

## RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARROYO GRANDE APPROVING TENTATIVE TRACT MAP 21-001 AND CONDITIONAL USE PERMIT 22-002; LOCATED AT 1214 EAST GRAND AVENUE AND 181 NORTH ELM STREET; APPLIED FOR BY FLOYD HINESLEY**

**WHEREAS**, the project site is approximately .90 acres, zoned Gateway Mixed Use (GMU), and located near the northwest corner of E. Grand Avenue and N. Elm Street, which includes two (2) existing lots; and

**WHEREAS**, the applicant has filed Tentative Tract Map 21-001 to subdivide the existing lots located at 1214 E. Grand Avenue and 181 N. Elm Street into condominium lots; and

**WHEREAS**, Municipal Code Table 16.12.030 (B) requires that tract maps be reviewed by the Planning Commission; and

**WHEREAS**, the applicant has filed Conditional Use Permit 22-002 for the development of ten (10) new residential units, including one (1) three-bedroom apartment above an approximately 2,250 square foot of office space; and

**WHEREAS**, the office component results in the project being categorized as a mixed-use project, for which the GMU district allows a maximum density of twenty-five (25) density equivalent dwelling units per acre, or totals 22.5 units on the .90-acre project site; and

**WHEREAS**, the Staff Advisory Committee considered the project and recommended approval with conditions; and

**WHEREAS**, the Architectural Review Committee considered the project on May 2, 2022 and recommended approval; and

**WHEREAS**, the Planning Commission has reviewed this project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Arroyo Grande Rules and Procedures for Implementation of CEQA and determined that the project is exempt per Section 15332 of the CEQA Guidelines regarding in-fill development; and

**WHEREAS**, the Planning Commission of the City of Arroyo Grande has reviewed the project at a duly noticed public hearing on May 17, 2022; and

**WHEREAS**, the Planning Commission finds, after due study, deliberation, and public hearing, the following circumstances exist:

**Tentative Tract Map Findings:**

1. The proposed tentative tract map is consistent with goals, objectives, policies,

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plans, programs, intent and requirements of the Arroyo Grande General Plan, as well as any applicable specific plan, and the requirements of this title.

*The proposed tract map would allow the subdivision of two (2) existing lots totaling 0.90 acres into twelve (12) condominium lots in the GMU zoning district, for development of a mixed-use project that is consistent with the goals, objectives, policies, plans, programs, intent and requirements of the Arroyo Grande General Plan, including Policies LU5-3, LU5-6, LU5-7, LU5-8, and LU12-2.3, and A.5 and A.15 of the Land Use Element and Housing Element, respectively.*

2. The site is physically suitable for the type of development proposed.

*The site is approximately 0.90 acres of underutilized land in a mixed-use zoning district and is physically suitable for the mixed-use project, including multi-family residences in the Cityhouse design.*

3. The site is physically suitable for the proposed density of development.

*The site is physically suitable as designed for the density of development as allowed through the Tentative Tract Map and Conditional Use Permit process.*

4. The design of the tentative tract map or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

*The proposed tract map has been reviewed in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Arroyo Grande Rules and Procedures for implementation of CEQA and has been determined to be exempt under Class 32 of the CEQA Guidelines for infill development.*

5. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

*The design of the subdivision would result in a development of appropriate density, consistent with the density for mixed use projects in the GMU district, and would include all necessary infrastructure, roadway improvements, and parking.*

6. The design of the tentative tract map or the type of improvements will not conflict with easements acquired by the public-at-large for access through, or use of, property within the proposed tentative tract map or that alternate easements for access or for use will be provided, and that these alternative easements will be substantially equivalent to ones previously acquired by the public.

*The design of the tentative tract map will not conflict with any public or private easements. New easements for public utilities will allow for future*

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*maintenance.*

7. The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements as prescribed in Division 7 (commencing with Section 13000) of the California Water Code.

*The proposed discharge of waste into the existing system is conditioned to meet all applicable requirements.*

8. Adequate public services and facilities exist or will be provided as the result of the proposed tentative tract map to support project development.

*There are adequate provisions for public services to serve the project development and no deficiencies exist. The provisions for water, sanitation and public utilities were examined by staff, and it was determined that adequate public services will be available for the proposed project and will not result in adverse impacts.*

**Conditional Use Permit Findings:**

1. The proposed use is permitted within the subject district pursuant to the provisions of this section and complies with all the applicable provisions of this title, the goals, and objectives of the Arroyo Grande General Plan, and the development policies and standards of the City.

*The proposed use of the site for residential development in a mixed use project is permitted within the GMU zoning district and the project complies with all applicable provisions of the Arroyo Grande General Plan and Municipal Code.*

2. The proposed use would not impair the integrity and character of the district in which it is to be established or located.

*The proposed use of the site for multi-family residential development in a mixed use project will not impair the integrity of the GMU district due to the intent of the district to provide for the combination of financial institutions, retail, office and commercial uses and multi-family residences with retail and other pedestrian-oriented uses on the ground floors of structures fronting E. Grand Avenue, and residential units or offices allowed on upper floors.*

3. The site is suitable for the type and intensity of use or development that is proposed.

*The site is approximately .90 acres of underutilized land in the GMU zoning district and meets the development standards of the GMU zoning district, the Arroyo Grande Municipal Code, the Design Guidelines and Standards for Mixed Use Districts and is suitable for the intensity of the development.*

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4. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety.

*The proposed project will utilize City supplied water, sanitation, and public utilities and services that ensure public health and safety. No aspect of the proposed project is anticipated to be overly impactful to these services. Conditions of approval developed for the project will additionally ensure public services are minimally impacted.*

5. The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties and improvements in the vicinity.

*The proposed use will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity as it will comply with all applicable codes and standards of the Municipal Code and in accordance with conditions of approval specifically developed for the project.*

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Arroyo Grande hereby approves Tentative Tract Map 21-001 and Conditional Use Permit 22-002 as set forth in Exhibit "B", attached hereto and incorporated herein by this reference, with the above findings and subject to the conditions as set forth in Exhibit "A", attached hereto and incorporated herein by this reference.

On motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and by the following roll call vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

the foregoing Resolution was adopted this 17<sup>th</sup> day of May, 2022

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**GLENN MARTIN  
CHAIR**

**ATTEST:**

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**PATRICK HOLUB  
SECRETARY TO THE COMMISSION**

**AS TO CONTENT:**

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**BRIAN PEDROTTI  
COMMUNITY DEVELOPMENT DIRECTOR**

**EXHIBIT 'A'  
CONDITIONS OF APPROVAL  
CONDITIONAL USE PERMIT 18-007  
1214 EAST GRAND AVENUE AND 181 NORTH ELM STREET**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**PLANNING DIVISION**

**GENERAL CONDITIONS**

1. This approval authorizes a tentative tract map and the construction of ten (10) residential condominiums and one commercial condominium at 1214 E Grand Avenue and 181 N. Elm St.
2. The applicant shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.
3. The applicant shall comply with all conditions of approval Tentative Tract Map 21-001 and Conditional Use Permit and Conditional Use Permit 22-002.
4. This application shall automatically expire on May 17, 2024 unless a building permit is issued. Thirty (30) days prior to the expiration of the approval, the applicant may apply for an extension of one (1) year from the original date of expiration.
5. Development shall conform to the Gateway Mixed-Use requirements except as otherwise approved.
6. Development shall occur in substantial conformance with the plans presented to the Planning Commission at the meeting of May 17, 2022 and marked Exhibits B on file in the Community Development Department.
7. The applicant shall agree to indemnify and defend at his/her sole expense any action brought against the City, its present or former agents, officers, or employees because of the issuance of said approval, or in any way relating to the implementation thereof, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his/her obligations under this condition.
8. A copy of these conditions and mitigation measures shall be incorporated into all construction documents.
9. Applicant shall submit a tabular matrix showing status of all conditions of approval and

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mitigation measures prior to first building permit submittal and again before recordation of the final map.

10. At the time of application for construction permits, plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
11. Signage shall be subject to the requirements of Chapter 16.60 of the Development Code. **Prior to issuance of a building permit**, all illegal signs shall be removed.
12. Development shall comply with Development Code Sections 16.48.070, "Fences, Walls and Hedges"; 16.48.120, "Performance Standards"; and 16.48.130 "Screening Requirements".
13. Setbacks, lot coverage, and floor area ratios shall be as shown on the development plans including those specifically modified by these conditions.
14. The developer shall comply with Development Code Chapter 16.56, "Parking and Loading Requirements". All parking spaces adjacent to a wall, fence, or property line shall have a minimum width of 11 feet.
15. All parking areas of five or more spaces shall have an average of one-half foot-candle illumination per square foot of parking area for visibility and security during hours of darkness.
16. Noise resulting from construction and operational activities shall conform to the standards set forth in Chapter 9.16 of the Municipal Code. Construction activities shall be restricted to the hours of 7 AM to 5 PM Monday through Friday, and from 9 AM to 5 PM on Saturdays. No construction shall occur on Sundays or City observed holidays.
17. At the time of application for construction permits, the applicant shall provide details on any proposed exterior lighting, if applicable. The lighting plan shall include the height, location, and intensity of all exterior lighting consistent with Section 16.48.090 of the Development Code. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. All lighting for the site shall be downward directed and shall not create spill or glare to adjacent properties. All lighting shall be energy efficient (e.g. LED).
18. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection/establishment of use. The landscape and irrigation plan shall be prepared by a licensed landscape architect subject to review and approval by the Community Development and Public Works Departments. The landscape plan shall be in conformance with Development Code Chapter 16.84 (Water Efficient Landscape Requirements) and shall include the following:

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- a. Tree staking, soil preparation and planting detail;
  - b. The use of landscaping to screen ground-mounted utility and mechanical equipment;
  - c. The required landscaping and improvements. This includes:
    - i. Deep root planters shall be included in areas where trees are within five feet (5') of asphalt or concrete surfaces and curbs;
    - ii. Water conservation practices including the use of low flow heads, drip irrigation, mulch, gravel, drought tolerant plants.
    - iii. An automated irrigation system using smart controller (weather based) technology.
    - iv. The selection of groundcover plant species shall include native plants.
    - v. Linear planters shall be provided in parking areas.
    - vi. Turf areas shall be limited in accordance with Section 16.84.040 of the Development Code.
19. All trees to be pruned shall be pruned under supervision of a Certified Arborist using the International Society of Arboriculture (ISA) Pruning Standards.
  20. For projects approved with specific exterior building colors, the developer shall paint a test patch on the building including all colors. The remainder of the building may not be painted until inspected by the Community Development Department to verify that colors are consistent with the approved color board. A 48-hour notice is required for this inspection.
  21. All new electrical panel boxes shall be installed inside the building(s).
  22. Buildings equipped with a fire sprinkler system shall also have a Fire Department Connection (FDC), which shall be located adjacent to a fire access roadway, be remote from all buildings outside the building collapse zone, and screened to the maximum extent permitted by the Building Official or Fire Chief.
  23. Fire Department Connections (FDC) shall be located near a fire hydrant, which is no closer than 20 feet and no greater than 100 feet with no obstructions or barriers between the FDC and the hydrant such as roads or driveways.
  24. Double detector check valve assemblies shall be located directly adjacent to or within the respective building to which they serve, and screened to the maximum extent feasible.
  25. All ducts, meters, air conditioning equipment and all other mechanical equipment, whether on the ground, on the structure or elsewhere, shall be screened from public view with materials architecturally compatible with the main structure. It is especially important that gas and electric meters, electric transformers, and large water piping

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systems be completely screened from public view. All roof-mounted equipment which generates noise, solid particles, odors, etc., shall cause the objectionable material to be directed away from residential properties.

26. All conditions of this approval run with the land and 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. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Development Code Section 16.08.100.
27. A six (6) foot perimeter fence shall be installed along the northern side of the project to maintain privacy.

### SUBDIVISION CONDITIONS

28. The developer shall comply with Development Code Chapter 16.20 "Land Divisions".
29. The developer shall comply with Development Code Chapter 16.64 "Dedications, Fees and Reservations."
30. The developer shall comply with Development Code Chapter 16.68 "Improvements".
31. The applicant shall submit Covenants, Conditions and Restrictions (CC&R's) that are administered by a subdivision homeowners' association, formed by the applicant for the area within the subdivision. At a minimum, the CC&R's shall include the items noted in AGMC Section 16.20.130, and the following items:
  - a. Provide for maintenance of the driveways, common areas, sewer lines and other facilities;
  - b. Prohibit additions to the units;
  - c. Require garages to be kept clear for parking cars at all times; and
  - d. Inform residents of the water conservation requirements placed on this project.
32. A joint maintenance agreement for the common driveway and open space shall be submitted for review and approval of the City Attorney. The joint maintenance agreement shall be recorded prior to or concurrently with the final map.
33. An operations and maintenance agreement shall be submitted for all drainage facilities.
34. The applicant shall remove all structures in conflict with new lot lines.
35. A building permit will not be issued until all drainage facilities are functional to the satisfaction of the Community Development Director.

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INCLUSIONARY HOUSING

36. The developer shall comply with Development Code Chapter 16.80 "Inclusionary Affordable Housing Requirements". Should the developer decide to pay in-lieu fees, the fee shall be equal to five percent (5%) of the total construction costs for the residential component of the project within the development.

**BUILDING AND LIFE SAFETY DIVISION AND FIRE DEPARTMENT CONDITIONS**

BUILDING CODES

37. The project shall comply with the most recent editions of the California Building Standards Code, as adopted by the City of Arroyo Grande.

FIRE LANES

38. **Prior to occupancy**, the applicant shall post designated fire lanes, per Section 22500.1 of the California Vehicle Code.
39. All fire lanes must be posted and enforced, per Police Department and Fire Department guidelines.

FIRE FLOW/FIRE HYDRANTS

40. Project shall have a fire flow in accordance with the California Fire Code.
41. Fire hydrants shall be installed, per Fire Department and Public Works Department standards and per the California Fire Code.

SECURITY KEY BOX

42. The applicant must provide an approved "security key box," per Building and Fire Department guidelines and per the California Fire Code.

FIRE SPRINKLER

43. All buildings must be fully sprinklered per Building and Fire Department guidelines and per the California Fire Code.
44. Provide Fire apparatus access per the California Fire Code Appendix D, as adopted by the City of Arroyo Grande.

ABANDONMENT / NON-CONFORMING

45. The applicant shall show proof of properly abandoning all non-conforming items such as septic tanks, wells, underground piping and other undesirable conditions.

DEMOLITION PERMIT / RETAINING WALLS

46. A demolition permit must be applied for, approved and issued. All asbestos and lead shall be verified if present and abated prior to permit issuance.

OTHER PERMITS

47. The developer shall reimburse the City for all costs associated with outside plan checks performed at either the developer's or City's request.

ENGINEERING DIVISION CONDITIONS

POST CONSTRUCTION REQUIREMENTS REGIONAL WATER QUALITY CONTROL BOARD, STORMWATER CONTROL PLAN, OPERATIONS AND MAINTENANCE PLAN, AND ANNUAL STORMWATER CONTROL FACILITIES MAINTENANCE

48. The Applicant shall develop, implement and provide the City a:
- a. Prior to a building or grading permit a Stormwater Control Plan that clearly provides engineering analysis of all Water Quality Treatment, Runoff Retention, and Peak Flow Management controls complying with Engineering Standard 1010 Section 5.2.2.
  - b. Prior to final acceptance an Operations and Maintenance Plan and Maintenance Agreements that clearly establish responsibility for all Water Quality Treatment, Runoff Retention, and Peak Flow Management controls complying with Engineering Standard 1010 Section 5.2.3.
  - c. Annual Maintenance Notification indicating that all Water Quality Treatment, Runoff Retention, and Peak Flow Management controls are being maintained and are functioning as designed.
  - d. All reports must be completed by either a Registered Civil Engineer or Qualified Stormwater Pollution Prevention Plan Developer (QSD).
49. **Prior to any Permit – Stormwater Control Plan.** Provide a Stormwater Control Plan that complies with Engineering Standard 1010 Section 5.2.2.
50. **Prior to Final Approval – Operations and Maintenance Plan, Maintenance Agreement, and Maintenance Notification.** Provide an Operations and Maintenance Plan, Maintenance Agreement, and Maintenance Notification that complies with Engineering Standard 5.2.3.

GENERAL CONDITIONS

51. The developer shall sweep streets in compliance with Standard Specifications Section 13-4.03F.
52. For work requiring engineering inspections, working hours shall comply with Standard

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Specification Section 5-1.01.

53. Provide trash enclosure in compliance with Engineering Standard 9060 with solid/rain-deflecting roof. Trash enclosure area(s) shall be screened from public view with landscaping or other appropriate screening materials, and shall be reserved exclusively for dumpster and recycling container storage. Interior vehicle travel ways shall be designed to be capable of withstanding loads imposed by trash trucks.
54. All residential units shall be designed to mitigate impacts from non-residential project noise, in compliance with the City's noise regulations.
55. All project improvements shall be designed and constructed in accordance with the most recent version of the City of Arroyo Grande Standard Specifications and Engineering Standards.
56. Record Drawings ("as-built" plans) are required to be submitted prior to release of the Faithful Performance Bond.
57. Submit as-built plans at the completion of the project or improvements as directed by the Community Development Director in compliance with Engineering Standard 1010 Section 9.3 E. Provide One (1) set of paper prints and electronic documents on CD or flash drive in both AutoCAD and PDF format. AutoCAD drawings shall be in State plane coordinates.
58. Submit three (3) full-size paper copies and one (1) electronic PDF file of approved improvement plans for inspection purposes during construction.
59. Preserve existing survey monuments and vertical control benchmarks in compliance with Standard Specifications Section 5-1.26A.
60. Provide one (1) new vertical control survey benchmark, per City Standard, as directed by City Engineer.

### **IMPROVEMENT PLANS**

61. Public Improvement Plans, Site Civil Plans, and Maps shall be submitted to the Community Development Department Engineering Division be separate submittal from any vertical construction/structures building improvement plans.
62. Improvement plans must comply with Engineering Standard 1010 Section 1 and shall be prepared by a registered Civil Engineer or qualified specialist licensed in the State of California and approved by the Public Works Department and/or Community Development Department. The following plan sheet shall be provided:
  - a. Site Plan
    - i. The location and size of all existing and proposed water, sewer, and

storm drainage facilities within the project site and abutting streets or alleys.

- ii. The location, size and orientation of all trash enclosures.
- iii. All existing and proposed parcel lines and easements crossing the property.
- iv. The location and dimension of all existing and proposed paved areas.
- v. The location of all existing and proposed public or private utilities.
- vi. Location of 100-year flood plain and any areas of inundation within project area.

- b. Grading Plan with Cross Sections
  - c. Retaining Wall Plan and Profiles
  - d. Roadway Improvements Plan and Profiles
  - e. Storm Drainage Plan and Profile
  - f. Utilities - Water and Sewer Plan and Profile
  - g. Utilities – Composite Utility
  - h. Signing and Striping
  - i. Erosion Control
  - j. Landscape and Irrigation Plans for Public Right-of-Way
  - k. Tree Protection Plan
  - l. Details
  - m. Notes
  - n. Conditions of Approval and Mitigation Measures
  - o. Other improvements as required by the Community Development Director.  
(NOTE: All plan sheets must include City standard title blocks)
  - p. Engineers estimate for construction cost based on County of San Luis Obispo unit cost.
63. Submit all retaining wall calculations for review and approval by the Community Development Director including any referenced geotechnical report.
64. Prior to approval of an improvement plan the applicant shall enter into an agreement with the City for inspection of the required improvements.
65. Applicant shall fund outsourced plan and map check services, as required.
66. The applicant shall be responsible for obtaining an encroachment permit for all work within a public right-of-way (City, County and/or Caltrans).

**STREET IMPROVEMENTS**

67. Obtain approval from the Public Works Director prior to excavating in any street recently over-laid or slurry sealed. The Director shall approve the method of repair of any such trenches, but shall not be limited to an overlay or type 2 slurry seal.
68. All street repairs shall be constructed to City standards.

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69. Street structural sections shall be determined by an R-Value soil test, but shall not be less than 3" of asphalt and 6" of Class II AB.
70. All plans shall show the City's complete right-of-way on North Elm Street and East Grand Avenue.
71. The developer shall provide Type 2 Slurry Seal or Microsurfacing on full road width of North Elm Street for the entire length of the project frontage.
72. Street width geometry shall comply with Engineering Standard 7010. The following streets are designated as:
  - a. Local Road: North Elm Street
  - b. Arterial: East Grand Avenue

### CURB, GUTTER, AND SIDEWALK

73. Install new concrete curb, gutter, and sidewalk as directed by the Community Development Director and Public Works Director.
74. Driveway crossings shall have a decorative treatment and the applicant shall color any such new facilities as directed by the Community Development Director.
75. Install ADA compliant facilities where necessary or verify that existing facilities are compliant with State and City Standards.
76. Install tree wells with root barriers for all trees planted adjacent to curb, gutter and sidewalk to prevent damage due to root growth.
77. Any sections of damaged or displaced curb, gutter & sidewalk or driveway approach shall be repaired or replaced to the satisfaction of the Public Works Director

The project shall dedicate a pedestrian access easement(s) when the ADA sidewalk extension does not fall within the City's right-of-way.

### DEDICATIONS AND EASEMENTS

78. A blanket Public Utility Easement (PUE) shall be dedicated over the project site.
79. All easements, abandonments, or similar documents to be recorded as a document separate from a map, shall be prepared by the applicant on 8 1/2 x 11 City standard forms, and shall include legal descriptions, sketches, closure calculations, and a current preliminary title report. The applicant shall be responsible for all required fees, including any additional required City processing.
80. The subdivider shall enter into a **subdivision agreement** for the completion and

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guarantee of improvements required. The subdivision agreement shall be on a form acceptable to the City.

#### **GRADING AND DRAINAGE**

81. PRIOR TO ISSUANCE OF A GRADING PERMIT, the developer shall submit one (1) copies of the final project-specific Storm Water Pollution Prevention Plan (SWPPP) or a Water Pollution Control Plan (WPCP) consistent with the San Luis Obispo Regional Water Quality Control Board (RWCB) requirements.
82. All grading shall be performed in accordance with the City Grading Ordinance and Standard Specifications and Engineering Standards.
83. Drainage facilities shall be designed in compliance with Engineering Standard 1010 Section 5.1.2.
84. Submit a soils report for the project shall be prepared by a registered Civil Engineer and supported by adequate test borings. All earthwork design and grading shall be performed in accordance with the approved soils report. The date of the soils report shall be less than 3 years old at the time of submittal.
85. The applicant shall dedicate a pedestrian access easement(s) for the ADA sidewalk extension.
86. Infiltration basins shall be designed based on soil percolation tests. Infiltration test shall include adequate borings depth and frequency to support design recommendations.

#### **WATER**

87. Whenever possible, all water mains shall be looped to prevent dead ends. The Public Works Director must grant permission to dead end water mains.
88. The applicant shall extend the public water main to adequately serve the project across the property frontage.
89. A Reduced Pressure Principle (RPP) backflow device is required on all water lines to the mixed-use structure.
90. A Double Detector Check (DDC) backflow device is required on the water service line to the new structures. Fire Department Connections (FDC) must be remote and locations to be approved by the Building Official and Fire Chief.
91. The DDC shall be placed inside the building or adjacent to the building. Other locations for the DDC shall be approved by the Director or Community Development.

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92. Each parcel shall have separate water meters.
93. Non-potable water is available at the Soto Sports Complex. The City of Arroyo Grande does not allow the use of hydrant meters.
94. Lots using fire sprinklers shall have individual service connections.
95. Existing water services to be abandoned shall be abandoned in compliance with Engineering Standard 6050.

### SEWER

96. The applicant shall extend the sewer main to adequately serve the project across the property frontage. All new sewer mains shall be a minimum diameter of 8".
97. All sewer laterals shall comply with Engineering Standard 6810.
98. Existing sewer laterals to be abandoned shall be abandoned in compliance with Engineering Standard 6050.
99. Each parcel shall be provided a separate sewer lateral. Laterals shall be sized for the appropriate use, minimum 4".
100. All sewer mains or laterals crossing or parallel to public water facilities shall be constructed in accordance with Standard Specifications and Engineering Standards.
101. Obtain approval from the South San Luis Obispo County Sanitation District for the development's impact to District facilities prior to permit issuance.
102. Obtain approval from the South San Luis Obispo County Sanitation District prior to relocation of any District facilities.
103. Submit a will-serve letter from South County Sanitary stating that the property access and location of trash receptacles is adequate for trash collection service.

### PUBLIC UTILITIES

104. The developer shall comply with Development Code Section 16.68.050: All projects that involve the addition of over 100 square feet of habitable space shall be required to place service connections underground - existing and proposed utilities.
105. All new and relocated dry utilities shall be shown on a utility plan.
106. Prior to approving any building permit within the project for occupancy, all conditions of approval for project shall be satisfied.

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107. Public Improvement plans/Final Map/Parcel Map shall be submitted to the public utility companies for review and approval. Utility comments shall be forwarded to the Director of Public Works for approval.
108. Street lighting shall comply with Engineering Standard 1010 Section 3.1.2.Q.
109. Upon execution of PG&E contract, submit contract to the City. Include PG&E schematic in the project plan set.

### TREE PRESERVATION/TREE REMOVAL PLAN

110. **Prior to issuance of grading permit and during construction** the applicant shall comply with the provisions of Ordinance 431 C.S., the Community Tree Ordinance.
111. **Prior to issuance of a grading or building permit**, the developer shall submit a tree preservation and tree removal plan to the Director of Public Works/City Arborist for undeveloped parcels or lots with trees. The plan shall include the location, size and species of all trees located on the lot or on adjoining lots, where development could affect the roots or limbs of trees on adjacent property.
112. All significant trees to be removed as designated by the Director of Public Works/City Arborist shall be replaced at a 3:1 ratio and planted on site. With the approval of the Public Works Director, tree removal shall be mitigated by planting on site, off-site, or payment of in-lieu fees (at the current street tree fee rate for a 15-gallon tree). Larger trees may be required to mitigate tree removal. **Prior to issuance of a grading permit, all trees shall be planted or fees paid.**
113. **Prior to any work on the site**, all trees to remain on site shall be marked with paint/ribbon and protected by a five (5') foot vinyl or chain link fence. The fence shall be located at a minimum of eight (8') foot radius from the trunk of the tree.
114. All trees on the construction site to be preserved shall be protected under the conditions of the Community Tree Ordinance (431 C.S.) which include but are not limited to:
  - a. \_\_\_ No mechanical trenching within the drip line of a tree, unless approved by the Parks and Recreation Director.
  - b. \_\_\_ No storage of equipment, supplies, tools, etc., within 8' of the trunk of any tree.
  - c. \_\_\_ No grading shall occur under a trees dripline, unless approved by the Public Works Director.
  - d. \_\_\_ A five foot (5') protective fence shall be constructed a minimum of 8' from the trunk of each tree.
115. All trees to be pruned, shall be pruned under supervision of a Certified Arborist using the International Society of Arboriculture (ISA) Pruning Standards.

**PUBLIC SAFETY**

116. **Prior to issuance of building permit**, applicant to submit exterior lighting plan for Police Department approval.
117. **Prior to issuance of a certificate of occupancy**, the applicant shall post accessible parking signage, per California Building Code Section 11A and other applicable standards.
118. **Prior to issuance of a certificate of occupancy**, the applicant shall install a burglary alarm system per Police Department guidelines, and pay the applicable Police Department alarm permit application fee.

**FEES AND BONDS**

The applicant shall pay all applicable City fees, including the following:

119. **FEES TO BE PAID PRIOR TO PLAN SUBMITTAL**

- a. **Map check fee** for Tract Map.
- b. .
- c. **Plan check** for grading plans (Based on an approved earthwork estimate).
- d. **Plan check** for improvement plans (Based on an approved construction cost estimate).
- e. **Permit Fee** for grading plans (Based on an approved earthwork estimate).
- f. **Inspection Fee** of subdivision or public works construction plans (Based on an approved construction cost estimate).
- g. **Plan Review Fee** (Based on the current Building Division fee schedule.  
***NOTE: The applicant is responsible to pay all fees associated with outside plan review consultants***)

120. **FEES TO BE PAID PRIOR TO ISSUANCE OF A BUILDING PERMIT**

- a. **Water Neutralization fee**, to be based on codes and rates in effect at the time of building permit issuance, involving water connection or enlargement of an existing connection.
- b. **Water Distribution fee**, to be based on codes and rates in effect at the time of building permit issuance.
- c. **Water Meter charge** to be based on codes and rates in effect at the time of building permit issuance.
- d. **Water Availability charge**, to be based on codes and rates in effect at the time of building permit issuance.
- e. **Traffic Impact fee**, to be based on codes and rates in effect at the time of building permit issuance.
- f. **Traffic Signalization fee**, to be based on codes and rates in effect at the time of building permit issuance.
- g. **Sewer Connection fee**, to be based on codes and rates in effect at the time

of building permit issuance.

h. **South San Luis Obispo County Sanitation District Connection fee.**

i. **Drainage fee**, as required by the area drainage plan for the area being developed.

j. **Park Development fee**, the developer shall pay the current parks development fee for each unit approved for construction (credit shall be provided for existing houses), to be based on codes and rates in effect at the time of building permit issuance.

k. **Construction Tax**, the applicant shall pay a construction tax.

l. **Alarm Fee**, to be based on codes and rates in effect at the time of development.

m. **Strong Motion Instrumentation Program (SMIP) Fee**, to be based on codes and rates in effect at the time of development.

n. **Building Permit Fee**, to be based on codes and rates in effect at the time of development.

121. FEES TO BE PAID OR LAND DEDICATED PRIOR TO RECORDATION OF THE FINAL MAP/PARCEL MAP

a. **Park Development fee**, the developer shall pay the current park development fee, and/or donate land in-lieu of, for each lot approved.

b. **Park Dedication**, the developer shall dedicate land for park purposes.

c. **Park Improvement fee**, the developer shall pay the current park improvement fee for each lot approved.

d. **Affordable Housing in Lieu fee**, in accordance with Chapter 16.80 of the Development Code.

122. **Preliminary Title Report**, a current preliminary title report shall be submitted to the Director of Public Works prior to checking the map. If the property owner is a Limited Liability Company (LLC), provide names and contact information for the individual owners. A current subdivision guarantee shall be submitted to the Director of Public Works prior to recording the Map.

BONDING SURETY

123. **Erosion Control**, prior to issuance of the grading or building permit, all new residential construction requires posting of a \$1,200.00 performance bond for erosion control and damage to the public right-of-way. This bond is refundable upon successful completion of the work, less expenses incurred by the City in maintaining and/or restoring the site.

124. The applicant shall provide bonds or other financial security for the following. All bonds or security shall be in a form acceptable to the City, and shall be provided prior to recording of the map, unless noted otherwise. The minimum term for Improvement securities shall be equal to the term of the subdivision agreement.

- a. **Faithful Performance**, 100% of the approved estimated cost of all subdivision improvements.
- b. **Erosion Control and Landscape**, 100% of the approved estimated cost of all erosion control work during construction and the estimated cost of all final landscaping after construction is complete. This bond is refundable upon successful completion of the work, less expenses uncured by the City in maintaining and/or restoring the site.
- c. **Labor and Materials**, 50% of the approved estimated cost of all subdivision improvements.
- d. **One Year Guarantee**, 10% of the approved estimated cost of all subdivision improvements. This bond is required prior to acceptance of the subdivision improvements.
- e. **Monumentation**, 100% of the estimated cost of setting survey monuments.
- f. **Tax Certificate**, the applicant shall furnish a certificate from the tax collector's office indicating that there are no unpaid taxes or special assessments against the property
- g. **Accessory Structures**, the applicant shall remove or bond for removal of all accessory structures not sharing a parcel with a residence.
- h. **Garages**, the applicant shall construct, or bond for construction of a two-car garage and driveway for the existing house on lot\_\_\_\_\_.
- i. **Curb cuts**, the applicant shall construct or bond for construction of individual curb cuts and paved driveways for parcels.