

**EXHIBIT B – CONDITIONS OF APPROVAL (UPDATED 9/16/25)**  
**DANA RESERVE SPECIFIC PLAN**  
**GENERAL PLAN AND ORDINANCE AMENDMENT (LRP2020-00007; LRP2025-00004)**  
**VESTING TENTATIVE TRACT MAP (SUB2020-00047; Tract 3159)**  
**CONDITIONAL USE PERMIT (SUB2020-00047; AMEND2025-00003)**

**Approved Development**

All development and land uses authorized by these conditions of approval is contingent upon the concurrent approval of the 2024 Dana Reserve Specific Plan and all related General Plan and ordinance amendments, including a mutually agreeable Development Agreement between the County of San Luis Obispo and NKT Development LLC.

This approval authorizes:

- a) Subdivision per Vesting Tentative Tract Map 3159 of the 288-acre property into **21 20** private lots and **22 23** common area lots that would be managed by a Homeowners Association (HOA) or similar entity(ies), including:
  - i. Seven lots (Lots 3 through 9) ranging between 11.4 and **37.81 37.19** acres designated for Single Family Residential uses, to be further subdivided;
  - ii. **Four Three** lots (Lots 1, 2, **44**, and 45) ranging between **2.5 3.0** and 10.53 acres designated for Multi-Family Residential uses;
  - iii. Five lots (Lots 10, 11, C/23, E/25, and U/41) on which no additional residential development is proposed, but which are included in the DRSP to provide access and utility connections from the Specific Plan Area to Willow Road, including providing areas for public roadways, a transit center, open space, and landscaped areas;
  - iv. Four lots (Lots 13 through 16) ranging between 2.56 and 8.03 acres in size designated for Flex Commercial uses;
  - v. Three lots (Lots 17, 18, and 19) ranging between 0.92 and 2.06 acres in size designated for Village Commercial use;
  - vi. One 0.45-acre lot (Lot 20) designated for Recreation to support a daycare facility;
  - vii. One **2.16 1.07**-acre lot (Lot B/22) that will be dedicated to the County to accommodate a future fire station;
  - viii. One **7.4 4.95**-acre lot (Lot M/33) to accommodate a publicly accessible privately maintained neighborhood park;
  - ix. One 1.01-acre lot (Lot W/43) to accommodate an equestrian staging area; and
  - x. **15 16** HOA maintained lots (Lots D/24, F/26, G/27, H/28, I/29, J/30, K/31, L/32, N/34, O/35, P/36, Q/37, R/38, S/39, T/40, **and V/42, and V/44**) to accommodate pocket parks and open space areas, trails, recreation areas, landscaping, and drainage basins.
- b) Development of a maximum of **1,370 1,242** residential units including **834 819** single-family units and **539 423** multi-family units, a minimum of **156 78** of which would be affordable units (excluding Accessory Dwelling Units [ADUs] as allowed by State law);
- c) 110,000 – 203,000 square feet of Village and Flex Commercial uses, which includes a 60,000-square-foot hotel and a 30,000 square-foot educational/training facility;

- d) Recreational and open space uses, including a 4.8-acre publicly accessible privately maintained neighborhood park, a 1.01-acre equestrian trailhead and staging area, approximately ~~7.6~~ **6.7** to 10 acres of publicly accessible but privately maintained pocket parks within the residential neighborhoods, 3.3 miles of equestrian trails, 3.8 miles of off-street pedestrian trails, and a 3-acre private-amenity site for the development of a clubhouse, recreational area, and/or pool facility; and
- e) Buildout of the DRSP over a minimum of 7 years including future land use permit applications for the development of each proposed residential neighborhood and commercial area.
- f) Conditional Use Permit (SUB2020-00047, **as amended by AMEND2025-00003**) to authorize the removal of ~~75~~ **70.5** acres of coast live oak woodland, grading and site disturbance in excess of 3 acres, and more than 3 acres of impervious surfaces, related to Tract 3159 improvements.

### **Phased Final Maps**

- g) One or more Financing and Conveyance Maps as an initial phase of Tract 3159 may be recorded for financing and land conveyance purposes only. No **applications for** building or grading permits shall be **issued accepted** for the parcel or parcels created by this map until a final map for development has been approved by the County. Because no development is permitted pursuant to a recorded Financing and Conveyance Map, the recording of a Financing and Conveyance Map shall require no construction of or bonding for public improvements except for public roads that are necessary to provide immediate access to a parcel being created by such Financing and Conveyance Map (e.g., no road improvements shall be required if the resulting parcels have existing frontage to a public street). Any Financing and Conveyance Map shall include the following statements on **the face each page** of the map: "FOR FINANCE AND CONVEYANCE PURPOSES ONLY. THIS MAP DOES NOT CREATE A LEGAL BUILDING SITE. FURTHER **PHASES AND/OR** APPLICATIONS ARE NECESSARY TO DEVELOP THIS PROPERTY. **TRACT 3159 FINAL MAP CONDITIONS TO BE APPLICABLE TO FURTHER PHASES AND/OR APPLICATIONS.**"

### **Onsite Phased Access and Improvements**

- h) Phasing of infrastructure and site preparation:
  - i. Phase 1 includes the improvements to North Frontage Road; installation of public utility connections; grading for on-site public roads; extension of North Frontage Road from Sandydale Drive to Willow Road (Collector A), including intersections and returns for future neighborhood connections; modifications to Cherokee Place; grading for equestrian paths; and grading for public drainage facilities. The excess earthwork material from Phases 1 and 2 will be used as fill material for Phase 3.
  - ii. Phase 2 includes grading for on-site public roads; extension of Pomeroy Road to Willow Road (Collector B), including intersections and returns for future neighborhood connections; modifications to Cherokee Place; grading for equestrian/pedestrian paths; public utility connections, including lift stations; and public drainage facilities. The excess earthwork material from Phases 1 and 2 will be used as fill material for Phase 3.
  - iii. Phase 3 includes grading for on-site public roads (Collector C); establishment of public utility connections, including the neighborhood park; and grading for public drainage facilities.

- i) Onsite circulation improvements, including three new internal collector roads, two new internal roundabouts, local residential roadways to be privately maintained, and five connection points to the surrounding circulation system:
  - i. Proposed Collector A at Willow Road: a new signalized three-way intersection (located approximately 1,300 feet west of the US 101 on-ramps);
  - ii. Proposed Collector B at Willow Road: a one-way stop-controlled intersection allowing unimpeded traffic flow along Willow Road;
  - iii. Proposed Collector A at North Frontage Road;
  - iv. Proposed Collector B at Pomeroy Road: a one-way stop intersection allowing unimpeded traffic flow along Pomeroy Road; and
  - v. Proposed Collectors A and B at Cherokee Place: new two-way stop intersections along Cherokee Place allowing unimpeded traffic flow along proposed Collectors A and B.
- j) A Park and Ride lot on parcel 091-301-029 between Cherokee Place and Willow Road at the northern boundary of the DRSP;
- k) Future transit stops at the Village Commercial area and at the Park and Ride lot;
- l) Installation of onsite utility improvements including potable water, wastewater, stormwater, and other utilities, such as natural gas, electrical, telephone, and cable/data service;

#### **Offsite Access and Improvements**

- m) Offsite circulation improvements to North Frontage Road, Willow Road at Proposed Collector A, Willow Road at Proposed Collector B, Cherokee Place, Hetrick Avenue, and Pomeroy Road at Proposed Collector B;
- n) The Project shall pay to Nipomo Community Services District (NCSD) all applicable water and wastewater connection/capacity fees, rates, and charges as established in the NCSD Code and Board resolutions to help fund the water and wastewater improvements necessary to implement the Project, as described below, all pursuant to a mutually agreeable Annexation Agreement.
- o) The Project shall install on-site water and wastewater improvements to NCSD's standard specifications.
- p) The Project shall install the following offsite water system improvements pursuant to a mutually agreeable Annexation Agreement with NCSD in conjunction with development of the Project.
  - i. Prior to the first certificate of occupancy in the Project, installation of an extension of a 12-inch PVC pipe from the North Frontage Road/Sandydale Drive intersection to the southeastern corner of the Specific Plan area, to be installed within the existing ROW area. (Dana Reserve NCSD Water Project 3)
  - ii. Prior to the first certificate of occupancy in the Project, installation of an extension of a 12-inch PVC pipe from the proposed Willow Road/Collector A intersection approximately 450 feet to the end of the existing water line in Willow Road. (Dana Reserve NCSD Water Project 4)
- q) The Project shall install offsite wastewater system improvements pursuant to a mutually agreeable Annexation Agreement with NCSD in conjunction with development of the Project as specified below.
  - i. Prior to the first certificate of occupancy in the Project, installation of an extension of a 12-inch diameter sewer main pipe and force main within the North Frontage

- Road between the Dana Reserve Specific Plan Area and Juniper Street to be installed with existing paved roadway and existing public ROW areas. (Dana Reserve NCSD Wastewater Project 1)
- ii. Prior to the first certificate of occupancy in the Project, installation of a sewer lift station to accommodate DRSP flows located near the southeast corner of the Specific Plan Area. (Dana Reserve NCSD Wastewater Project 2)
- r) In conjunction with the development for the offsite projects as specified in the Dana Reserve Phasing Study, and in addition to the fees, rates and charges specified above, the applicant will provide an upfront contribution of \$4,500,000 to NCSD as provided in the Annexation Agreement to help fund the following water and wastewater projects that must be completed in order to serve the Project:
- i. Prior to first certificate of occupancy in the project:
    - i. Extension of a 16-inch DIP from the intersection of West Tefft Street/North Oakglen Avenue to the north end of North Oakglen Avenue to be installed within existing paved roadway; (Dana Reserve NCSD Water Project 1)
    - ii. Extension of a 16-inch DIP from the north end of North Oakglen Avenue, under US 101, to Sandydale Drive to be installed within existing paved roadway and ROW areas; (Dana Reserve NCSD Water Project 2)
    - iii. Improvements/upgrades at the existing NCSD southland WWTF, located within the existing NCSD Southland WWTF, of aeration basin #2, including blowers and diffusers. (Portion of Dana Reserve NCSD Wastewater Projects 6); and
    - iv. Upsizing of a planned sanitary sewer pipe for the North Frontage Road/Juniper Street intersection and the South Frontage Road/Division Street intersection to be installed within existing paved roadway (Dana Reserve NCSD Wastewater Project 3, designated a "in progress by District").
- s) The following water and wastewater projects will be completed by NCSD in order to serve the Project as provided in the Annexation Agreement, as sufficient capacity charges are paid by the Project.
- i. Installation of 1 million gallons of additional water tank storage at the NCSD's existing Foothill water tank site at the North Dana Foothill Road/East Tefft Street intersection (Dana Reserve NCSD Water Project 6).
  - ii. Replacement/upsizing of an existing 10-inches DIP to a 16-inch DIP from the intersection of West Tefft Street/North Oakglen Avenue to the NCSD's existing Foothill water tank site at the North Dana Foothill Road/East Tefft Street intersection (Dana Reserve NCSD Water Project 5).
  - iii. Improvements/upgrades at the existing NCSD Southland WWTF, including the following. Each of these improvements would be located within the existing NCSD Southland WWTF: (Dana Reserve NCSD Wastewater Projects 4, 5, 6, 7, 8, and 9)
    - i. Installation of influent lift station (Dana Reserve NCSD Wastewater project #4);
    - ii. Installation of aeration basin #3, including blowers and diffusers (Portion of Dana Reserve NCSD Wastewater project #6);
    - iii. Installation of gravity belt thickener (Dana Reserve NCSD Wastewater project #8);
    - iv. Installation of screw press (Dana Reserve NCSD Wastewater project #9);
    - v. Installation of grit removal system (Dana Reserve NCSD Wastewater project #5); and
    - vi. Installation of clarifier (Dana Reserve NCSD Wastewater project #7).

- iv. Installation of a second water storage tank at the NCSD's existing Joshua Road pump station, which will be located within the footprint of the existing pump station facility. (Dana Reserve NCSD Water Project 7).

## **TRACT 3159 IMPROVEMENT PLAN CONDITIONS**

### **Conditions required to be completed prior to the approval of tract improvement plans:**

1. **Prior to the approval of the tract improvement plans**, the Specific Plan shall be revised as follows: where the Specific Plan identifies a permit requirement as "Site Plan Review," it shall require an environmental determination under the California Environmental Quality Act (CEQA) in accordance with the procedures in Land Use Ordinance Section 22.62.040(B)(1).

### ***Access and Improvements***

2. **Prior to the approval of tract improvement plans**, improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the Department of Environmental Health for approval. The plans are to include, as applicable:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Utility plan.
    1. Water plan to be approved jointly with Nipomo Community Services District and the Department of Environmental Health. Water facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
    2. Sewer plan to be approved jointly with Nipomo Community Services District and the Department of Environmental Health. Sewer facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
    3. New electric power, telephone and cable television service conduits and appurtenances shall be constructed and service conduits stubbed to each new parcel.
    4. New gas distribution mains and appurtenances shall be installed along the entire project frontage(s) and gas service laterals stubbed to each new parcel, as applicable.
  - d. Traffic signal plan.
  - e. Sedimentation and erosion control plan for subdivision related improvements.
  - f. Stormwater control plan for subdivision related improvements (if subject to MS-4 requirements).
  - g. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
  - h. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
  - i. 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.

- j. Trail plan, if required, to be approved jointly with the Department of Parks and Recreation.
- k. All grading shall be done in accordance with the County Public Improvement Standards and the current California Building Code. Lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
- l. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Wildlife are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
  - 1. Submit a copy of all such permits to the Department of Public Works, OR
  - 2. Document that the regulatory agencies have determined that said permit is not required.
- 3. Road and/or streets shall be constructed to the following standards, unless already constructed and acceptable or design exceptions are approved by the Department of Public Works in accordance with Section 1.2 of the Public Improvement Standards:
  - a. "Public Collector A", "Public Collector B", "Public Collector C", "Local Road D", and all subsequent subdivision onsite streets/roads, shall be constructed to an A-2 urban street section, with additional easement width as necessary to contain all elements of the roadway prism. Construction phasing shall be in accordance with Table 2, Phase Recommendations, within "Dana Reserve – Draft Roadway Phasing Summary" prepared by Central Coast Transportation Consulting dated February 28, 2023, unless otherwise agreed upon by Public Works, and is as follows:
    - 1. Phase 1A: Construct "Public Collector A". Construct portion of "Public Collector C" as needed.
    - 2. Phase 1B: Construct "Public Collector A". Construct "Public Collector B" from Pomeroy Road to "Public Collector C". Construct "Public Collector B" from Willow Road to "Public Collector C" within 24 months of building permit issuance. Construct "Public Collector C".
    - 3. Phase 2A and 2B: Construct portion of "Public Collector B" as needed. Completion recommended after 150th dwelling unit permit or within 36 months of building permit issuance.
    - 4. Phase 3: Construct "Public Collector B". Construct "Public Collector C" as needed.
  - b. Installation of street lights shall comply with the County Public Improvement Standards. The applicant shall establish a financing mechanism, satisfactory to the Department of Public Works, to pay for the ongoing operation and maintenance required for street lighting.
  - c. The existing Cherokee Place intersecting "Public Collector A" and "Public Collector B" shall be improved with B-1 rural driveway standard.
  - d. Except for "Public Collector A" and "Public Collector B", there shall be no connections to Cherokee Place unless otherwise approved by the Department of Public Works for emergency ingress/egress.

- e. The intersections of “Public Collector A” and Willow Road, “Public Collector B” and Willow Road, “Public Collector B” and Pomeroy Road shall be designed and constructed to provide standard left-turn channelization in accordance with Caltrans California Highway Design Manual, Chapter 400, and within necessary dedicated right-of-way easements.
  - f. All roadway grading shall be done in accordance with Title 19 and the California Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
4. The developer shall install a traffic signal located at intersection of “Public Collector A” and Willow Road as recommended by Transportation Impact Study prepared by Central Coast Transportation Consulting, dated July 2021. The installation shall occur as part of Phase 1.
  5. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative.
  6. The applicant shall provide the County with an Engineer of Work Agreement retaining a registered civil engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works. The civil engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.
  7. All public improvements (except Willow Road/US 101) shall be completed for each construction phase of this tract map prior to occupancy of any new structure within this subdivision or subsequent subdivisions. Phased construction of public improvements (roadways/utilities/basins/etc.) within this tract map are independent of subsequent subdivisions.
  8. At the time of application for construction permits, the applicant shall submit plans showing any overhead electric line and telephone/cable communication lines permanently relocated underground, consistent with County Code Section 23.05.120.
  9. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for prior to approval of tract improvement plans. If bonded for, landscaping shall be installed within 60 days after completion of tract improvements. All landscaping shall be maintained in a viable condition in perpetuity.
  10. **Prior to the approval of tract improvement plans**, the County Department of Planning and Building shall designate a monitor to oversee the implementation of the Conditions of Approval and Mitigation Measures by the applicant. The applicant shall be responsible for payment of the monitoring fees incurred by the monitor on a monthly basis. The applicant shall submit and retain a deposit commensurate with two months of monitoring, to be determined by the County and the monitor.

### ***Aesthetics***

11. **Prior to the approval of tract improvement plans**, the applicant shall revise the Dana Reserve Specific Plan to implement Mitigation Measure AES/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.



### ***Air Quality***

12. **Prior to the approval of tract improvement plans**, Mitigation Measure AQ/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
13. **Prior to the approval of tract improvement plans**, Mitigation Measure AQ/mm-3.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
14. **Prior to the approval of tract improvement plans**, Mitigation Measure AQ/mm-3.3 (2), (6), (7), (8), (10), and (12) per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
15. **Prior to the approval of tract improvement plans**, the applicant shall implement Mitigation Measure AQ/mm-7.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Annexation***

16. **Prior to the approval of tract improvement plans**, the applicant shall provide evidence that annexation into the Nipomo Community Services District has been completed.

### ***Biological Resources***

17. **Prior to the approval of tract improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
18. **At the time of application for construction permits**, the applicant shall implement Mitigation Measure BIO/mm-1.6 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
19. **Prior to the approval of tract improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-2.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
20. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
21. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-4.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
22. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-4.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
23. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-6.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
24. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-18.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

25. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-18.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
26. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-18.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Cultural Resources***

27. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure CR/mm-2.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
28. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure CR/mm-2.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
29. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure CR/mm-2.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Drainage & Flood Control***

30. Submit complete drainage calculations prepared by a licensed civil engineer to the Department of Public Works for review and approval. If calculations so indicate, drainage must be retained/detained in a drainage basin on the property [21.03.010(5)(b)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity.
31. All project-related drainage shall be designed and constructed in accordance with the recommendations of the Nipomo Drainage and Flood Control Study.

### ***Environmental Health***

32. **Prior to approval of tract improvement plans**, the plans shall show any abandoned wells or wells to be abandoned. Any abandoned wells shall be destroyed per the standards outlined in California Well Standards, Bulletin 74-81, 74-90. Well destruction permits shall be obtained prior to approval of tract improvement plans.

### ***Fire***

33. **Prior to approval of tract improvement plans**, all plans shall comply with all applicable standards, regulations, codes, and ordinances at time of building permit issuance (CA Fire Code, CA Code of Regulations Title 14, San Luis Obispo County Title 16). Specifically:
  - a. A registered Fire Protection Engineer is required to provide a written technical analysis of the fire protection requirements. (Hydrant system requirements, fire sprinklers system for NFPA 13, NFPA 13D or 13R, etc.)
  - b. All future buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access roads shall comply with the requirements of California Code of Regulations Title 14 and San Luis Obispo County Title 16.
  - c. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs. (commercial) or 40,000 lbs. (residential).

- d. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
- e. Roadways shall be a minimum of 20 feet in width with 2-foot shoulders and 13-foot 6-inch vertical clearance.
- f. Driveways up to 199 feet shall be a minimum of 12 feet in width. Driveways over 199 feet shall be 14 feet wide.
- g. Turnarounds are required on driveways and dead end roadways.
- h. Maximum dead end road lengths shall comply with requirements established in CA Title 14. Distances are determined by the lot size.
- i. Roadway radius shall not have a radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
- j. Gates for driveways and/or roadways shall comply with the California Fire Code. Emergency access gate/ barricades will have fire department access Knox Key entry for locks or electric gates.
- k. Approved hydrants shall be installed based in accordance with requirements in C.F.C. appendix B. Private fire service mains shall be installed, tested and maintained per NFPA 24 2016 edition.
- l. The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24, 2016 edition for the installation of Underground Fire Protection Mains.
- m. **Egress shall comply with the standards outlined in section Title 14 § 1267.01**

### ***Geology/Soils***

- 34. **Prior to the approval of tract improvement plans**, the applicant shall implement Mitigation Measure GEO/mm-5.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
- 35. **Prior to the approval of tract improvement plans**, the applicant shall implement Mitigation Measure GEO/mm-8.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Noise***

- 36. **Prior to the approval of tract improvement plans**, Mitigation Measure N/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.

### ***Stormwater Pollution Prevention Plan (SWPPP)***

- 37. **Prior to the approval of tract improvement plans**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

***Stormwater Control Plan (SWCP)***

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

***Tribal Cultural Resources***

39. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure TCR/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
40. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure TCR/mm-1.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

**Conditions required to be completed during construction of tract improvements:*****Air Quality***

41. **During construction of tract improvements**, Mitigation Measure AQ/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.
42. **During construction of tract improvements**, Mitigation Measure AQ/mm-3.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.

43. **During construction of tract improvements**, Mitigation Measure AQ/mm-3.3 (4) and (5) per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.

### ***Biological Resources***

44. **Prior to implementation of construction activities (including staging and mobilization)**, the applicant shall implement Mitigation Measure BIO/mm-1.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
45. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-1.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
46. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-1.4 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
47. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-2.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
48. **During construction between October 1 and February 28**, the applicant shall implement Mitigation Measure BIO/mm-5.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
49. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-7.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
50. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-8.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
51. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-9.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
52. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-12.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
53. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-13.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
54. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-17.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
55. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-17.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
56. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-17.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
57. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-19.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Cultural Resources***

58. **During construction**, the applicant shall implement Mitigation Measure CR/mm-2.4 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Geology/Soils***

59. **During construction**, the applicant shall implement Mitigation Measure GEO/mm-5.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

60. **During Construction**, the applicant shall implement Mitigation Measure GEO/mm-8.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
61. **During Construction**, the applicant shall implement Mitigation Measure GEO/mm-8.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

**Noise**

62. **During Construction**, the applicant shall implement Mitigation Measure N/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

**Subdivision Grading**

63. Grading not associated with required public improvements shall be subject to the Subdivision Grading Process per Section 2.1.3 of the latest Public Improvement Standards. The Public Works Department will act as a deputy to the Building Official for all on-site grading not associated with Public Improvements.

## OFFSITE IMPROVEMENT CONDITIONS

### **Conditions required to be completed prior to the approval of offsite improvement plans:**

#### ***Access and Improvements***

1. Road and/or streets shall be constructed to the following standards, unless already constructed and acceptable or design exceptions are approved by the Department of Public Works in accordance with Section 1.2 of the Public Improvement Standards:
  - a. Willow Road and Pomeroy Road shall be widened to complete the project frontage of an A-1 rural road section with bike lanes fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism. Construction of road widening improvements shall occur with construction of associated Collector. Construction phasing shall be in accordance with Table 2, Phase Recommendations, within “Dana Reserve – Draft Roadway Phasing Summary” prepared by Central Coast Transportation Consulting dated February 28, 2023, unless otherwise agreed upon by Public Works.
  - b. North Frontage Road extension from Sandydale Drive to “Public Collector A” shall be constructed to an A-1 rural road section, with additional easement width as necessary to contain all elements of the roadway prism. Alternatively, an A-2 urban street section may be used.
  - c. The project shall close access to Hetrick Avenue from Pomeroy Road to motorized public use. Closure includes removal of all intersection features and returning Pomeroy Road to non-intersection conditions. This includes, but is not limited to, removal of pavement, stop bar, stop sign, re-striping, etc. The project will need to implement temporary traffic control and signage during construction as well as permanent road closure measures and signage after completion. The project shall provide access to Hetrick Avenue from Collector B constructed to Cal Fire standards.
  - d. Installation of street lights shall comply with the County Public Improvement Standards. The applicant shall establish a financing mechanism, satisfactory to the Department of Public Works, to pay for the ongoing operation and maintenance required for street lighting.
  - e. Except for Cherokee Place and new access from “Public Collector B”, all existing access connections to Hetrick Avenue shall be demolished, scarified, revegetated, and fenced, unless otherwise approved by Public Works for emergency ingress/egress.
  - f. All roadway grading shall be done in accordance with Title 19 and the California Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
2. The developer shall install traffic signalization or other agreed upon intersection control at US 101 northbound and southbound ramp intersections on Willow Road, as determined by Caltrans. The installation shall occur as part of Phase 1, unless otherwise directed by Caltrans with concurrence from the County.
3. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative.

4. The applicant shall provide the County with an Engineer of Work Agreement retaining a registered civil engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works. The civil engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.
5. All public improvements (except Willow Road/US 101) shall be completed for each construction phase of this tract map prior to occupancy of any new structure within this subdivision or subsequent subdivisions. Phased construction of public improvements (roadways/utilities/basins/etc.) within this tract map are independent of subsequent subdivisions.
6. At the time of application for construction permits, the applicant shall submit plans showing any overhead electric line and telephone/cable communication lines permanently relocated underground, consistent with County Code Section 23.05.120.
7. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for prior to approval of tract improvement plans. If bonded for, landscaping shall be installed within 60 days after completion of tract improvements. All landscaping shall be maintained in a viable condition in perpetuity.

#### ***Air Quality***

8. **Prior to the approval of offsite improvement plans**, Mitigation Measure AQ/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
9. **Prior to the approval of offsite improvement plans**, Mitigation Measure AQ/mm-3.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
10. **Prior to the approval of offsite improvement plans**, Mitigation Measure AQ/mm-3.3 (2), as applicable, per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
11. **Prior to the approval of offsite improvement plans**, the applicant shall implement Mitigation Measure AQ/mm-7.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

#### ***Biological Resources***

12. **Prior to approval of offsite improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
13. **Prior to approval of offsite improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-1.6 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
14. **Prior to approval of offsite improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-2.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.



15. **Prior to approval of offsite improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-2.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
16. **Prior to approval of offsite improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
17. **Prior to approval of offsite improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-4.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
18. **Prior to approval of offsite improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-4.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
19. **Prior to approval of offsite improvement plans**, the applicant shall implement Mitigation Measure BIO/mm-6.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
20. **Prior to approval of offsite improvement plans**, Mitigation Measure BIO/mm-16.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on the plans and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
21. **Prior to implementation of construction activities (including staging and mobilization)**, the applicant shall implement Mitigation Measure BIO/mm-1.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
22. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-1.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.

23. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-1.4 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
24. **During construction between October 1 and February 28**, the applicant shall implement Mitigation Measure BIO/mm-5.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
25. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-7.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
26. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-8.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
27. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-9.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
28. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-12.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.
29. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-13.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program and pursuant to a mutually agreeable Annexation Agreement with the Nipomo Community Services District (NCSD) that establishes, at a minimum, the timing, phasing, construction obligations, and funding responsibility for such improvements.

### **Cultural Resources**

30. **Prior to approval of offsite improvement plans**, the applicant shall implement Mitigation Measure CR/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
31. **Prior to approval of offsite improvement plans**, the applicant shall implement Mitigation Measure CR/mm-2.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
32. **Prior to approval of offsite improvement plans**, the applicant shall implement Mitigation Measure CR/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Geology/Soils***

33. **Prior to the approval of offsite improvement plans**, the applicant shall implement Mitigation Measure GEO/mm-5.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
34. **Prior to the approval of offsite improvement plans**, the applicant shall implement Mitigation Measure GEO/mm-8.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Hazards and Hazardous Materials***

35. **Prior to the approval of offsite improvement plans**, the applicant shall implement Mitigation Measure HAZ/mm-7.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### **Conditions required to be completed during construction of offsite improvements:**

#### ***Air Quality***

36. **During construction of offsite improvements**, Mitigation Measure AQ/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.
37. **During construction of offsite improvements**, Mitigation Measure AQ/mm-3.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.
38. **During construction of offsite improvements**, Mitigation Measure AQ/mm-3.3 (4) and (5) per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.

#### ***Biological Resources***

39. **Prior to implementation of construction activities (including staging and mobilization)**, the applicant shall implement Mitigation Measure BIO/mm-1.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
40. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-1.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
41. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-1.4 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
42. **During construction between October 1 and February 28**, the applicant shall implement Mitigation Measure BIO/mm-5.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
43. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-7.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
44. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-8.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
45. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-9.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
46. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-12.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

- 47. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-13.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
- 48. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-16.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
- 49. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-17.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
- 50. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-17.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
- 51. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-17.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
- 52. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-19.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Cultural Resources***

- 53. **During construction**, the applicant shall implement Mitigation Measure CR/mm-2.4 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Geology/Soils***

- 54. **During construction**, the applicant shall implement Mitigation Measure GEO/mm-5.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
- 55. **During construction**, the applicant shall implement Mitigation Measure GEO/mm-8.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
- 56. **During construction**, the applicant shall implement Mitigation Measure GEO/mm-8.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Noise***

- 57. **During Construction**, the applicant shall implement Mitigation Measure N/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

## **TRACT 3159 FINAL MAP CONDITIONS**

### **Conditions required to be completed prior to final map recordation:**

#### ***Additional Map Sheet***

1. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
  - a. If improvements are bonded for, all public improvements (access, drainage, stormwater, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.
  - b. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the South County Area 1 Road Improvement Fee as a condition of this map approval. The fee shall be paid prior to final of building permits or occupancy of each unit and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors and will be automatically adjusted each year in accordance with County Code section 13.01.055(a). The applicant shall be responsible for paying the fee as specified in the Development Agreement. In accordance with Government Code section 66020(d)(1), the County provides notice to the applicant that the 90-day approval period in which the applicant may protest imposition of the Road Improvement Fee has begun.
  - c. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan.
  - d. Maintenance of all subdivision streets or roads until such time as said road is accepted as part of the County maintained road system by resolution pursuant to Section 941 of the Streets and Highways Code.
  - e. Maintenance of public road frontage improvements, sidewalks, landscaping, pedestrian amenities, and driveway sight distance in a viable condition and on a continuing basis in perpetuity, or until specifically accepted for maintenance by a public agency.
  - f. Maintenance of all private access roads in perpetuity.
  - g. Maintenance of all drainage and flood control facilities including basins, inlets, headwalls, pipes, channels/swales, fencing, landscaping, and related drainage appurtenances in a viable condition on a continuing basis in perpetuity.
  - h. Maintenance of all stormwater quality facilities for public or common area improvements as stipulated in the Stormwater Operations and Maintenance Plan recorded with the County Clerk-Recorder's Office on a continuing basis in perpetuity.
  - i. Maintenance of all common areas within the subdivision in perpetuity.
  - j. Maintenance of all street lights in perpetuity, or until specifically accepted by a public agency.
  - k. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads

or project related roads to be accepted for County maintenance shall require an encroachment permit.

- I. The additional map sheet shall contain the final conditions of approval for the Conditional Use Permit as they are shown in the Notice of Final Action.

### ***Aesthetics***

2. **Prior to final map recordation**, the applicant shall implement Mitigation Measure AES/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Biological Resources***

3. **Prior to final map recordation, if improvements are not bonded for**, the applicant shall implement Mitigation Measure BIO/mm-2.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
4. **Prior to final map recordation, if improvements are not bonded for**, the applicant shall implement Mitigation Measure BIO/mm-14.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
5. **Prior to final map recordation, if improvements are not bonded for**, the applicant shall implement Mitigation Measure BIO/mm-15.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
6. **Prior to final map recordation, if improvements are not bonded for**, the applicant shall implement Mitigation Measure BIO/mm-18.4 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Covenants, Conditions, and Restrictions***

7. The developer shall submit proposed Covenants, Conditions, and Restrictions (CC&R) for the subdivision to the County Department of Planning and Building for review and approval, and shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate inspection, operation, and maintenance (Maintenance) of the below project features in a form acceptable to the Department of Planning and Building, and in conformance with the requirements of the State Department of Real Estate:
  - a. Maintenance of all subdivision streets or roads until such time as said road is accepted as part of the County maintained road system by resolution pursuant to Section 941 of the Streets and Highways Code.
  - b. Maintenance of public road frontage improvements, sidewalks, landscaping, pedestrian amenities, and driveway sight distance in a viable condition and on a continuing basis in perpetuity, or until specifically accepted for maintenance by a public agency.
  - c. Maintenance of all private access roads in perpetuity.
  - d. Maintenance of all drainage and flood control facilities including basins, inlets, headwalls, pipes, channels/swales, fencing, landscaping, and related drainage appurtenances in a viable condition on a continuing basis in perpetuity.
  - e. Maintenance of all stormwater quality facilities for public or common area improvements as stipulated in the Stormwater Operations and Maintenance Plan recorded with the County Clerk-Recorder's Office on a continuing basis in perpetuity.

- f. Maintenance of all common areas within the subdivision in perpetuity.
- g. Maintenance of all street lights in perpetuity, or until specifically accepted by a public agency.
- h. Notification to prospective buyers that an additional map sheet was recorded with the final tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

### ***Fire***

- 8. The applicant shall obtain a fire safety clearance letter from County Fire/CAL FIRE establishing fire safety requirements prior to filing the final map.

### ***Improvement Maintenance***

- 9. **Prior to final map recordation, if improvements are not bonded for**, the developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure inspection, operation, and maintenance of the following improvements:
  - a. The shared storm water treatment facilities for public or common area improvements.
  - b. The shared storm drainage basins, inlets, pipes, fences, landscaping and other related appurtenances for public or common area improvements.
  - c. Landscaping, sight distance, pedestrian amenities, and nonstandard features within the Right-of-Ways such as Class 1 bike lanes, Class 3 off-street bike lanes, and Class 4 bike lanes.
  - d. Street lights.

### ***Miscellaneous***

- 10. 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 tract map. The date and person who prepared the report are to be noted on the map.
- 11. All lots shall be numbered in sequence.
- 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. 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.
- 14. **Prior to final map recordation**, the applicant shall pay Quimby fees.

### ***Offers, Easements, and Restrictions***

- 15. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
  - a. An emergency access easement over Lot N/34 in favor of Lot 9.

- b. An emergency access easement over Lot R/38 in favor of Lots 3 and 7.
  - c. An access easement over Lots 14 and 15 in favor of Lot G/27.
  - d. A trail easement over Lot L/32 in favor of Lot 7.
  - e. A trail easement over Lot N/34 in favor of Lots 8 and 9.
  - f. For road widening purposes a variable road right-of-way along Willow Road and Pomeroy Road of sufficient width to contain all elements of the roadway prism.
  - g. A 20-foot radius road right-of-way along the property line returns at the intersection all streets and roads.
  - h. A public utility easement along all roads to be described as 10-feet beyond the right-of-way, plus those additional easements as required by the utility company, shall be shown on the final map.
  - i. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
  - j. New roads/streets identified as "Public Collector A", "Public Collector B", and "Public Collector C" on the tentative map, a 70-foot-wide road right-of-way with additional width as required containing all elements of the roadway prism.
16. The applicant shall reserve the following private easements by certificate on the map or by separate document:
- a. A minimum ~~40~~ **30**-foot shared private access, utility, and drainage easement over Lot Q/37 in favor of parcels taking access on the privately-maintained portion of Hetrick Avenue off Pomeroy Road, with additional width as necessary to include all elements of the roadway prism and the cul-de-sac or other Cal Fire approved road terminus.
  - b. An access easement over Lot 3 in favor of Lot 1.
  - c. An access easement over Lot 15 in favor of Lot 14.
  - d. An access easement over Lot D/24 in favor of Lot 5.
  - e. An access easement over Lot D/24 in favor of Lot 6.
  - f. An access easement over Lot N/34 in favor of Lot 9.
  - g. New road for access, utility, and drainage, identified as "Local Road D", on the tentative map, a 64-foot-wide road right-of-way with additional width as required containing all elements of the roadway prism.
17. The applicant shall show the following restrictions by certificate on the map or record by separate document:
- a. If drainage/stormwater basins are required then the basin areas shall be indicated as a building restriction on the map.
  - b. Access denial along all roundabouts.
  - c. Access shall be denied to Cherokee Place and Hetrick Road from Lot's 5, 6, 8, 9, 12, D/24, F/26, G/27, N/34, unless otherwise approved by Public Works for emergency ingress/egress, and this shall be by certificate and designation on the map.



- d. Easements shown to be quitclaimed on the tentative map shall be done so prior to filing or on the final map.
  - e. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be offered to dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
18. Prior to recordation of the final map, the applicant shall enter into an agreement with the County, in a form acceptable to County Counsel, to create open space easements on all areas with the open space land use designation (DR-OS). The terms of the open space easement will allow only activities that help the long-term protection of oak woodlands, native plant species, and other environmentally sensitive areas. Outside of approved trail locations, no structures, grading, site disturbance, native vegetation removal, mowing, disking, off-road vehicle use, crop production, equestrian uses, or other animal raising or keeping activities, unless specifically proposed for long term protection of native species and/or required wildfire prevention and management activities, are allowed in the open space easement area. The following shall apply to the areas within the open space: no oak trees, or other visually significant vegetation, shall be materially impacted or removed except where hazardous tree removal permits have been obtained; no activities (including grazing or the keeping of animals) shall be allowed that could adversely and materially impact the open space area. Grazing for weed and invasive plant control may be allowed with an Open Space Management Plan prepared by a qualified biologist and approved by the County of San Luis Obispo Department of Planning and Building. Any removal of non-sensitive vegetation shall be done by a qualified individual that can identify and avoid those sensitive species.

Fencing may be allowed along the property lines within the open space provided the fencing does not materially impact cultural sites, oak trees, or visually significant vegetation. Fencing shall be consistent with the Dana Reserve Specific Plan and shall be horizontally open to allow for wildlife passage (e.g., five strand wire fencing, post and rail, not woven wire or panel fencing). Barbed wire and electric fencing shall not be used.

For the life of the project, the Developer agrees to allow the County, a land conservancy, resource agency, homeowners association, or other appropriate entity (including Native American tribes), the right to enter the open space as shown on the final exhibit to the open space agreement, to ensure compliance with the restrictions and/or the long-term protection of cultural sites, oak woodlands, and native plant species.

These provisions for limited open space use shall be added to any CC&Rs developed for the project.

### ***Public Services***

19. **Prior to final map recordation**, the applicant shall implement Mitigation Measure PS/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

## **FUTURE SUBDIVISION MAP CONDITIONS**

### **Conditions required to be completed at the time of application for future subdivision:**

#### ***Access and Improvements***

1. **Prior to the approval of tract improvement plans**, improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the Department of Environmental Health for approval. The plans are to include, as applicable:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Utility plan.
    1. Water plan to be approved jointly with Nipomo Community Services District and the Department of Environmental Health. Water facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
    2. Sewer plan to be approved jointly with Nipomo Community Services District and the Department of Environmental Health. Sewer facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
    3. New electric power, telephone and cable television service conduits and appurtenances shall be constructed and service conduits stubbed to each new parcel.
    4. New gas distribution mains and appurtenances shall be installed along the entire project frontage(s) and gas service laterals stubbed to each new parcel, as applicable.
  - d. Traffic signal plan.
  - e. Sedimentation and erosion control plan for subdivision related improvements.
  - f. Stormwater control plan for subdivision related improvements (if subject to MS-4 requirements).
  - g. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
  - h. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
  - i. 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.
  - j. Trail plan, if required, to be approved jointly with the Department of Parks and Recreation.
  - k. All grading shall be done in accordance with the County Public Improvement Standards and the current California Building Code. Lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

- I. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Wildlife are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
  1. Submit a copy of all such permits to the Department of Public Works, OR
  2. Document that the regulatory agencies have determined that said permit is not required.
2. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative.
3. The applicant shall provide the County with an Engineer of Work Agreement retaining a registered civil engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works. The civil engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.
4. At the time of application for construction permits, the applicant shall submit plans showing any overhead electric line and telephone/cable communication lines permanently relocated underground, consistent with County Code Section 23.05.120.
5. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for prior to approval of tract improvement plans. If bonded for, landscaping shall be installed within 60 days after completion of tract improvements. All landscaping shall be maintained in a viable condition in perpetuity.
6. **Prior to the approval of tract improvement plans**, the County Department of Planning and Building shall designate a monitor to oversee the implementation of the Conditions of Approval and Mitigation Measures by the applicant. The applicant shall be responsible for payment of the monitoring fees incurred by the monitor on a monthly basis. The applicant shall submit and retain a deposit commensurate with two months of monitoring, to be determined by the County and the monitor.

#### ***Air Quality***

7. **At the time of application for future subdivision applications**, Mitigation Measure AQ/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
8. **At the time of application for future subdivision applications**, Mitigation Measure AQ/mm-3.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
9. **At the time of application for future subdivision applications**, Mitigation Measure AQ/mm-3.3 (2), (6), (7), (8), (10), and (12) per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
10. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure AQ/mm-7.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

**Biological Resources**

11. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure BIO/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
12. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure BIO/mm-1.6 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
13. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure BIO/mm-2.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
14. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure BIO/mm-2.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
15. **At the time of application for future subdivision applications, if improvements for Tract 3159 were bonded for**, the applicant shall provide evidence that Mitigation Measure BIO/mm-2.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program has been implemented.
16. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure BIO/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
17. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure BIO/mm-4.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
18. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure BIO/mm-4.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
19. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure BIO/mm-6.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
20. **At the time of application for future subdivision applications, if improvements for Tract 3159 were bonded for**, the applicant shall provide evidence that Mitigation Measure BIO/mm-14.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program has been implemented.
21. **At the time of application for future subdivision applications, if improvements for Tract 3159 were bonded for**, the applicant shall provide evidence that Mitigation Measure BIO/mm-15.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program has been implemented.
22. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure BIO/mm-18.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
23. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure BIO/mm-18.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

24. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure BIO/mm-18.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
25. **At the time of application for future subdivision applications, if improvements for Tract 3159 were bonded for**, the applicant shall provide evidence that Mitigation Measure BIO/mm-18.4 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program has been implemented.

#### ***Cultural Resources***

26. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure CR/mm-2.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
27. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure CR/mm-2.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
28. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure CR/mm-2.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

#### ***Drainage & Flood Control***

29. Submit complete drainage calculations prepared by a licensed civil engineer to the Department of Public Works for review and approval. If calculations so indicate, drainage must be retained/detained in a drainage basin on the property [21.03.010(5)(b)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity.
30. All project-related drainage shall be designed and constructed in accordance with the recommendations of the Nipomo Drainage and Flood Control Study.

#### ***Environmental Health***

31. **At the time of application for future subdivision applications**, the plans shall show any abandoned wells or wells to be abandoned. Any abandoned wells shall be destroyed per the standards outlined in California Well Standards, Bulletin 74-81, 74-90. Well destruction permits shall be obtained prior to approval of tract improvement plans.

#### ***Fire***

32. **At the time of application for future subdivision applications**, all plans shall comply with all applicable standards, regulations, codes, and ordinances at time of building permit issuance (CA Fire Code, CA Code of Regulations Title 14, San Luis Obispo County Title 16). Specifically:
  - a. A registered Fire Protection Engineer is required to provide a written technical analysis of the fire protection requirements. (Hydrant system requirements, fire sprinklers system for NFPA 13, NFPA 13D or 13R, etc.)
  - b. All future buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access roads shall comply with the requirements of California Code of Regulations Title 14 and San Luis Obispo County Title 16.

- c. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs. (commercial) or 40,000 lbs. (residential).
- d. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
- e. Roadways shall be a minimum of 20 feet in width with 2-foot shoulders and 13-foot 6-inch vertical clearance.
- f. Driveways up to 199 feet shall be a minimum of 12 feet in width. Driveways over 199 feet shall be 14 feet wide.
- g. Turnarounds are required on driveways and dead end roadways.
- h. Maximum dead end road lengths shall comply with requirements established in CA Title 14. Distances are determined by the lot size.
- i. Roadway radius shall not have a radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
- j. Gates for driveways and/or roadways shall comply with the California Fire Code. Emergency access gate/ barricades will have fire department access Knox Key entry for locks or electric gates.
- k. Approved hydrants shall be installed based in accordance with requirements in C.F.C. appendix B. Private fire service mains shall be installed, tested and maintained per NFPA 24 2016 edition.
- l. The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24, 2016 edition for the installation of Underground Fire Protection Mains.

### ***Geology/Soils***

- 33. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure GEO/mm-5.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
- 34. **At the time of application for future subdivision applications**, the applicant shall implement Mitigation Measure GEO/mm-8.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Noise***

- 35. **Prior to the approval of tract improvement plans**, Mitigation Measure N/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.

### ***Stormwater Pollution Prevention Plan (SWPPP)***

- 36. **Prior to the approval of tract improvement plans**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

***Stormwater Control Plan (SWCP)***

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

***Tribal Cultural Resources***

38. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure TCR/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
39. **Prior to approval of tract improvement plans**, the applicant shall implement Mitigation Measure TCR/mm-1.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

**Conditions required to be completed during construction:*****Air Quality***

40. **During construction**, Mitigation Measure AQ/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.
41. **During construction**, Mitigation Measure AQ/mm-3.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.
42. **During construction**, Mitigation Measure AQ/mm-3.3 (4) and (5) per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.

### ***Biological Resources***

43. **Prior to implementation of construction activities (including staging and mobilization)**, the applicant shall implement Mitigation Measure BIO/mm-1.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
44. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-1.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
45. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-1.4 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
46. **During construction between October 1 and February 28**, the applicant shall implement Mitigation Measure BIO/mm-5.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
47. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-7.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
48. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-8.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
49. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-9.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
50. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-12.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
51. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-13.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Cultural Resources***

52. **During construction**, the applicant shall implement Mitigation Measure CR/mm-2.4 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Geology/Soils***

53. **During construction**, the applicant shall implement Mitigation Measure GEO/mm-5.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
54. **During construction**, the applicant shall implement Mitigation Measure GEO/mm-8.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
55. **During construction**, the applicant shall implement Mitigation Measure GEO/mm-8.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Noise***

56. **During Construction**, the applicant shall implement Mitigation Measure N/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### **Conditions required to be completed prior to final map recordation:**

#### ***Additional Map Sheet***

57. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:



- a. If improvements are bonded for, all public improvements (access, drainage, stormwater, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.
- b. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the South County Area 1 Road Improvement Fee as a condition of this map approval. The fee shall be paid prior to final of building permits or occupancy for each unit and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors and will be automatically adjusted each year in accordance with County Code section 13.01.055(a). The applicant shall be responsible for paying the fee in effect at the time of issuance of building permits or as otherwise stated in the Development Agreement. In accordance with Government Code section 66020(d)(1), the County provides notice to the applicant that the 90-day approval period in which the applicant may protest imposition of the Road Improvement Fee has begun.
- c. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan.
- d. Maintenance of all subdivision streets or roads until such time as said road is accepted as part of the County maintained road system by resolution pursuant to Section 941 of the Streets and Highways Code.
- e. Maintenance of public road frontage improvements, sidewalks, landscaping, pedestrian amenities, and driveway sight distance in a viable condition and on a continuing basis in perpetuity, or until specifically accepted for maintenance by a public agency.
- f. Maintenance of all private access roads in perpetuity.
- g. Maintenance of all drainage and flood control facilities including basins, inlets, headwalls, pipes, channels/swales, fencing, landscaping, and related drainage appurtenances in a viable condition on a continuing basis in perpetuity.
- h. Maintenance of all stormwater quality facilities for public or common area improvements as stipulated in the Stormwater Operations and Maintenance Plan recorded with the County Clerk-Recorder's Office on a continuing basis in perpetuity.
- i. Maintenance of all common areas within the subdivision in perpetuity.
- j. Maintenance of all street lights in perpetuity, or until specifically accepted by a public agency.
- k. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads or project related roads to be accepted for County maintenance shall require an encroachment permit.
- l. The additional map sheet shall contain the final conditions of approval for the Conditional Use Permit as they are shown in the Notice of Final Action.

### ***Aesthetics***

58. **Prior to final map recordation**, the applicant shall implement Mitigation Measure AES/mm-3.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Biological Resources***

59. **Prior to final map recordation**, the applicant shall implement Mitigation Measure BIO/mm-2.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Fire***

60. The applicant shall obtain a fire safety clearance letter from County Fire/CAL FIRE establishing fire safety requirements prior to filing the final map.

### ***Improvement Maintenance***

61. Prior to map recordation the developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure inspection, operation, and maintenance of the following improvements:
- a. The shared storm water treatment facilities for public or common area improvements.
  - b. The shared storm drainage basins, inlets, pipes, fences, landscaping and other related appurtenances for public or common area improvements.
  - c. Landscaping, sight distance, pedestrian amenities, and nonstandard features within the Right-of-Ways such as Class 1 bike lanes, Class 3 off-street bike lanes, and Class 4 bike lanes.
  - d. Street lights.

### ***Miscellaneous***

62. 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 tract map. The date and person who prepared the report are to be noted on the map.
63. All lots shall be numbered in sequence.
64. 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.
65. 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.
66. **Prior to final map recordation**, the applicant shall pay Quimby fees.

### ***Offers, Easements, and Restrictions***

67. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
- a. An emergency access easement over Lot N/34 in favor of Lot 9.
  - b. An emergency access easement over Lot R/38 in favor of Lots 3 and 7.
  - c. An access easement over Lots 14 and 15 in favor of Lot G/27.
  - d. A trail easement over Lot L/32 in favor of Lot 7.

- e. A trail easement over Lot N/34 in favor of Lots 8 and 9.
  - f. For road widening purposes a variable road right-of-way along Willow Road and Pomeroy Road of sufficient width to contain all elements of the roadway prism.
  - g. A 20-foot radius road right-of-way along the property line returns at the intersection all streets and roads.
  - h. A public utility easement along all roads to be described as 10-feet beyond the right-of-way, plus those additional easements as required by the utility company, shall be shown on the final map.
  - i. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
68. The applicant shall reserve the following private easements by certificate on the map or by separate document:
- a. A minimum ~~40~~ **30**-foot shared private access, utility, and drainage easement over Lot Q/37 in favor of parcels taking access on the privately-maintained portion of Hetrick Avenue off Pomeroy Road, with additional width as necessary to include all elements of the roadway prism and the cul-de-sac or other Cal Fire approved road terminus.
  - b. An access easement over Lot 3 in favor of Lot 1.
  - c. An access easement over Lot 15 in favor of Lot 14.
  - d. An access easement over Lot D/24 in favor of Lot 5.
  - e. An access easement over Lot D/24 in favor of Lot 6.
  - f. An access easement over Lot N/34 in favor of Lot 9.
69. The applicant shall show the following restrictions by certificate on the map or record by separate document:
- a. If drainage/stormwater basins are required then the basin areas shall be indicated as a building restriction on the map.
  - b. Access denial along all round-about.
  - c. Access shall be denied to Cherokee Place and Hetrick Road from Lot's 5, 6, 8, 9, 12, D/24, F/26, G/27, N/34, unless otherwise approved by Public Works for emergency ingress/egress, and this shall be by certificate and designation on the map.
  - d. Easements shown to be quitclaimed on the tentative map shall be done so prior to filing or on the final map.
  - e. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

### **Wildfire**

70. **Prior to final map recordation**, the applicant shall implement Mitigation Measure WF/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

## **FUTURE LAND USE PERMIT CONDITIONS**

### **Conditions required to be completed at the time of application for future land use permits:**

#### ***Air Quality***

1. **At the time of application for future land use permits**, Mitigation Measure AQ/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
2. **At the time of application for future land use permits**, Mitigation Measure AQ/mm-3.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
3. **At the time of application for future land use permits**, Mitigation Measure AQ/mm-3.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans, as applicable.
4. **At the time of application for future land use permits**, the applicant shall implement Mitigation Measure AQ/mm-5.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

#### ***Biological Resources***

5. **At the time of application for future land use permits**, the applicant shall implement Mitigation Measure BIO/mm-1.6 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

#### ***Transportation***

6. **Prior to issuance of construction permits**, the applicant shall implement Mitigation Measure TR/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

#### ***Utilities***

7. **At the time of application for future land use permits**, the applicant shall implement Mitigation Measure USS/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

## **FUTURE DEVELOPMENT/BUILDING PERMIT CONDITIONS**

### **Conditions required to be completed at the time of application for grading or construction permits:**

#### ***Air Quality***

8. **At the time of application for grading or construction permits**, Mitigation Measure AQ/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
9. **At the time of application for grading or construction permits**, Mitigation Measure AQ/mm-3.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans.
10. **At the time of application for grading or construction permits**, Mitigation Measure AQ/mm-3.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be printed on plans, as applicable.
11. **At the time of application for grading or construction permits**, the applicant shall implement Mitigation Measure AQ/mm-5.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program for uses within 500 feet of U.S. Route 101.

#### ***Building Division***

12. **At the time of application for construction permits**, plans shall comply with current codes adopted by the County of San Luis Obispo at the time of application submittal, including the current version of the California Building Standards Codes and Title 19 of the County Code.
13. **At the time of application for construction permits**, soils reports shall be submitted for each structure.
- ~~14. **At the time of application for construction permits, for Neighborhoods 4, 5, and/or 6, future developer(s) shall provide plans showing the construction of ADUs at a rate of three ADUs per every twenty one (21) primary dwelling units, until a minimum of 40 ADUs have been applied for. Prior to issuance of a construction permit for the 245<sup>th</sup> unit in NBDs 4, 5, and/or 6, any future developer shall verify that a minimum of 40 ADUs have been applied for in NBDs 4, 5, and/or 6.**~~
- ~~15. **At the time of application for construction permits, for Neighborhoods 7, 8, and/or 9, future developer(s) shall provide plans showing the construction of ADUs at a rate of three ADUs per every twenty one (21) primary dwelling units, until a minimum of 60 ADUs have been applied for. Prior to issuance of a construction permit for the 352<sup>nd</sup> unit in NBDs 7, 8, and/or 9, any future developer shall verify that a minimum of 60 ADUs have been applied for in NBDs 7, 8, and/or 9.**~~

#### ***Biological Resources***

16. **At the time of application for construction permits**, the applicant shall implement Mitigation Measure BIO/mm-1.6 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Cultural Resources***

17. **At the time of application for construction permits**, the applicant shall implement Mitigation Measure CR/mm-2.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program

### ***Drainage & Flood Control***

18. Submit complete drainage calculations prepared by a licensed civil engineer to the Department of Public Works for review and approval. If calculations so indicate, drainage must be retained/detained in a drainage basin on the property [21.03.010(5)(b)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity.
19. All project related drainage shall be designed and constructed in accordance with the recommendations of the Nipomo Drainage and Flood Control Study.
20. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with Section 22.52.120 of the Land Use Ordinance.
21. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with their Stormwater Control Plan.

### ***Fire***

22. **At time of application for construction permits**, all construction plans and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of building permit issuance (CA Fire Code, CA Code of Regulations Title 14, San Luis Obispo County Title 16). Specifically:
  - a. A registered Fire Protection Engineer is required to provide a written technical analysis of the fire protection requirements. ( hydrant system requirements, fire sprinklers system for NFPA 13, NFPA 13D or 13R.
  - b. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of California Code of Regulations Title 14 and San Luis Obispo County Title 16.
  - c. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs. (commercial) or 40,000 lbs. (residential).
  - d. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
  - e. Roadways shall be a minimum of 20 feet in width with a 2-foot shoulders and 13-foot 6-inch vertical clearance.
  - f. Driveways up to 199 feet shall be a minimum of 12 feet in width. Driveways over 199 feet shall be 14 feet wide.
  - g. Turnarounds are required on driveways and dead end roadways.
  - h. Maximum dead end road lengths shall comply with requirements established in CA Title 14. Distances are determined by the lot size.

- i. Roadway radius shall not have a radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
  - j. Gates for driveways and/or roadways shall comply with the California Fire Code. Emergency access gate/ barricades will have fire department access Knox Key entry for locks or electric gates.
  - k. Approved hydrants shall be installed based in accordance with requirements in C.F.C. appendix B. Private fire service mains shall be installed, tested and maintained per NFPA 24 2016 edition.
  - l. The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24, 2016 edition for the installation of Underground Fire Protection Mains.
  - m. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the San Luis Obispo amendments and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
  - n. Provide 100 feet of defensible space around all structures.
23. At the time of application for construction permits, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with CAL FIRE/County Fire standards and specifications back to the nearest public maintained roadway.
24. At the time of application for construction permits, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CAL FIRE/County Fire Department for this project.

### ***Geology/Soils***

25. **At the time of application for construction permits**, the applicant shall implement Mitigation Measure GEO/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
26. **At the time of application for construction permits**, the applicant shall implement Mitigation Measure GEO/mm-5.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
27. **At the time of application for construction permits**, the applicant shall implement Mitigation Measure GEO/mm-8.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Greenhouse Gas Emissions***

28. **At the time of application for construction permits**, the applicant shall implement Mitigation Measure GHG/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### **Site Development**

29. At the time of application for construction permits, the applicant shall provide details on any proposed signs. The number and area of signs allowed shall comply with Section 22.20.060 of the Land Use Ordinance.
30. At the time of application for construction permits plans submitted shall show all development consistent with the design standards of the approved Dana Reserve Specific Plan.
31. At the time of application for construction permits, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

### **Stormwater**

32. **At the time of application for construction permits**, the applicant must account for the total area of disturbance associated with construction and indicate the limits of disturbance on the plans. Projects that disturb greater than 1.0 acre for construction related activities must enroll in the Construction General Permit (CGP) for Stormwater Discharges Associated with Construction (Order 2009-0009-DWQ). This project and proposed operation may meet the criteria to require enrollment in the Industrial Stormwater General Permit (IGP) for Discharges Associated with Industrial Activities (Order 2014-0057-DWQ). The applicant should review the facilities Standard Industrial Classification (SIC) Code to determine if planned operation is a regulated industry. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

Projects that are required to enroll in the Construction General Permit will be required to provide evidence of enrollment, including providing WDID#, NOI, QSD/P, and copy of SWPPP.

Based on your SIC Code, your facility may need to enroll in the IGP to comply with industrial stormwater regulations. If your SIC Code is a regulated industry, you must provide verification of enrollment in IGP by providing your Waste Discharge Identification Number prior to issuance of any land use or construction permit or submit information to the Central Coast Regional Water Quality Control Board demonstrating why the Industrial General Permit is not applicable to your facility.

33. **At the time of application for construction permits**, the applicant shall complete a Stormwater Control Plan (SWCP) Application and supporting documents or Stormwater Post Construction Requirements Wavier Request Form. The project is located within the County of San Luis Obispo Municipal Stormwater Management Area (MS4 Coverage Area) and compliance with the Central Coast Post-Construction Requirements (Resolution R3-2013-00032) is required.

The applicant must submit a SWCP for all regulated projects subject to Performance Requirement #2 and above. The SWCP must be prepared by an appropriately licensed professional and submitted to the County for review and approval. Applicants must utilize the County's latest SWCP template.

- a. If post-construction stormwater control measures (SCMs) are proposed, the applicant must submit a draft Stormwater Operations and Maintenance Plan for



review by the County. The plan must consist of the following Planning & Building Department forms;

1. Structural Control Measure Description (Exhibit B)
  2. Stormwater System Contact Information
  3. Stormwater System Plans and Manuals
- b. If applicable, following approval by the County, the applicant shall record with the County Clerk-Recorder the Stormwater Operation and Maintenance Plan and an agreement or provisions in the CCRs for the purpose of documenting on-going and permanent storm drainage control, management, treatment, inspection and reporting.
34. The Department of Planning and Building is required to track the long-term operation and maintenance of post-construction stormwater control measures installed within the County's Stormwater Management Area. A stormwater Condition Compliance Monitoring Case for tracking long-term compliance and an Operation and Maintenance Agreement is required if Performance Requirements PR2 or higher are identified. **At the time of application for construction permits**, the applicant shall submit additional documents required for private stormwater system operation and maintenance plan. Operation and Maintenance Plans typically consist of a Recorded Agreement for the project.
35. **Prior to acceptance of the improvements (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes, approved by the County, and re-recorded with the County Clerk-Recorder as amendments to the original document.

**Conditions required to be completed prior to issuance of grading or construction permits:**

***Air Quality***

36. **Prior to issuance of grading or construction permits**, the applicant shall implement Mitigation Measure AQ/mm-7.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

***Biological Resources***

37. **Prior to permit issuance of grading or construction permits**, the applicant shall implement Mitigation Measure BIO/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

***Building Division***

38. Projects that are required to enroll in the Construction General Permit will be required to provide evidence of enrollment, including providing WDID#, NOI, QSD/P, and copy of SWPPP.

***Fees***

39. **Prior to issuance of construction permits**, and in accordance with Title 13.01 of the County Code, the applicant must pay to the Department of Public Works the South County Area 1 Road Improvement Fee based on the latest adopted area fee schedule. (The fee schedule is subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect prior to issuance of certificate of occupancy or final inspection, or within 30 days of Land Use Permit approval if no building permits are required.)

40. **Prior to issuance of construction permits**, the applicant shall pay (1) all applicable school fees and (2) any public facilities fees pursuant to the Development Agreement.

#### **Noise**

41. **Prior to issuance of construction permits**, the applicant shall implement Mitigation Measure N/mm-1.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

#### **Utilities**

42. **Prior to issuance of construction permits**, the applicant shall implement Mitigation Measure USS/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

#### **Water and Sewer Service**

43. **Prior to issuance of construction permits**, the applicant shall submit evidence of adequate water and sewer service to serve the proposal from the Nipomo Community Services District in the form of a will-serve or intent-to-serve letter.

#### **Conditions required to be completed during grading or construction:**

##### **Air Quality**

44. **During grading or construction**, Mitigation Measure AQ/mm-3.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.
45. **During grading or construction**, Mitigation Measure AQ/mm-3.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.
46. **During grading or construction**, Mitigation Measure AQ/mm-3.3 (4) and (5) per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program shall be adhered to.

##### **Biological Resources**

47. **Prior to implementation of construction activities (including staging and mobilization)**, the applicant shall implement Mitigation Measure BIO/mm-1.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
48. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-1.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
49. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-1.4 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
50. **During construction between October 1 and February 28**, the applicant shall implement Mitigation Measure BIO/mm-5.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
51. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-7.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
52. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-8.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
53. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-9.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

54. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-12.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

55. **During construction**, the applicant shall implement Mitigation Measure BIO/mm-13.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Cultural Resources***

56. **During construction**, the applicant shall implement Mitigation Measure CR/mm-2.4 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Geology/Soils***

57. **During construction**, the applicant shall implement Mitigation Measure GEO/mm-5.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

58. **During construction**, the applicant shall implement Mitigation Measure GEO/mm-5.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

59. **During construction**, the applicant shall implement Mitigation Measure GEO/mm-8.2 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

**During construction**, the applicant shall implement Mitigation Measure GEO/mm-8.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Noise***

60. **During Construction**, the applicant shall implement Mitigation Measure N/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### **Conditions required to be completed prior to occupancy:**

#### ***Air Quality***

61. **Prior to occupancy of any commercial structure**, the applicant shall obtain any Operational Permits that may be required by the San Luis Obispo County Air Pollution Control District. The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendix, page 4-4, in the APCD's 2012 CEQA Handbook.

- a. Portable generators and equipment with engines that are 50 hp or greater;
- b. Chemical product processing and or manufacturing;
- c. Electrical generation plants or the use of standby generators;
- d. Food and beverage preparation (primarily coffee roasters);
- e. Furniture and fixture products;
- f. Metal industries; fabrication;
- g. Small scale manufacturing;
- h. Auto and vehicle repair and painting facilities;
- i. Dry cleaning;
- j. Boilers;
- k. Internal combustion engines; and
- l. Sterilization units(s) using ethylene oxide and incinerator(s).

### ***Biological Resources***

62. **Prior to occupancy of each structure**, the applicant shall implement Mitigation Measure BIO/mm-1.5 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.
63. **Prior to occupancy of each structure**, as applicable, the applicant shall implement Mitigation Measure BIO/mm-2.3 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

### ***Building Division***

- ~~64. **Prior to occupancy of the 607<sup>th</sup> unit, the future developer shall provide evidence that a minimum of 100 ADUs have been constructed and/or are under construction within NBDs 4, 5, 6, 7, 8, and/or 9.**~~

### ***Environmental Health***

65. **Prior to issuance of construction permits for commercial uses**, where applicable, the applicant shall return a Hazardous Materials Declaration Flowchart to the Department of Environmental Health. Be advised that threshold levels are 55 gallons, 500 pounds or 200 cubic feet and common materials include (but are not limited to): compressed gasses (such as oxygen), back-up generator fuel, paint, lubricants, pesticides, herbicides, fertilizers, and pool chemicals.
66. **Prior to issuance of a construction permit for commercial uses**, the applicant shall obtain the appropriate County Health Department permits including, but not limited to those required by County Code Title 8 for food and drink establishments.

### ***Inspection***

67. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CAL FIRE/County Fire of all required fire and life safety measures.
68. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from the Department of Planning and Building for compliance with the project conditions of approval.

### ***Public Works***

69. **Prior to occupancy of any structure**, if any subdivision improvements are bonded for, all public improvements (access, drainage, stormwater, and utilities) shall be completed to the satisfaction of the County.
70. **Prior to occupancy of any structure**, extension of a 12-inch PVC pipe from the North Frontage Road/Sandydale Drive intersection to the southeastern corner of the Specific Plan Area, shall be installed within the existing public ROW area.
71. **Prior to occupancy of any structure**, extension of a 12-inch PVC pipe from the proposed Willow Road/Collector A intersection approximately 450 feet to the end of the existing water line in Willow Road shall be installed.

### ***Wildfire***

72. **Prior to occupancy of any residential structure**, the applicant shall implement Mitigation Measure WF/mm-1.1 per the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

## ONGOING CONDITIONS

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

#### **Access**

1. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage, tree planting, fences, etc., without a valid encroachment permit issued by the Department of Public Works.
2. **On-going condition of approval (valid for the life of the project)**, the Homeowners Association or similar entity(ies) shall be responsible for operation and maintenance of public road frontage sidewalks, landscaping, maintaining County driveway sight distance standards, street lighting, and pedestrian amenities in a viable condition and on a continuing basis into perpetuity.

#### **Air Quality**

3. APCD Rule 501 prohibits developmental burning of vegetative material within San Luis Obispo County.
4. Residential Wood Combustion. Residential wood burning devices such as wood or pellet stoves or inserts installed in new dwelling units after May 15, 2020 shall have particulate matter emission rates not exceeding 2.0 g/hr and must be certified by the U.S. Environmental Protection Agency (EPA) "Step 2" New Source Performance Standard. The list of EPA certified wood stoves and inserts can be found at [epa.gov/compliance/epa-certified-wood-heater-database](http://epa.gov/compliance/epa-certified-wood-heater-database). Additionally, residential wood burning devices such as fireplaces must comply with APCD Rule 504 to be eligible for installation in new dwelling units. The APCD encourages the use of lower emission heating alternatives that can be used in place of wood burning devices.

#### **Approval Time Limits**

5. Except as otherwise stated in the Development Agreement, all timeframes on approved tentative maps for filing of parcel or final tract maps are measured from the date the Review Authority approves the tentative map as required by the Subdivision Map Act, not from the date a time extension request may be acted on.
6. Except as otherwise stated in the Development Agreement, this approval is valid for 24 months from the date of approval by the Review Authority. Up to six (6) one-year time extensions can be granted. These one-year extensions must be requested, one year at a time, **prior to the expiration date of the map**. Per the State Subdivision Map Act, Government Code section 66463.5, if a map expires, no further action can be taken by the County unless a new map is applied for and approved. It is the applicant's responsibility to track expiration dates.
7. Except as otherwise stated in the Development Agreement, this land use permit is valid for a period of 60 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

8. Except as otherwise stated in the Development Agreement, all conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.

#### ***Drainage & Flood Hazard***

9. **On-going condition of approval (valid for the life of the project):** In accordance with 8.68.130 (Article III), non-stormwater discharges into the county storm drain system shall require an encroachment permit as described in Chapter 13.08 of the County Code. Permits shall only be issued when the applicant successfully demonstrates compliance with all requirements of Article III.

#### ***Improvement Maintenance***

10. Roads and/or streets shall be maintained as follows:
  - a. The following streets/roads: "Public Collector A", "Public Collector B" and "Public Collector C" shall be accepted for County maintenance following completion and certification of the improvements. No maintenance financing service charge shall be required, as these streets/roads are already in the County-maintained system, or are identified as new Principal Arterials, Arterials or Collectors, or meet the required number of road maintenance related smart growth points to be exempt. County maintenance is limited to pavement curb-to-curb, including travel lanes, paved shoulders and/or Class 2 bike lanes/Class 3 on-street bike lanes. County or developer maintenance obligation of roundabouts will be determined at time of subdivision public improvements review, which will be based upon the design of interior of roundabout (i.e. landscape planting, public art, cobbles, etc.).
  - b. The following streets/roads: "Local Road D" shall not be accepted for County maintenance following completion and certification of the improvements. The developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Planning & Building.

#### ***Defense and Indemnity of the County***

11. The applicant shall, as a condition of approval of this entitlement, defend, hold harmless and indemnify, at his or her sole expense (including attorney's fees, with Counsel approved by the County), any action brought against the County of San Luis Obispo, its present or former officers, agents, or employees, by a third party challenging either its decision to approve this entitlement or the manner in which the County is interpreting or enforcing the conditions of this entitlement, or any other action by a third party relating to approval or implementation of this land use permit. The applicant shall reimburse the County for any court costs and attorney fees that the County may be required by a court to pay as a result of such action, but such participation shall not relieve the applicant of his obligation under this condition. Upon request of the County, the applicant shall also enter into a separate agreement with the County (the "Indemnity Agreement"), in a form approved by County Counsel, agreeing to defend, indemnify, save and hold harmless the County, its present or former officers, agents, or employees, against actions by a third party challenging either its decision to approve this entitlement or the manner in which the County is interpreting or enforcing the conditions of this entitlement, or any other action

by a third party relating to or arising out of the approval or implementation of this entitlement. The agreement shall provide that the applicant will indemnify the County and reimburse it for any costs and/or attorney's fees which the County incurs as a result of such action, and that the County's participation or non-participation in any such litigation shall not relieve the applicant of his or her obligations under this condition or the agreement. The applicant shall also provide sufficient guarantees for the obligations hereunder as determined by County Counsel. Any violation of this condition, including the applicant's failure to execute the Indemnity Agreement or breach thereof, or failure to provide sufficient guarantees, is grounds for the County to rescind and/or revoke its approval of this entitlement. These defense and indemnity obligations shall survive any rescission, revocation and/or set aside of this entitlement.

### ***Miscellaneous***

12. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
13. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

### ***Solid Waste and Recycling***

14. On-going condition of approval (valid for the life of the project), the applicant shall provide solid waste disposal service in accordance with County Code Chapter 8.98 – Mandatory Recycling and Chapter 8.99 – Mandatory Organic Waste Disposal Reduction Program. Depending on project type, requirements may include source separation containers for recyclable materials and organic materials from other solid waste; required education, information materials, training, inspections, and other measures to comply with County requirements for mandatory recycling and organic waste reduction; and specific requirements for commercial edible food generators, such as large grocery stores, venues, events, on-site food facilities, etc.

### ***Traffic***

15. The developer shall submit a traffic memo with traffic counts/speeds at 50% and 90% occupancy of the residential uses, unless determined otherwise by Public Works, at the following intersections: Hetrick Avenue and Willow Road, Live Oak Ridge Road and Hetrick Avenue, Ridge Road and Hetrick Avenue. A traffic memo will be required prior to approval of subdivision public improvement plans to establish a baseline traffic count. If determined by Public Works that significant traffic impacts are occurring due to the project, then a Traffic Engineer shall be required to provide recommended mitigations to restore pre-project conditions, subject to review and approval by Public Works, to be implemented by developer. Potential measures may include improved roadway delineation, signage, and/or rumble strips if warranted by the study.

**STANDARD CONDITIONS OF APPROVAL FOR  
SUBDIVISIONS USING COMMUNITY WATER AND SEWER**

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.
12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.



13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. Except as otherwise provided in an approved Development Agreement, 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.