum lot size of five acres. We also recognize that there are significant human-interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural and physical resources and infrastructure that cannot be easily mitigated. **We do not support this type of development.**

Should this project continue to move forward against our recommendation, the following APCD comments will be appropriate for any future development: As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text**.

3433 Roberto Court • San Luis Obispo, CA 93401 • 805-781-5912 • FAX: 805-781-1002
info@slocleanair.org ❖ www.slocleanair.org

CONSTRUCTION PHASE EMISSIONS:

Dust Control Measures

The project as described in the referral will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. **APCD staff recommend the following measures be incorporated into the project to control dust:**

- Reduce the amount of the disturbed area where possible,
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible,
- All dirt stock-pile areas should be sprayed daily as needed,
- 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 or soil binders are used.

Demolition Activities

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If**

NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site 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. Please refer to the APCD web page at *http://www.slocleanair.org/business/asbestos.asp* for more information or contact Tim Fuhs of our Enforcement Division at 781-5912.

OPERATIONAL PHASE EMISSIONS:

Residential Wood Combustion
Under APCD Rule 504, only APCD approved wood burning devices can be installed in new dwelling units. These devices include:

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.

If you have any questions about approved wood burning devices, please contact Tim Fuhs of our Enforcement Division at 781-5912.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

MAG /sll

cc:

Tim Fuhs, Enforcement Division, APCD
Karen Brooks, Enforcement Division, APCD
Joe Rodriquez, Applicant

Attachment - Naturally Occurring Asbestos Construction & Grading Project - Exemption Request Form.

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AIR POLLUTION
CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

~~3-48~~
4-49

RECEIVED
JUL 0 1 2002
Planning & Bldg

DATE: June 27, 2002

TO: North County Team
San Luis Obispo County Department of Planning and Building

FROM: Melissa A. Guise MAG
San Luis Obispo County Air Pollution Control District

SUBJECT: Rodriguez Parcel Split (S010342P/ 0020130)

District staff has reviewed the information contained in the above-referenced referral requesting to subdivide one 22.6-acre parcel into two parcels (7 acres and 15.6 acres). The property is zoned Residential Rural and is located at 2350 Homestead Road outside of Templeton.

This project, like many others, falls below our emissions significance thresholds and is therefore unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are concerned with the cumulative effects resulting from the ongoing fracturing of rural lands and increasing development in areas far removed from urban centers. Such development fosters continued dependency on private auto use as the only means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan, which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve line be retained as open space, agriculture and very low-density residential development (20 acre or larger parcel).

We recognize that this proposed lot split, and many others like it, is allowable under current zoning in many areas. We also recognize that there are significant human-interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar, rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable in the long run. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural physical resources and infrastructure that cannot be easily mitigated.

One potential solution to this ongoing dilemma is the County's "Transfer of Development Credit" program, which would allow rural property owners to be compensated for transferring their development rights to areas better suited for higher densities. We would urge the County Planning Department and Board of Supervisors to place a high priority on further development and aggressive implementation of this program. Until that is accomplished, we must recommend that parcel splits such as this be denied as inconsistent with the Clean Air Plan.

Thank you for the opportunity to review this project. If you have any questions or comments please contact me at 781-5912.

\\H:\OIS\PLAN\RESPONSE\2522.doc

3433 Roberto Court • San Luis Obispo, CA 93401 • 805-781-5912 • FAX: 805-781-1002
dsapair@sloapcd.dst.ca.us ❖ www.sloapcd.dst.ca.us

4-50 ~~10~~

SA. LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL - (w/ revisions)

DATE: 9/1/05

TO: CDF

FROM: ☐ - South County Team ☑ - North County Team ☐ - Coastal Team
mike Conger: 781-5136

PROJECT DESCRIPTION: File Number: SUB2005-00053 Applicant: Rodrigues CO 05-0289 (WAS CO 02-0130 5010342P

Parcel map to create (2) new parcels, 1-7 acres & 1-15.6 acres. Located off Homestead Rd. in Templeton. APN: 034-461-023

Return this letter with your comments attached no later than: 9/16/05, attn. M. Conger

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☐ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No additional comments

9/15/05 Date | Gilbert R. Portillo Name | 543-4244 Phone

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.sloplanning.org

CDF/SAN LUIS OBISPO COUNTY FIRE DEPARTMENT 3-43 4-57

Dan Turner, Chief

General Information 805/543-4244
FAX 805/543-4248

635 N. Santa Rosa • San Luis Obispo • California 93405

June 27, 2002

RECEIVED
JUL 0 1 2002
Planning & Bldg

County of San Luis Obispo
Department of Planning/Building
South County Team
County Government Center
San Luis Obispo, CA 93408

PARCEL MAP PLAN

Project Number: CO 02-0130 Name: Rodriguez

The Department has reviewed the parcel map plans submitted for the proposed two parcel subdivision located at 2350 Homestead Rd., Templeton. The property is located within the State Responsibility Zone.

THE OWNER OF THE PROJECT SHALL MEET THE MINIMUM FIRE AND LIFE SAFETY REQUIREMENTS OF THE UNIFORM FIRE CODE (1997 EDITION) WITH AMENDMENTS. THIS FIRE SAFETY PLAN SHALL REMAIN ON THE PROJECT SITE UNTIL FINAL INSPECTION.

THE FOLLOWING STANDARDS ARE REQUIRED.

WATER STORAGE TANK

- A minimum of 2,500 gallons of water in storage shall be required.
- Emergency water tanks shall have a:
  1. automatic fill,
  2. sight gage,
  3. venting system,
  4. minimum 4-inch plumbing schedule 40 PVC or iron pipe.
- The system shall gravity drain to a **residential fire connection.**

WATER SUPPLY CONNECTION

- ***Two residential fire connections may be required.***
- The connection shall be:
  1. **on the driveway approach to each residence,**
  2. not less than 50 feet, or exceed 150 feet from the residence,
  3. within 8 feet of driveway,
  4. two feet above grade,
  5. brass with 2½ inch National Standard male hose thread and cap,
  6. identified by a blue reflector,
  7. 8 feet from flammable vegetation.
- The Chief shall approve other uses not identified.

ROADS STANDARDS

Access roads provide vehicular access to more than one lot of record or to one lot of record with more than four dwelling units.

- Access road widths shall be a minimum of 18 feet.
- Access roads shall have an unobstructed vertical clearance of not less than 13' 6".
- Access roads shall be named and signed.
- Road naming and signing shall occur prior to building final.
- Road name and sign information is available by phoning 781-5199.

DRIVEWAY STANDARDS

- The driveway width shall be 10 feet.
- A driveway exceeding *800* feet shall provide a turnout at the midpoint or every 400 feet.
  1. Turnouts shall be a minimum of 10 feet wide and 30 feet long with a 25-foot taper at each end.
- A driveway exceeding *300* feet shall provide turnaround within 50 feet of the residence.
  1. Turnarounds shall be a minimum 40-foot radius or a hammerhead/T 60 feet long.

ACCESS ROAD AND DRIVEWAY SURFACES

- Access roads and driveways surfaces shall be:
  1. All weather surfaced to a maximum grade of less than 12%.
  2. Asphalt or concrete with a non-skid finish for any grade exceeding 12% to a maximum grade of 16%.
  3. Meet a load capacity of 20 tons

ADDRESSING

- Legible address numbers shall be placed on all residences.
- Each residence shall be assigned a separate address.
- Legible address numbers shall be located at the driveway entrance.

VEGETATION CLEARANCE

To provide safety and defensible space the following shall be required:

- To each side of roads and driveways a 10-foot fuelbreak shall be provided.
- Maintain around all structures a 30-foot firebreak.
  1. This does not apply to landscaped areas and plants.
- Remove any part of a tree that is within 10 feet of a chimney outlet.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other dead vegetative growth.

FINAL INSPECTION

- The project shall require final inspection. **Allow five (5) working days for final inspection.** When the safety requirements have been completed, **call the Fire Prevention Secretary at 543-4244, ext.2220,** and arrange for a final inspection.

If I can provide additional information or assistance, please call 543-4244, ext. 2123. **Office hours 8:00 a.m. to 5:00 p.m., Tuesday through Friday.**

Sincerely,

Gilbert R. Portillo
Fire Inspector

C: Mr. Joe Rodriguez, owner
Mr. Robert C. Tartaglia, agent

~~345~~ 453

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH
CHIEF BUILDING OFFICIAL

THIS IS A NEW PROJECT REFERRAL

DATE: June 10, 2002

TO: Env. Health CO 02-0130

FROM: N.S. County Team S010342P / Rodriguez
Project Name and Number

Development Review Section (Phone 781- 5183) ( )

PROJECT DESCRIPTION: Create 2 parcels (7 acres & 15.6 ac)

Return this letter with your comments attached no later than: June 24, 2002

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

_____ YES (Please go on to Part II)

_____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

_____ NO (Please go on to Part III)

_____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.**
IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL.

Provide stock conditions for on-site water and waste water. Applicant should provide evidence of water (well completion report) in order to receive preliminary approval.

RECEIVED
JUN 14 2002
Planning & Bldg

6/13/02 — Date
L. Sal — Name
x 5551 — Phone

4-54 ID

SA LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

RECEIVED
SEP 26 2005
Planning & Bldg

THIS IS A NEW PROJECT REFERRAL - (w/ revisions)

DATE: 9/1/05

TO: Parks

FROM: ☐ - South County Team ☑ - North County Team ☐ - Coastal Team
mike Conger: 781-5136

PROJECT DESCRIPTION: File Number: SUB2005-00053 Applicant: Rodrigues
CO 05-0289 (WAS CO 02-0130 S010342P)
Parcel Map to create (2) new parcels, 1-7 acres & 1-15.6 acres. Located off Homestead Rd. in Templeton. APN: 034-461-023

Return this letter with your comments attached no later than: 9/16/05, attn. M. Conger

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IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

NO ADDITIONAL COMMENTS.

Date	Name	Phone
9/23/05	SHAUN COOPER	X 4388

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4-55 ~~3-46~~

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

GENERAL SERVICES
2002 JUN 12 PM 1:26

VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH
CHIEF BUILDING OFFICIAL

THIS IS A NEW PROJECT REFERRAL

DATE: ~~June 10, 2002~~ 06/14/02

~~TO:~~ FROM: Parks & Rec CO 02-0130

~~FROM:~~ TO: No. County Team S010342P / Rodriguez
Project Name and Number

Development Review Section (Phone 781-5183) ( )

PROJECT DESCRIPTION: Create 2 parcels (7 acres & 15.6 ac)

Return this letter with your comments attached no later than: June 24, 2002

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IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

(1) Require payment of Quimby fees and applicable Building Division fees

06/14/02 Date

Jan Di Leo Name

X4019 Phone

4-56

Mike Conger

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL – (w/ revisions)

DATE: 9/1/05

FROM PW

FROM ☐ - South County Team ☑ - North County Team ☐ - Coastal Team
Mike Conger; 781-5136

PROJECT DESCRIPTION: File Number: SUB2005-00053 Applicant: Rodrigues CO 05-0289 (WAS CO 02-0130 SO10342P)

Parcel Map to create (2) new parcels, 1-7 acres & 1-15.6 acres. Located off Homestead Rd. in Templeton. APN: 034-461-023

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IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

RECOMMEND APPROVAL – PREVIOUS COMMENTS AND CONDITIONS SHOULD be ADEQUATE (see PO 02-0130) and Apply to THIS Application. WHAT ARE THE REVISIONS INDICATED ABOVE?

Date 05 OCT 2005 Name GOODWIN Phone 5252

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.sloplanning.org

4-57
~~247~~

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

JUN 1 2

VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH
CHIEF BUILDING OFFICIAL

THIS IS A NEW PROJECT REFERRAL

DATE: June 10, 2002

FROM: Pub Works CO 02-0130

FROM: No. County Team S010342P / Rodriguez
Project Name and Number

Development Review Section (Phone 781- 5183) ( )

PROJECT DESCRIPTION: Create 2 parcels (7 acres & 15.6 ac)

Return this letter with your comments attached no later than: June 24, 2002

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RECOMMEND APPROVAL — AS MAP IS DRAWN PERHAPS it shows but is not labeled and THAT IS 5 ft WIDENING FROM 1974 of HOMESTEAD Rd. STAKES ATTACHED. I AM ASKING FOR ADDITIONAL widening with a CURVE AT north ARROW point. No TREES or DRIVEWAY SHOWN. Applicant PAVEMENT in RELATION to Road R/W? PAVEMENT WIDENING NEEDED? I HAVE ASKED TRAFFIC FOR VEHICLE COUNTS.

July 1 '02 — Date
Gordon — Name
5252 — Phone

4-58

EXHIBIT B

CONDITIONS OF APPROVAL FOR CO 02-0130, Rodriguez / Tartaglia

Approved Project

This approval authorizes the division of a _____ acre parcel into _____ parcels of _____ ***acres / square feet*** each.

Access and Improvements

☐ Roads and/or streets to be constructed to the following standards:

a. _____ constructed to a _____ section within a _____ foot dedicated right-of-way.

b. _____ widened to complete a _____ section fronting the property.

c. _____ constructed to a _____ section from the property to _____ (minimum paved width to be _____ feet).

☒ The applicant offer for dedication to the public by certificate on the map or by separate document:

a. For future road improvement _____ feet along _____ to be described as _____ feet from the recorded centerline.

b. For future road improvement A variable width ~~feet~~ along Homestead Road to be described as 25 ft from recorded center line or from a 510 ft Radius Curve at the inside angle point, which ever is greater.

c. For road widening purposes _____ feet along _____, to be described as _____ feet from the recorded centerline.

d. The _____ foot road easement as shown on the tentative parcel map with a _____ foot radius property line return at the intersection of _____.

e. A _____ foot radius property line return at the intersection of _____.

f. The _____ foot road easement terminating in a county cul-de-sac as shown on the tentative map.

4-59

☐ The intersection of _____ and _____ be designed in accordance with California Highway Design Manual.

☒ Access be denied to lots 2 from HOMESTEAD ROAD EXCEPT WHERE IT IS SHOWN THAT A SAFE ACCESS POINT EXISTS. and that this be by certificate and designation on the map.

☐ The future alignment of _____ shall be (Co A-11 Std) shown on the map as reserved for future public right-of-way.

☐ A private easement be reserved on the map for access to lots _____.

☐ A practical plan and profile for access to lots _____ be submitted to the Department of Public Works and the Department of Planning and Building for approval.

☐ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

☐ Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications 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:

a. Street plan and profile.
b. Drainage ditches, culverts, and other structures (if drainage calculations require).
c. Water plan (County Health).
d. Sewer plan (County Health).
e. Grading and erosion control plan for subdivision related improvement locations.
f. Public utility plan, showing all existing utilities and installation of all utilities to serve every 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. Trail plan, to be approved jointly with the Park Division.

☒ The applicant shall enter into an agreement 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.

☐ The Registered Civil Engineer, upon completion of the improvements, must 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.

☐ 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:

a. Submit a copy of all such permits to the Department of Public Works OR
b. Document that the regulatory agencies have determined that said permit is not longer required.

Drainage

- ☐ _____ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.

- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.

- ☐ Submit complete drainage calculations to the Department of Public Works for review and approval.

- ☐ If calculations so indicate, drainage must be ***retained/detained*** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.

- ☐ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
  - a. granted to the public in fee free of any encumbrance.
  - b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
  - c. reserved as a drainage easement in favor of the owners and assigns.

- ☐ If a drainage basin is required, a zone of benefit be formed within _____ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.

- ☐ If a drainage basin is required, this development be annexed to _____ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.

- ☐ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) _____, only).

- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall ***be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association.*** Impervious paving over a disposal area is not considered acceptable.

- ❑ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.

- ❑ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.

- ❑ This land division shall be annexed to _____ prior to the filing of the final parcel or tract map for ***water service/water and sewer service/sewer maintenance/community septic system maintenance/***_____.

Soils Report

- ❑ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.

- ❑ 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 parcel or tract map. The date and person who prepared the report are to be noted on the map.

Utilities

- ❑ Electric and telephone lines shall be installed ***underground / overhead.***

- ❑ Cable T.V. conduits shall be installed in the street.

- ❑ Gas lines shall be installed.

- ❑ A _____ feet public utility easement on private property along _____, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

Design

- ❑ The lots shall be numbered in sequence.

- ❑ The _____ on lot _____ be removed or brought into conformance with the ***Land Use Ordinance / Coastal Zone Land Use Ordinance*** prior to filing the final parcel or tract map. A demolition permit may be required.

- ❑ The lot area of _____ shall contain a minimum area of _____ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

- ☐ The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet ***Land Use Ordinance / Coastal Zone Land Use Ordinance*** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

- ☐ Provide minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. *(USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)*

Parks and Recreation (Quimby) Fees

- ☐ 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 on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.***
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Easements

- ❑ 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 prior to filing of the final parcel or tract map.

- ❑. An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building***. The open space parcel is to be maintained as such in perpetuity.

Landscape Plans

- ❑ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:

  a. Drainage basin fencing. *(ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN)*
  b. Drainage basin perimeter landscape screening. *(ONLY USE FOR FENCED BASINS)*
  c. Landscaping for erosion control.

- ❑ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within _____ days of completion of the improvements.

Mitigations *PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE* ***ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP***

- ❑ _____

- ❑ _____

Additional Map Sheet

- ❑ 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:

  CHOOSE APPLICABLE PROVISIONS

  a. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
  b. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
  c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** _____.

d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits,** the applicant shall clearly delineate the approved building site and access drive on the project plans.

e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.

f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.

g. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision crease operation for a minimum of one year. **At the time of application for construction permits,** the applicant shall clearly delineate the agricultural buffer on the project plans.

h. The limits of inundation from a 100 year storm over lots _____ from _____ ***creek / river*** shall be shown on the additional map and note the required building restriction in the on the sheet.

i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.

j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated _____ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*

l. In the event archaeological resources are unearthed or discovered during any construction activities, 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 recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

   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.

m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE ***ONLY IF THEY GO BEYOND RECORDATION OF THE MAP*** _____

_____

_____

Covenants, Conditions and Restrictions

☐ The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

CHOOSE APPLICABLE PROVISIONS

a. On-going maintenance of drainage basin fencing in perpetuity.
b. On-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
b. Maintenance of drainage basin landscaping.
c. Maintenance of common areas.
d. Secondary dwellings shall not be allowed.
e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
h. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision crease operation for a minimum of one year.
i. Maintenance of all local streets within the subdivision until acceptance by a public agency.
j. The limits of inundation from a 100 year storm over lots _____ from _____ ***creek / river*** shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
l. _____

_____

Low Cost Housing *(USE IN COASTAL ZONE ONLY)*

☐ Provide _____ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the _____ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

Miscellaneous

- ☐ This subdivision is also subject to the standard conditions of approval for all subdivisions using ***community water and sewer / community water and septic tanks / individual wells and septic tanks***, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

- ☐ A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.

- ☐ Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section-8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.

- ☐ Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.

- ☐ 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 any date of possible reconsideration action.