

# Exhibit B

## ENGINEERING CONDITIONS OF APPROVAL (P25-0080)

### **GENERAL ENGINEERING REQUIREMENTS**

#### **1. General Code, Engineering, and Utility Compliance**

For each phase of the project, the Applicant/Developer shall design, permit, and construct all required public and private improvements, in accordance with the City of Paso Robles Municipal Code, adopted Ordinances, City Standard Details and Specifications, the approved exhibits, all Engineering Conditions of Approval, and all other applicable local, State and Federal regulations.

#### **2. City Standards**

All improvements, both public and private, shall be consistent with the latest edition of the City Standard Details and Specifications except where the Applicant / Developer has requested and been granted a formal design exception by the City Engineer. Design exceptions shall be submitted, as required by the City Engineering Standard Details and Specifications and shall be accompanied by the required application and review fee. The Applicant/Developer shall summarize the need for the request, alternatives, and may be asked to propose final construction details, specifications, and minimum construction tolerances/testing for review and approval by the City Engineer in support of the request. The request shall be approved by the City Engineer prior to submittal of complete improvement plans.

#### **3. Project Phasing and Buildout**

The project may be developed in phases, subject to review and approval of each phase by the Director of Community Development and City Engineer prior to issuance of permits. All infrastructure and improvements necessary to serve each phase shall be constructed or otherwise provided as part of that phase. All required off-site improvements, including frontage improvements, shall be completed prior to issuance of the first certificate of occupancy, unless otherwise approved by the City Engineer.

Phasing of public infrastructure improvements shall not be permitted unless a phasing plan has been specifically analyzed and approved by the City Engineer and Utilities Director demonstrating that each phase can be adequately served by all required utilities, access, and public infrastructure. If such phasing analysis has not been prepared and approved to the satisfaction of the City Engineer and Utilities Director, all required public infrastructure and utility improvements necessary to serve the project shall be constructed prior to issuance of any building permits or certificates of occupancy.

# Exhibit B

## **4. Substantial Conformance**

The project shall be constructed in substantial conformance with these Conditions of Approval, and it shall be constructed in substantial conformance with the following exhibits:

- a) Site-Specific Conditions of Approval
- b) Site Plan
- c) Drainage Study
- d) Stormwater Control Plan
- e) Landscape Plan
- f) Utility Plan

## **5. Concept Utility Plans**

The locations, alignments, and sizes of all utilities shown on the site plan, including but not limited to water, recycled water, sewer, fire lines, and storm drains, are schematic only and subject to change. Final utility design and placement shall be determined upon submittal of improvement plans for review and approval by the City, ensuring compliance with all applicable City standards and requirements.

## **6. Utilities Serving Property**

Separate utilities, including water, sewer, gas, electricity, telephone, and internet shall be served to each parcel / unit facility to the satisfaction of the City Engineer and serving utility companies and Utilities Department. All public and private wet utility mains/laterals shall be shown on the public improvement plans and shall be constructed in accordance with the latest edition of the City Standard Details and Specifications unless a waiver or alternate standard is approved by the City Engineer. The plans shall clearly delineate and distinguish public and private improvements.

## **7. Public Right-of-Way Encroachment Permit**

All work within or affecting the public right-of-way shall require an encroachment permit issued by the City. Such work shall not commence until the required encroachment permit has been obtained and all applicable Improvement Plans have been approved by the City Engineer. All work shall be performed in accordance with the approved permit, City standards, and applicable State and Federal regulations.

## **8. Insurance – Work Within Public Right-of-Way**

Prior to the issuance of any encroachment permit or commencement of work within the public right-of-way, the Applicant/Developer and its contractors shall procure and maintain insurance in forms and amounts acceptable to the City's Risk Manager. Such insurance shall include, at a minimum, commercial general liability, automobile liability, and workers' compensation coverage, naming the City, its officers, officials, employees, and agents as additional insureds.

# Exhibit B

Certificates of insurance and required endorsements shall be submitted to the City for review and approval prior to permit issuance and shall remain in effect for the duration of the permitted work. Coverage limits, endorsements, and any additional requirements shall be subject to approval by the City and may be adjusted based on the scope and risk of the work consistent with the terms of the City Encroachment Permit.

## **9. Overhead Utility Service**

No new overhead utility lines, facilities, or appurtenances shall be installed within or fronting the project site along Ardmore Road. All new utility installations shall be placed underground to the satisfaction of the City Engineer.

## **10. Fee Agreement**

Prior to the submittal of any plans for City plan review, the Applicant shall enter into a Fee Agreement with the City, in a form approved by the City Attorney, to reimburse the City for all costs associated with review, inspection, administration, and implementation of the project.

## **11. FEMA Flood Zone Compliance**

Based on the information available at the time of approval, the project site is not located within a flood hazard area as designated by the Federal Emergency Management Agency (FEMA).

If, at any time during final design, permitting, or construction, any portion of the project is determined to be located within a FEMA-designated flood hazard area, the Applicant/Developer shall demonstrate full compliance with all applicable FEMA requirements, including but not limited to floodplain management standards, elevation requirements, flood-proofing criteria, and any required Letters of Map Revision (LOMR) or Conditional Letters of Map Revision (CLOMR), as applicable, to the satisfaction of the City Engineer and in compliance with the City's adopted floodplain management regulations.

## **12. Transportation Impact Fee Payment**

The Applicant/Developer shall pay all applicable City of Paso Robles Transportation Impact Fees in accordance with the Paso Robles Municipal Code (prior to building certificate of occupancy), the adopted Development Impact Fee Schedule, and any applicable updates or amendments in effect at the time of permit issuance. Fees shall be calculated based on the project's land use, intensity, and anticipated impact on the City's transportation infrastructure, as determined by the City Engineer. Payment of these fees is required to mitigate the project's proportional impact on the City's roadway network and ensure compliance with the City's transportation improvement plans.

## **13. Community Facilities District Annexation (CFD No. 2005-1 – Public Services)**

# Exhibit B

Prior to approval of any phase of the Final Map by the City Council, the Applicant/Developer shall annex the project site into the City of Paso Robles Community Facilities District No. 2005-1 (Public Services), or successor district, in accordance with the City's established procedures. All required petitions, annexation documents, boundary maps, notices, and associated fees shall be prepared and submitted to the satisfaction of the City Manager, City Attorney, and Finance Director. The Final Map shall not be approved by the City Council until the CFD annexation has been completed or is scheduled for concurrent consideration with the Final Map.

## **14. Consolidated Improvement Plans**

Prior to issuance of any grading permit, encroachment permit, or building permit, the Applicant/Developer shall prepare and submit one consolidated Improvement Plans for review and approval by the City Engineer.

The consolidated Improvement Plans shall integrate and clearly coordinate all on-site improvements, including but not limited to the following:

- a. Water systems, including domestic, fire, irrigation, all appurtenances, and any special facilities where applicable.
- b. Sanitary sewer systems, including mains, laterals, cleanouts, and appurtenances.
- c. Grading and earthwork.
- d. Drainage and stormwater management facilities.
- e. Paving and site access, including internal drive aisles, parking areas, emergency access, and pedestrian circulation, and clearly identifying which paving and access improvements are constructed with each building or phase of development.
- f. Parkway and on-site landscaping and irrigation, including a unified landscape and irrigation plan that coordinates on-site landscaping with any off-site or parkway improvements within the public right-of-way.
- g. Utility Plans

The consolidated Improvement Plans shall be prepared by the Engineer of Record and shall demonstrate internal consistency between all disciplines, including but not limited to horizontal and vertical alignment, utility conflicts, drainage flow paths, finished grades, access and circulation, landscaping interfaces, and construction sequencing.

Separate or standalone plan sets for individual on-site disciplines shall not be permitted unless expressly approved in writing by the City Engineer and Community Development Director.

## **Final Map / Subdivision Requirements**

# Exhibit B

## **15. Final Map Preparation, Review, and Recordation**

Prior to issuance of any building permit, the Applicant/Developer shall cause a Final Tract Map to be prepared by, or under the direction of, a California-licensed Land Surveyor or Civil Engineer authorized to practice land surveying. The Final Map shall be submitted to the City for review and approval, shall be in substantial conformance with the approved Vesting Tentative Map and all applicable Conditions of Approval, and shall comply with the Subdivision Map Act and all applicable City, County, and State requirements.

The Final Map, as approved by the City, shall be filed in the Office of the County Recorder prior to issuance of the first building permit. Any deviations from the approved Tentative Map shall require City review and approval and shall not be permitted unless determined by the City to be in substantial conformance with the approved Tentative Map and Conditions of Approval.

## **16. Title Report Requirements**

The Applicant/Developer shall submit a current preliminary title report as part of the Final Map review for City review. The title report shall be dated within ninety (90) days of submittal, shall be kept current throughout the Final Map review process, and shall be updated as necessary to reflect any changes in title. A current preliminary title report shall be provided in conjunction with the Preliminary Subdivision Guarantee prior to the City Council meeting at which the Final Map is considered for approval.

## **17. Deed Restriction & Covenant Requirement**

Prior to approval and recordation of any phase of the Final Map, the subdivider shall prepare and submit a separate Deed Restriction and Covenant for all parcels designated for non-residential, commercial, or industrial use, including but not limited to open space, drainage facilities, private streets, driveways, public utility parcels, trails, pedestrian access easements, private driveways, and any other parcels not intended for residential use. The Deed Restriction and Covenant shall be in a form approved by the City and shall be recorded concurrently with the applicable phase of the Final Map. The document shall limit the use of each affected parcel to its designated purpose and shall prohibit any future development or use inconsistent with that intended function without prior City approval.

## **18. Monumentation**

All subdivision monumentation shall be set in accordance with the Subdivision Map Act, the California Land Surveyors Act, and City Survey Standards prior to map recordation unless deferred with security acceptable to the City Engineer.

## **19. Easement Subordination and Recordation Restrictions**

# Exhibit B

Prior to recordation of the Final Tract Map or Parcel Map, the Applicant/Developer shall not grant or record any easements within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction lines, or other public purposes, unless such easements are expressly subordinated to the proposed grant or dedication in a manner acceptable to the City Engineer.

Any easements created or recorded after approval of the Tentative Map shall be properly subordinated by the easement holder prior to recordation of the Final Map.

## **20. Off-Site Easements**

Prior to approval of the Final Map or issuance of building permits, the Developer shall dedicate to the City any easements required for construction, access, operation, or maintenance of public improvements not shown on the map, in a form acceptable to the City Engineer.

## **21. Access Restriction to Ardmore Road**

Prior to recordation of the Final Map, the Applicant shall dedicate an access restriction along the entire Ardmore Road and Ardmore Road extension frontage for all lots abutting Ardmore Road, as determined by the City Engineer. The access restriction shall prohibit direct vehicular access to Ardmore Road from the affected lots and shall be shown on the Final Map and recorded concurrently with the map.

The form, limits, and extent of the access restriction shall be subject to review and approval by the City Engineer and City Attorney.

## **22. Bonding of Deferred Improvements**

If any required monumentation, public improvements, and/or private street improvements are not fully constructed, completed, and accepted by the City prior to recordation of the Final Map, the Subdivider shall enter into a Subdivision Improvement Agreement (SIA) with the City.

As part of the SIA, and prior to recordation of the Final Map, the Subdivider shall furnish security acceptable to the City Engineer and City Attorney, including but not limited to the following:

- a. Faithful Performance Bond - A faithful performance bond in an amount equal to one hundred percent (100%) of the estimated cost of all required but uncompleted monumentation, public improvements, and private street improvements, including appurtenant facilities, as approved by the City Engineer, guaranteeing the full and faithful completion of said improvements in accordance with approved plans, specifications, and City standards.
- b. Labor and Materials (Payment) Bond - A labor and materials bond in an amount equal to one hundred percent (100%) of the estimated cost of the required but uncompleted improvements, ensuring payment to contractors, subcontractors, laborers, and material suppliers.

# Exhibit B

- c. Monumentation Security - If survey monumentation has not been fully set prior to Final Map recordation, the Subdivider shall also provide a separate monumentation bond or cash deposit, in an amount and form approved by the City Engineer, to guarantee the setting of all required survey monuments in accordance with the Subdivision Map Act and City requirements.

All bond amounts shall be based on City Engineer–approved cost estimates and shall include all costs associated with construction, inspection, administration, and contingency, as determined by the City.

No Final Map shall be recorded until the Subdivision Improvement Agreement is fully executed and all required bonds and securities have been submitted to and approved by the City.

### **23. Design Changes and Record Documentation Prior to Bond Release**

No material changes or deviations from the City-approved Improvement Plans shall be made without a written plan addendum reviewed and approved by the City Engineer prior to construction of the affected work. Any field changes, design revisions, or modifications shall be documented through City-approved addenda.

Prior to final acceptance of improvements and release of any performance, payment, or monumentation bonds, the Applicant/Developer shall submit to the City complete record drawings (“as-builts”), prepared by the Engineer of Record, reflecting all approved addenda and field changes, along with any required certifications, reports, and documentation, to the satisfaction of the City Engineer.

### **HOA / POA CC&R’s**

### **24. Formation of Homeowners’ Association and Maintenance Responsibilities**

Prior to issuance of the first building permit or Certificate of Occupancy, the Applicant/Developer shall establish a Homeowners’ Association (HOA), or other City-approved entity responsible for the ownership, operation, repair, and long-term maintenance of all private and common improvements associated with the project.

Private and common improvements subject to this requirement shall include, but not be limited to, shared or private streets and driveways, drainage and stormwater facilities, utilities located on private property, utilities that will be privately owned, operated and maintained, open space and landscaped areas, slope and retaining structures, pedestrian and trail facilities, lighting, signage, and any other private or common improvements not intended to be owned or maintained by the City or another public agency.

The Applicant/Developer shall provide documentation satisfactory to the City demonstrating the establishment of the HOA or approved entity and its responsibility for ongoing maintenance

# Exhibit B

prior to issuance of the first building permit or Certificate of Occupancy, as determined by the City.

## **25. CC&R Preparation and Recordation**

Draft CC&Rs shall be submitted for City review and approval prior to City Council consideration of the first phase of the Final Map. The CC&Rs shall be recorded concurrently with the first Final Map phase unless otherwise approved by the City.

Contents and Required Elements - The CC&Rs shall include provisions addressing ownership, operation, funding, and long-term maintenance of all private improvements and facilities, including but not limited to:

- a. Private streets and driveways
- b. Drainage facilities operations and maintenance
- c. Stormwater quality basins operations and maintenance
- d. Open space, landscaping
- e. Public infrastructure located on private property
- f. Private water, sewer, or other private utility facilities
- g. Any parcel subject to the required Deed Restriction and Covenant
- h. Maintenance Responsibilities - The CC&Rs shall establish a Homeowners Association (HOA) or other approved private entity responsible for the operation, repair, and long-term maintenance of all private/common area improvements. Maintenance obligations shall include routine maintenance, periodic capital replacement, and emergency repairs.
- i. City Rights and Remedies - The CC&Rs shall grant the City the right, but not the obligation, to enter private property to correct life-safety hazards or maintenance failures that constitute a public nuisance if the HOA or responsible entity fails to act after written notice. All associated costs shall be reimbursed by the HOA and may be attached as a lien.
- j. Consistency With Deed Restriction & Covenant - The CC&Rs shall not conflict with the Deed Restriction & Covenant. In the event of a conflict, the Deed Restriction shall control. The CC&Rs shall cross-reference all restricted-use parcels.
- k. Amendment Limitations - Any amendments affecting private streets, drainage facilities, utility parcels, open space, or any restricted-use parcel shall require prior written City approval.
- l. Verification Prior to Permit Issuance - Prior to issuance of building permits within any phase, the City shall verify that the recorded CC&Rs reflect all maintenance and use restrictions applicable to that phase.
- m. The Applicant/Owner shall include a provision within the recorded Covenants, Conditions, and Restrictions (CC&Rs) stating that, once established and recorded, the

# Exhibit B

CC&Rs shall not be amended, modified, rescinded, or otherwise changed without the prior written approval of the City. The required provision shall further state that any proposed amendment to the CC&Rs shall be submitted to the City for review and approval prior to recordation, and that any amendment made without prior City approval shall be void and of no force or effect.

- n. Include a provision that the Homeowners' Association (HOA) acknowledges that all private streets within the project are and shall remain private, and shall not be dedicated to or accepted by the City as public streets, now or in the future.
- o. Include a provision stating that the Homeowners' Association (HOA) shall be responsible for restoration and repair of all private street, driveway, and common area surface improvements disturbed by maintenance, repair, or replacement of public utilities. All surface restoration shall be completed in a timely manner and returned to a condition equal to or better than that which existed prior to the disturbance. The City shall have no obligation to repair or restore private surface improvements associated with such work.

## **PUBLIC IMPROVEMENT PLANS**

### **26. Public Improvement Plans (City Right of Way)**

The Applicant/Developer shall prepare Improvement Plans, to the satisfaction of the City Engineer, for all public infrastructure within the public right-of-way and within any separate easement areas on the project site. The Improvement Plans shall include, as applicable, public street frontage improvements, encroachments within the public right-of-way, public utilities, storm drain facilities within or discharging to the public right-of-way, traffic control devices, signing and striping, ADA facilities, and related appurtenances.

The design plans for all public improvements shall be incorporated into the consolidated Improvement Plans and submitted to the City for review and approval by the City Engineer prior to issuance of any grading permit, encroachment permit, or building permit that relies upon or impacts the public right-of-way. No grading, demolition, excavation, utility installation, or construction activities within the public right-of-way, or affecting public streets, sidewalks, drainage facilities, or utilities, shall commence until all applicable public improvement plans, as part of the approved consolidated Improvement Plans, have been approved and all required City permits have been issued.

### **27. Public Street Improvements**

The Applicant/Developer shall design, permit, bond, and construct all public street improvements, including frontage, driveway, and pedestrian improvements shown on the

# Exhibit B

VTTM plans, to the satisfaction of the City Engineer. Such public improvements shall include, but are not limited to, the following:

Street Name	Curb & Gutter	Sidewalk	Paving	Streetlights	Parkway Landscape	Striping, signage and Markings
Ardmore Rd (Frontage)	XX	XX	XX	XX	XX	XX
Ardmore Rd (Extension w/in Project)	XX	XX both sides	XX	XX	XX	XX

- a. Public street frontage improvements along Ardmore Road and Ardmore Road extension, including pavement, curb, gutter, sidewalk, parkway landscape including street trees, and related roadway features.
- b. Sidewalks, curb ramps, and pedestrian facilities within the public right-of-way, including all ADA-compliant improvements and upgrades required as a result of the project.
- c. Signing, striping, pavement markings, traffic control devices, median, and street lighting necessary to serve the project or maintain public safety.
- d. Any other frontage or access-related improvements within or affecting the public right-of-way that are shown on the approved plans or determined to be necessary by the City Engineer.
- e. Install bulb outs on Ardmore Rd extension on the east side of Ardmore Road and both sides of the project access.
- f. Install Street Name Signs at the Ardmore Intersection.
- g. Install Stop Sign / Legend at Ardmore Intersection.

All frontage and access improvements shall be included in the consolidated Improvement Plans for the project and shall be constructed prior to occupancy of any building served by such improvements (unless an alternative timing is expressly approved by the City).

## **28. Proposed Driveways (Ardmore Road and Ardmore Road Extension)**

The proposed driveways shall be shown on and constructed in accordance with the public improvement plans, to the satisfaction of the City Engineer. Driveway design and construction shall comply with applicable City standards, ADA accessibility requirements, and County of San Luis Obispo sight distance requirements, as applicable.

## **29. Street Improvement Transition along the Northerly Property Line**

The Applicant shall design and construct all required frontage improvements to provide a smooth and functional transition between the proposed project frontage improvements and the existing improvements along Ardmore Road at the northerly property line, to the satisfaction of the City Engineer. The transition design shall be shown on the improvement plans and shall ensure continuity of pavement, curb, gutter, sidewalk, drainage, and grades, as applicable.

# Exhibit B

## **30. Public Utility and Storm Drain Improvements within the Public Right-of-Way**

The Applicant/Developer shall design, permit, and construct, all public utility and storm drain improvements located within, crossing, or discharging to the public right-of-way, as shown on the approved plans or as required by the City Engineer. Such improvements include, but are not limited to:

- a. Public water and sewer facilities within the public right-of-way, including mains, services, valves, manholes, cleanouts, and appurtenances.
- b. Public storm drain facilities within or discharging to the public right-of-way, including inlets, laterals, pipes, energy dissipation features, and connections to existing public systems.
- c. Utility relocations, abandonments, and protections necessary to accommodate the project and avoid conflicts within the public right-of-way; and
- d. Any other public utility improvements required to support the project or protect public infrastructure, as determined by the City Engineer.

All public utility and storm drain improvements shall be shown on the consolidated Improvement Plans. No construction, trenching, or discharge affecting the public right-of-way shall occur until all applicable plans are approved and all required permits are issued.

## **31. Off-Site Intersection Improvements**

The Applicant/Developer shall design, permit, and construct required off-site public intersection improvements, generally consistent with the approved entitlement application plans and applicable City standards, to the satisfaction of the City Engineer.

The locations shall include Ardmore Road Intersection (Project Entrance). Intersection improvements shall include, but are not limited to, the following:

- a) Construction of curb extensions (bulb-outs), or similar geometric features, as required.
- b) Removal, reconstruction, or modification of existing concrete and crosswalk improvements, including decorative or stamped concrete (if the applicant proposes), as necessary to accommodate the approved intersection geometry and pedestrian facilities.
- c) Installation of ADA-compliant curb ramps, bulb outs, crosswalks, and pedestrian improvements, including detectable warning surfaces and associated sidewalk reconstruction.
- d) Modifications to signing, striping, and pavement markings necessary to implement the approved intersection configuration and maintain public safety.
- e) Coordination with existing street lighting facilities, including protection, relocation, or adjustment, as required.

# Exhibit B

- f) Any additional improvements within the public right-of-way necessary to fully implement the intersection design and ensure safe vehicular and pedestrian operations, as determined by the City Engineer.

The design plans for this required improvement shall be incorporated into the consolidated Improvement Plans. No grading, demolition, excavation, utility installation, or construction activities within the public right-of-way, or affecting public streets, sidewalks, drainage facilities, or utilities, shall commence until approval of the consolidated Improvement Plans.

### **32. Intersection Street Lighting – Ardmore Road**

Prior to approval of off-site improvement plans or issuance of any encroachment permit, the Applicant/Developer shall prepare and submit a photometric lighting analysis for the affected intersection(s) and adjoining roadway segments for review and approval by the City Engineer. The photometric analysis shall demonstrate that proposed and existing street lighting provides illumination levels consistent with City standards and all applicable state and federal requirements for vehicular, bicycle, and pedestrian facilities.

Based on the approved photometric analysis, the Applicant/Developer shall install new street lighting, modify existing lighting, or otherwise implement lighting improvements necessary to adequately illuminate the intersection(s) and pedestrian crossing areas, or alternatively demonstrate, to the satisfaction of the City Engineer, that existing street lighting provides sufficient illumination and that no additional improvements are required.

All work shall be completed to the satisfaction of the City Engineer prior to final inspection or occupancy, unless otherwise approved by the City.

### **33. Half-Width Resurfacing Public Street**

The Applicant/Developer shall resurface one-half (½) of the paved roadway width of Ardmore Road and Ardmore Road extension along the project frontage (including limits of utility connections to address pavement impacts resulting from project construction activities, including utility trenching, excavation, and heavy construction traffic. The limits of resurfacing shall extend the full length of the project frontage and any additional areas damaged or disturbed by construction, as determined by the City Engineer.

Resurfacing improvements shall be designed and constructed in accordance with City Standard Plans and Specifications and shall include all necessary pavement removal, grinding, leveling course, asphalt concrete paving, and striping and signage, as applicable. Prior to issuance of grading or building permits, the Applicant/Developer shall submit a pavement restoration and resurfacing plan as part of the consolidated improvement plans. All resurfacing work shall be completed to the satisfaction of the City Engineer prior to final inspection or occupancy, unless otherwise approved by the City.

### **33. Street Lighting Improvements**

# Exhibit B

The Applicant/Developer shall design and install new street lighting improvements along both sides of Ardmore Road along the project frontage and Ardmore Road extension within the project, to the satisfaction of the City Engineer. Streetlights shall be designed and installed in accordance with City Standard Plans and Specifications, applicable lighting standards, and utility provider requirements.

Prior to issuance of grading or building permits, the Applicant/Developer shall submit street lighting plans as part of the consolidated improvement plans and photometric analysis (if required), and related calculations for review and approval by the City Engineer.

Streetlights, conduit, and related wiring shall be dedicated to, owned, and operated by the utility company or other agency subject to the review and approval by the City Engineer.

## **34. Sidewalk, Curb, and Gutter Improvements**

The Applicant/Developer shall complete the missing sidewalk segment at the easterly end of the project frontage to fully close the existing sidewalk gap, in a manner satisfactory to the City Engineer. In addition, the Applicant/Developer shall remove and replace any existing sidewalk, curb, and gutter along the project frontage that is damaged, cracked, displaced, or otherwise impacted by project construction, as determined by the City Engineer. The design for this improvement shall be incorporated into the consolidate improvement plans.

All sidewalk, curb, and gutter improvements shall be designed and constructed in conformance with applicable City standard plans and specifications. The timing and limits of required removal and replacement shall be coordinated with the City Public Works Inspector and shall occur at the completion of building construction or at another time approved by the City Engineer.

## **35. Future Street Extension Notice Sign – Ardmore Road**

Prior to issuance of any Certificate of Occupancy for the project, or prior to acceptance of public improvements (whichever occurs first), the Applicant shall install a temporary sign at the east end of Ardmore Road, at the terminus of the planned construction, stating:

**“NOTICE – THIS STREET TO BE EXTENDED IN THE FUTURE.”**

The sign location, size, materials, mounting method, and final placement shall be subject to review and approval by the City Engineer. The sign shall be maintained by the Applicant until such time as the street extension is constructed or the City Engineer determines the sign is no longer required.

## **EASEMENTS, DEDICATIONS & CERTIFICATE OF COMPLIANCE**

### **36. Certificate of Compliance for Lot Line Adjustment or Lot Merger**

The applicant shall submit a Certificate of Compliance for lot mergers or lot line adjustments necessary to relocate property lines outside of proposed building envelopes. The configuration

# Exhibit B

and location of proposed lot lines shall be subject to review and approval by the City Engineer to ensure consistency with approved development plans. The Certificate of Compliance must be recorded in the Office of the County Recorder prior to issuance of any building permit.

## **37. Reciprocal Access and Parking Easement**

As a condition of approval of the Lot Line Adjustment, the Applicant shall prepare and record a reciprocal access and parking easement across all adjusted lots. The easement shall provide for shared vehicular and pedestrian access, circulation, and parking between the affected parcels, and shall be in a form and substance satisfactory to the City Engineer and City Attorney.

The easement document shall run with the land, bind all current and future owners of the adjusted parcels, and ensure continued reciprocal access and parking rights consistent with the approved site plan. Evidence of recordation shall be provided to the City prior to Certificate of Compliance approval and recordation.

## **38. Easement Dedications**

The applicant must dedicate any necessary easements shown on the project site plans, and tentative map or required by the project. Easements shall be reviewed and approved by the City and dedicated by separate easement document or as part of the final map, prior to issuance of any building permit.

## **39. Public Easements**

All required public street, utility, drainage, access, trail, slope, and open-space easements shall be granted on the Final Map or by separate concurrent instruments approved by the City and recorded concurrently with the Final Map and shall remain in effect for the life of the Project.

## **40. Private Access Easements**

Private streets and common area parcels shall be clearly labeled on the Final Map and restricted for their intended function consistent with the approved CC&Rs and any applicable Deed Restriction and Covenant, prior to recordation of the Final Map and thereafter maintained in accordance with the recorded documents.

## **41. Public Utility Easements (PUEs)**

PUE's shall be provided at all locations necessary for public water, sewer, storm drain, electric, gas, fiber, and telecommunications infrastructure shown on the approved improvement plans and shall be shown on the Final Map or granted by separate concurrent instruments, prior to and concurrent with recordation of the Final Map.

**42.** Other easements determined necessary to support the project improvements as shown on the project exhibits and in accordance with the City's adopted codes, ordinances and standards.

## **43. Existing Easements within Proposed Building Footprint**

# Exhibit B

Prior to issuance of any building permit, the Applicant shall verify the location of all existing utility services within the limits of the planned construction. Any private utility services located within the footprint of a proposed structure shall be relocated outside of the building envelope to the satisfaction of the City. Verification and any required relocations shall be completed prior to issuance of the building permit and shall be at the Applicant's sole cost.

- 44.** This tentative map approval is subject to the applicant / developer's acceptance of the following conditions for acquisition of easements/right-of-way:
- A. The applicant / developer must secure, at the applicant / developer's expense, sufficient title, or interest in land to permit construction of any required off-site improvements.
  - B. If the applicant / developer is unable to acquire sufficient title or interest to permit construction of the required off-site improvements, the applicant / developer must notify the City of this inability not less than six months prior to approval of the Tract/Parcel Map. In such case, the City may thereafter acquire sufficient interest in the land, which will permit construction of the off-site improvements by the applicant / developer.
  - C. The applicant / developer must pay all of the City's costs of acquiring said off-site property interests pursuant to Government Code Section 66462.5. Applicant / developer must pay such costs irrespective of whether the Tract/Parcel Map is recorded or whether a reversion occurs. The cost of acquisition may include, but is not limited to, acquisition prices, damages, engineering services, expert fees, title examination, appraisal costs, acquisition services, relocation assistance services and payments, legal services and fees, mapping services, document preparation, expenses, and/or damages as provided under Code of Civil Procedures Sections 1268.510-.620 and overhead.
  - D. The applicant / developer agrees that the City will have satisfied the 120-day limitation of Government Code Section 66462.5 and the foregoing conditions relating thereto when it files its eminent domain action in superior court within said time.
  - E. At the time the applicant / developer notifies the City as provided in "B" hereinabove, the applicant / developer must simultaneously submit to the City in a form acceptable to the City all appropriate appraisals, engineering specifications, legal land descriptions, plans, pleadings, and other documents deemed necessary by the City to commence its acquisition proceedings. Said documents must be submitted to the City for preliminary review and comment at least 30 days prior to the applicant / developer's notice described hereinabove at "B"

# Exhibit B

- F. The applicant / developer agrees to deposit with the City, within five days of request by the City, such sums of money as the City estimates to be required for the costs of acquisition. The City may require additional deposits from time-to-time.
- G. The applicant / developer must not sell any lot/parcel/unit shown on the Tract/Parcel Map until the City has acquired said sufficient land interest.
- H. If the superior court thereafter rules in a final judgment that the City may not acquire said sufficient land interest, the applicant / developer agrees that the City may initiate proceedings for reversion to acreage.
- I. The applicant / developer must execute any agreements mutually agreeable prior to approval of the Tract/Parcel Map as may be necessary to assure compliance with the foregoing conditions.
- J. Failure by the applicant / developer to notify the City as required by “B” hereinabove, or simultaneously submit the required and approved documents specified in “E” hereinabove, or make the deposits specified in “F” hereinabove, must constitute applicant / developer's waiver of the requirements otherwise imposed upon the City to acquire necessary interests in land pursuant to Section 66462.5. In such event, subdivider must meet all conditions for installing or constructing off-site improvements notwithstanding Section 66462.5

## **45. New Utility Installation Locations**

All utilities shall be installed underground unless otherwise approved by the City Engineer.

## **46. Parkway Landscape**

The Applicant shall design and construct planting and irrigation within the City right-of-way along the project frontage to the satisfaction of the City Engineer and shall be included as part of the on-site landscape improvements, including installation of street trees as required by the Planning Department, and shall be consistent with the Conceptual Landscape Plan. The design for these improvements shall be incorporated into the consolidate improvement plans.

The Applicant shall be responsible for the ongoing maintenance of all landscaping and irrigation improvements located within the public right-of-way, in accordance with City standards and the Project Conditions of Approval.

## **47. Right-of-Way Landscape Maintenance Agreement**

The Applicant/Developer shall enter into an agreement with the City, in a form acceptable to the City Engineer and Community Development Director, to maintain in perpetuity all landscaping installed within the public right-of-way, including but not limited to street trees, irrigation systems, and associated appurtenances.

# Exhibit B

The agreement shall clearly assign responsibility for ongoing operation, maintenance, repair, and replacement of the landscaping and irrigation improvements, and shall be executed and approved prior to issuance of the first building permit, unless otherwise approved by the City.

## **48. Sight Distance At Existing and Planned Driveways**

All planting adjacent to driveways and intersections shall comply with the County of San Luis Obispo Sight Distance Standards and A-5 Series Drawings. No vegetation, wall, fence, monument, or other sight distance obstruction shall be placed within the restricted area at the corner of any public road intersection, or inside curve of any knuckle. An obstruction is anything higher than 2.5-feet above either the nearest pavement surface or the nearest traveled way (where there is no pavement).

## **GRADING, GEOLOGY & EARTHWORK**

### **49. Grading Plans, Geotechnical Compliance, and Certifications**

No grading activities shall commence until issuance of a grading permit. The Applicant/Developer shall comply with the following requirements to the satisfaction of the City Engineer:

#### **Pre-Grading Requirements (Prior to Grading Permit Issuance)**

- a. **Grading Plans:** Rough Grading Plans shall be prepared and submitted for review and approval by the City Engineer.
- b. **Geotechnical Report:** A geotechnical report prepared by a qualified geotechnical engineer or certified engineering geologist shall be submitted to support the proposed grading and improvements. The report shall address site-specific soil conditions and include recommendations for grading, foundations, slope stability, compaction, drainage, stormwater basin infiltration, and bioretention features, as applicable.
- c. **Geologic and Seismic Compliance:** All geologic hazard mitigation measures, over-excavation requirements, seismic hazard mitigation measures, and soils report recommendations identified in the approved Geotechnical/Soils Report shall be incorporated into the grading plans and satisfied prior to issuance of grading permits.
- d. **Geotechnical Review:** The grading plan(s) shall be reviewed and approved by the project geotechnical engineer and/or soils engineer. A confirmation letter verifying that all recommendations of the approved Geotechnical/Soils Report have been incorporated into the project shall be submitted to the City Engineer prior to issuance of grading permits.
- e. **Haul Route Approval:** If grading operations include import or export of material, a haul route plan shall be submitted and approved by the City prior to issuance of grading permits.
- f. **Off Site Grading:** Before the City Engineer, or designee issues a grading permit, the applicant / developer must obtain a notarized Letter of Permission for grading outside

# Exhibit B

of the property lines/tract boundary from the adjacent property owner(s) (If Applicable).

## **50. Grading Operations and Post-Rough Grading Requirements**

All grading activities shall be performed in conformance with the following:

- a. **Geotechnical Compliance:** All grading activities shall be performed in conformance with the recommendations of the approved Geotechnical/Soils Report.
- b. **Erosion Control and BMPs:** Temporary erosion control measures, drainage facilities, and stormwater Best Management Practices (BMPs) shall be implemented and maintained during all grading operations.
- c. **Rough Grading Certification:** Upon completion of rough grading, rough grade certifications and compaction reports prepared by the project engineer and geotechnical consultant shall be submitted to the City Engineer for review and approval.

## **51. Fine Grade Plans**

No building permits shall be issued until a Fine Grading Plan, which may be incorporated into the building plans, has been prepared, submitted, and approved by the City Engineer. The Fine Grading Plan shall be consistent with the approved Improvement Plans and shall be approved prior to issuance of building permits or commencement of construction of site improvements.

## **52. Final Grading Certifications**

Before occupancy the following must be addressed to the satisfaction of the City Engineer.

- a. Final grading certifications, prepared by the Applicant/Developer's engineer and geotechnical consultant, shall be submitted to and approved by the City Engineer prior to issuance of Certificates of Occupancy.
- b. Final Compaction Report  
A final compaction report, prepared by the project geotechnical consultant, shall be submitted to the City Engineer prior to occupancy.

## **53. General Construction Activities Stormwater Permit**

The Applicant/Developer shall obtain coverage under a statewide General Construction Activities Stormwater Permit (General Permit). In accordance with the General Permit, the Applicant/Developer shall file with the State a Notice of Intent (NOI) for the proposed project. Prior to issuance of grading permit by the City, the Applicant/Developer shall submit a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall include a copy of the NOI and shall reference the corresponding Waste Discharge Identification (WDID) number issued by the State upon receipt of the NOI. The WDID number shall be included by reference on all construction plan sets. An erosion control plan shall be included with the improvement plans and all building plan submittal for demolitions, grading and new construction. A hard copy of the SWPPP shall be provided to the City Engineer in conjunction with the improvement plans.

## **54. Tree Protection**

# Exhibit B

Prior to issuance of grading, improvement and building permits, the Applicant/Developer shall implement all tree protection requirements for the Oak Trees onsite that will remain. The Applicant/Developer shall comply with the report during all grading and construction activities.

All applicable tree protection notes and requirements from the Arborist Report shall be incorporated into the consolidated improvement plans, to the satisfaction of the City Engineer and Planning Director.

## **55. Import - Earthwork**

The Preliminary Grading Plan shows an import of approximately 7900 CY of dirt to the project. Before the City Engineer, or designee, issues a grading permit for this project, the applicant / developer must submit a copy of the grading permit for the export/receiving site and an exhibit of the proposed haul route. The applicant / developer is responsible to obtain approval from all applicable agencies for the dirt hauling operation.

The applicant / developer must comply with the following requirements for the dirt hauling operation:

- a. Obtain an encroachment permit for the work.
- b. The hours of operation shall be between 8:30 am to 3:30 pm.
- c. Provide non-stop street sweeping service on all City streets along the haul route during all hours of work to the satisfaction of the City Engineer.
- d. Provide traffic control and flagging personnel along the haul route to the satisfaction of the City Engineer.
- e. The applicant / developer must pay a Haul Route Pavement Repair Security Cash Deposit (Deposit) of \$50,000/\$100,000, which may be increased or decreased based upon an estimated cost to complete the repairs of streets damaged during the dirt hauling operation. The limits and scope of the repairs must be determined by the City Engineer. In order to receive a refund of the Deposit, the applicant / developer or subsequent property owners must complete the pavement repairs to the satisfaction of the City Engineer within one year from the completion of the dirt hauling operation. If the pavement repairs are not completed within one year, the City may use the Deposit to complete the repairs. Any funds remaining at the completion of the repairs will be refunded to the applicant. If the Deposit is insufficient to complete the repairs, the City will seek additional funds from the applicant / developer.
- f. Before the issuance of building permits/Tract/Parcel Map approval/building final, the applicant / developer must repair any pavement damaged by the dirt hauling operation to the satisfaction of the City Engineer. The limits of the road repairs must be consistent with the approved haul route.

# Exhibit B

## **56. Grading Permissions**

Prior to issuance of any grading permit:

- a. The Applicant must obtain a notarized Letter of Permission for grading over all existing easements, prior to grading permit issuance.
- b. The Applicant must obtain a notarized Letter of Permission for grading outside of the property lines/tract boundary from the adjacent property owner(s).

## **DRAINAGE REQUIREMENTS**

### **57. Project Drainage Study**

Prior to approval of improvement plans and issuance of any grading permit or other construction permit, the Applicant shall amend the approved Drainage Study to include detailed background and analysis of the proposed off-site storm drain improvements for each project discharge point.

The amended Drainage Study shall clearly identify the scope, location, and purpose of the off-site improvements, including any modifications proposed to the existing storm drain facilities located on Parcel Map PR 18-0067.

The Applicant shall be responsible for all communications, coordination, and agreements with the adjacent property owner(s) upon whose property the off-site storm drain improvements are proposed. All proposed off-site storm drain improvements, including any changes to existing facilities, shall be subject to review and approval by the City Engineer prior to improvement plan approval.

The Applicant shall be solely responsible for the construction of the off-site storm drain improvements and for the restoration of any existing improvements disturbed by the work, to a condition equal to or better than existing, as determined by the City Engineer.

### **58. Drainage Design and Reports**

Drainage facilities shall be designed and constructed in substantial conformance with the approved Drainage Study and any subsequent final hydrology, hydraulic, and stormwater quality reports approved by the City Engineer. The drainage system shall utilize a combination of surface and subsurface retention and detention basins, onsite storm drain facilities, and area inlets designed to convey the 25-year storm event and detain the 100-year storm event in accordance with City of Paso Robles standards unless otherwise approved by the City Engineer.

### **59. Cross-Lot Drainage Prohibition and Controls**

No cross-lot drainage shall be permitted between individual lots unless permanent drainage improvements are designed and constructed to safely collect, convey, and discharge runoff in a controlled manner, to the satisfaction of the City Engineer. Any approved cross-lot drainage shall be accommodated within a recorded drainage easement, in a form approved by the City

# Exhibit B

Engineer and City Attorney, granting the Homeowners' Association (HOA) the right and obligation to access, operate, inspect, and maintain all associated drainage facilities in perpetuity. Private cross-lot drainage without approved improvements and recorded easements is prohibited.

## **60. Post-Development Runoff and Mitigation**

Post-development peak stormwater runoff rates for the 100-year storm event shall not exceed pre-development runoff rates, consistent with the approved drainage analysis. All on-site runoff shall be retained and/or released at pre-development flow rates. No adverse off-site drainage impacts shall occur unless specifically identified and mitigated through measures approved by the City Engineer.

In addition to complying with the requirement to match pre-development Q100 peak stormwater discharge rates, the Applicant/Developer shall design and construct the proposed stormwater management facilities such that the Northeast (NE) drainage basin also matches pre-development stormwater runoff volume for the 100-year design storm event.

Compliance shall be demonstrated through hydrologic and hydraulic analyses prepared by a qualified civil engineer and submitted for review and approval by the City Engineer. Stormwater detention, retention, or infiltration facilities shall be sized and configured to ensure that post-development runoff from the NE basin does not exceed pre-development peak flow rates or total runoff volume for the applicable design storm.

## **61. Drainage Approvals and Acceptance**

Prior to issuance of grading permits and/or final improvement plan approval, as applicable, the Applicant shall obtain all required drainage acceptance letters and approvals for onsite and off-site drainage facilities. Any required agreements or approvals related to drainage facilities shall be completed to the satisfaction of the City Engineer prior to acceptance of public improvements.

## **62. Discharge to City Streets**

Any stormwater discharge to City streets or public right-of-way shall be designed and constructed in a manner that does not create a hazard to public safety, traffic operations, pedestrians, or adjacent properties, as determined by the City Engineer. All such discharge facilities shall be subject to review and approval by the City Engineer and shall comply with applicable City standards.

## **STORMWATER CONTROL REQUIREMENTS**

### **63. Stormwater Control Plan and NPDES Compliance**

All drainage and stormwater improvements shall comply with applicable NPDES, SWPPP, SWCP, erosion control, and stormwater quality requirements of the City of Paso Robles and the

# Exhibit B

Regional Water Quality Control Board. Stormwater quality best management practices and retention features shall be designed, installed, and maintained to meet City standards and permit requirements.

The Applicant/Developer shall prepare a Stormwater Control Plan (SWCP) that meets Post-Construction requirements per

[https://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/stormwater/docs/lid/hydromod\\_lid\\_docs/2013\\_0032resolution\\_signed.pdf](https://www.waterboards.ca.gov/centralcoast/water_issues/programs/stormwater/docs/lid/hydromod_lid_docs/2013_0032resolution_signed.pdf) that incorporates appropriate post construction Best Management Practices (BMPs), maximizes pervious surfaces, and includes infiltration into the design of the project. The Plan shall be submitted in compliance with the Engineering Standard Details and Specifications. An approved SWCP is required prior to grading permit issuance.

## **64. Stormwater Management Facility Design**

Prior to issuance of grading or building permits, the applicant shall submit design plans for the proposed roadside infiltrator located on private property for review and approval by the City Engineer. The infiltrator shall be designed, sized, and constructed in accordance with approved plans, applicable City standards, and the current Small MS4 Permit requirements to treat stormwater runoff from the adjacent public right-of-way.

## **65. Stormwater Facility Ownership**

The infiltration basins shall remain entirely on private property. The private property owner shall be solely and fully responsible, in perpetuity, for the operation, inspection, maintenance, repair, and replacement of the infiltrator and all associated appurtenances.

The City shall have no responsibility, obligation, or liability whatsoever for the operation, inspection, maintenance, repair, replacement, failure, or performance of the roadside infiltrator. Approval of the infiltrator's placement on private property shall not be construed as acceptance, dedication, or assumption of responsibility by the City.

## **66. Stormwater Operation and Maintenance Agreement**

The Applicant shall prepare and submit a Stormwater Operations & Maintenance Plan (O&M Plan) for review and approval by the City Engineer. The O&M Plan shall identify all onsite stormwater management facilities, including but not limited to drainage pipes, inlets, surface and subsurface retention/detention basins, and stormwater quality best management practices, and shall define inspection schedules, routine and corrective maintenance procedures, and the responsible party for long-term operation and maintenance.

# Exhibit B

The Applicant shall enter an agreement with the City for ongoing maintenance in a form acceptable to the City and shall run with the land. The Applicant, or a subsequent property owner or owners, shall be responsible for implementing the O&M Plan upon completion of construction and for maintaining all stormwater facilities in good working order for the life of the project to ensure continued compliance with approved drainage, stormwater quality, and NPDES requirements.

The agreement shall acknowledge the City's right to inspect all stormwater facilities to ensure they are operating as permitted.

The O&M Plan shall be approved and the Maintenance Agreement executed prior to final map recordation or issuance of a certificate of occupancy, whichever occurs first.

## **67. Surface Basin Landscaping and Safety Fencing**

The Applicant shall prepare and submit a detailed landscape and irrigation plan for review and approval by the City prior to issuance of grading or improvement plan approval for area surrounding surface basins. The plan shall provide landscaping along the perimeter of all retention/detention basins shown on the approved project exhibits and drainage plans. Landscaping shall be designed to aesthetically integrate the basins with the surrounding development to the satisfaction of the City Engineer and Planning Department. Where required by City standards, safety fencing shall be provided around surface basins and designed to the satisfaction of the City. All required landscaping, irrigation, and safety fencing shall be installed in accordance with the approved plans prior to issuance of any Certificate of Occupancy and shall be maintained in a healthy, safe, and effective condition by the Applicant or successor property owner thereafter.

## **On-Site Improvements**

### **68. On-Site Pedestrian Circulation**

The Applicant/Developer shall design and construct continuous, safe, and ADA-compliant pedestrian circulation within the project site, including clearly defined pedestrian pathways connecting buildings, parking areas, open spaces, and site access points to the Public Right of Way, to the satisfaction of the Community Development Director and City Engineer.

### **69. Private Streets and Stormwater Infrastructure**

# Exhibit B

The Applicant/Developer shall design, and construct all required private streets, storm drain facilities, and stormwater detention and/or treatment basins shown on the approved entitlement application and associated exhibits, plans, and conditions of approval.

All such improvements shall be designed and constructed to the satisfaction of the City Engineer and Utilities Director, in conformance with the approved entitlement application, applicable City codes and ordinances, City Standard Plans and Specifications, approved technical studies, and these Conditions of Approval.

Improvement Plans for private streets and stormwater infrastructure shall be included with the consolidated Improvement Plans. Private streets shall comply with applicable Fire Authority emergency access and load requirements.

Construction of the private streets and stormwater infrastructure shall be subject to City plan review, inspection, and approval. No Certificate of Occupancy shall be issued until all required private streets, storm drain facilities, and stormwater basins have been constructed, inspected, and approved by the City, or otherwise secured to the satisfaction of the City Engineer, if deferral is permitted.

## **On-Site Private Sewer Improvements**

### **70. On-Site Sanitary Sewer System Design Standards**

The Applicant/Developer shall design, construct, and maintain the proposed on-site sanitary sewer collection and conveyance system to standards equivalent to public sanitary sewer facilities. All sewer mains, laterals, cleanouts, manholes, pump stations (if applicable), and appurtenances shall be designed in substantial conformance with the City's Standard Plans and Specifications, the latest City Design Criteria Manual, and applicable California Plumbing Code and State regulations, unless otherwise approved by the City Engineer.

### **71. Private On-Site Sanitary Sewer System Responsibility**

Unless otherwise expressly approved in writing by the City Engineer and Utilities Director, the sanitary sewer system serving the project shall be a private, on-site sanitary sewer system. All on-site sewer mains, laterals, cleanouts, manholes, and appurtenances shall remain in private ownership and shall not be dedicated to or accepted by the City, notwithstanding that such facilities shall be designed and constructed to standards equivalent to public sanitary sewer facilities. Approval of private sewer facilities shall not obligate the City to accept ownership, operation, or maintenance of any portion of the on-site sanitary sewer system now or in the future.

### **72. Sanitary Sewer System in Ardmore Road Extension Sewer (Public)**

Notwithstanding the private on-site sanitary sewer system, the sanitary sewer main proposed

# Exhibit B

within the Ardmore Road extension located within the project boundaries shall be designed, constructed, and dedicated as a public sanitary sewer facility, subject to the review and approval of the City Engineer and Utilities Department. The point of connection between the public sewer main and the private on-site sanitary sewer system shall occur at a sanitary sewer manhole (SMH), with the exact location and configuration subject to approval by the City Engineer and Utilities Director. All facilities upstream of the approved SMH connection point shall remain private unless otherwise approved by the City.

## **73. On-Site Sanitary Sewer System – HOA Responsibility and CC&R Requirements**

The Applicant/Developer shall establish a Homeowners' Association (HOA), or other responsible ownership or maintenance entity approved by the City, which shall be solely responsible for the operation, inspection, maintenance, repair, replacement and all costs associated with the on-site sanitary sewer system for the life of the project.

The HOA shall prepare an On-Site Sanitary Sewer System Operations and Maintenance (O&M) Plan, subject to review and approval by the City Engineer. The O&M Plan shall be consistent with applicable State Sanitary Sewer Overflow (SSO) requirements and the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems and shall, at a minimum, address inspection procedures, routine and corrective maintenance activities, emergency response protocols, spill notification and reporting requirements, and identification of the party responsible for ongoing operation, maintenance, and recordkeeping.

The approved O&M Plan shall be incorporated into the project's Covenants, Conditions, and Restrictions (CC&Rs) and shall be enforceable against the HOA and all subsequent owners. The CC&Rs, including the O&M Plan or an obligation to comply with the approved O&M Plan, shall be submitted to the City for review and approval by the City Engineer prior to issuance of any Certificate of Occupancy or sale of any individual lot or unit, whichever occurs first.

The HOA shall implement and maintain the approved O&M Plan for the life of the project. The City reserves the right to require updates to the O&M Plan to remain consistent with applicable regulatory requirements. If required by the City Engineer, the CC&Rs and/or O&M Plan shall be recorded against the property in a form acceptable to the City.

## **74. Sewer Improvement Plans**

Prior to issuance of grading permits or building permits, the Applicant/Developer shall submit detailed sanitary sewer improvement plans, profiles, calculations, and specifications for the on-site sewer system for review and approval by the City Engineer. Plans shall demonstrate compliance with City design standards, materials, pipe sizing, slopes, cleanout spacing, access requirements, and maintenance provisions. The design plans shall be incorporated into the consolidated improvement plans.

## **75. Private Sewer Protection / Permeable Pavement Restriction**

The Applicant/Developer shall ensure protection of the existing and proposed private on-site sanitary sewer system. Permeable pavement, permeable pavers, infiltration trenches, dry wells,

# Exhibit B

or other stormwater infiltration facilities shall not be installed within twenty-five (25) feet, measured horizontally, of any existing or proposed on-site sanitary sewer main or lateral. Any permeable pavement or infiltration features shown within this setback on approved plans shall be removed or redesigned to eliminate infiltration within the restricted area, to the satisfaction of the City Engineer, prior to approval of final improvement plans or issuance of grading or building permits, as applicable.

## **76. Wastewater Connection Fees**

Prior to issuance of any building permit for the proposed project expansion, the Applicant/Developer shall pay all applicable sewer capacity, connection, and related wastewater system fees required by the City. Fees previously paid for the existing development or prior use of the site shall not be credited toward, nor satisfy, this requirement, as the proposed expansion constitutes an increase in use and wastewater flow. All fees shall be paid in full to the satisfaction of the City Engineer and the Utilities Director prior to building permit issuance.

## **PUBLIC IMPROVEMENTS CONSTRUCTION & ACCEPTANCE**

## **77. Pre-Construction Coordination, Traffic Control, and Submittal**

Prior to the commencement of any work within or affecting the public right-of-way, the Applicant/Developer shall comply with the following requirements to the satisfaction of the City Engineer:

- a. **Pre-Construction Meeting:** A pre-construction meeting shall be conducted with the City prior to the start of construction activities.
- b. **Traffic Control Plans:** Traffic control plans shall be prepared and submitted for review and approval by the City Engineer for any work within or affecting public rights-of-way. All traffic control measures shall conform to the latest adopted edition of the **California Manual on Uniform Traffic Control Devices (CA MUTCD)** and applicable City standards.
- c. **Contractor Submittals:** The Applicant/Developer's Engineer of Record shall review and approve all contractor submittals for conformance with the approved plans and specifications prior to submittal to the City for review.

## **78. Construction Site Maintenance**

Dust control, noise control, erosion control, and stormwater BMPs shall be implemented at all times. (Scope: Construction Requirements / Public Improvements; Timing: Ongoing / See condition)

- a. No occupancy shall occur within any phase until all required improvements for that phase are completed or secured, and all fire, water, and sewer service tests have passed. (Scope: Phasing / Occupancy; Timing: Ongoing / See condition)
- b. Temporary access may be allowed if approved by the City Engineer and Fire Chief. (Scope: Phasing / Occupancy; Timing: Ongoing / See condition)

# Exhibit B

- c. Public improvements shall be inspected and accepted by the City prior to release of performance securities. (Scope: Final Acceptance / Record Drawings; Timing: prior to release of performance securities.)
- d. Record drawings (as-builts) shall be submitted and approved prior to City acceptance. (Scope: Final Acceptance / Record Drawings; Timing: prior to City acceptance.)
- e. A one-year warranty period shall commence upon City acceptance of public improvements. (Scope: Final Acceptance / Record Drawings; Timing: Ongoing / See condition)
- f. Before the City Engineer, or designee, issues grading permit, the applicant / developer must obtain septic system removal permit from Building & Safety Division for any existing septic system(s) onsite. The location of the existing septic system must be shown on the grading plan. Subdivision Requirements (Scope: Grading / Geotechnical / Earthwork; Timing: Before the City Engineer, or designee, issues grading permit, the applicant / developer must obtain septic system removal permit from Building & Safety Division for any existing septic system(s) onsite.)
- g. Before the City Engineer, or designee issues a grading permit, the applicant / developer must obtain a notarized Letter of Permission for grading over all easements.

## **79. Contributory Drainage Acceptance**

Prior to issuance of a grading permit by the City Engineer, the applicant/developer shall demonstrate that all upstream and contributory drainage entering the project site from adjoining properties is properly accommodated and conveyed through the site without creating adverse impacts. All upstream drainage patterns and proposed conveyance facilities shall be clearly shown on the grading, and improvement plans and shall conform to applicable City standards.

**Timing:** All contributory drainage shall be shown on grading and improvement plans prior to plan approval and permit issuance.

## **80. Drainage Discharge**

Prior to issuance of a grading permit by the City Engineer, the applicant/developer shall demonstrate that all drainage discharged from the project site is properly conveyed to an approved point of discharge without creating adverse impacts to adjacent or downstream properties. The applicant/developer shall obtain and submit written drainage acceptance letters from all affected downstream property owners and shall provide a notarized Acceptance of Drainage Form where drainage is proposed to be diverted onto an adjacent property and the discharge does not match pre-development hydrology characteristics. All proposed drainage

# Exhibit B

patterns, discharge points, and conveyance facilities shall be clearly shown on the grading, and improvement plans and shall conform to applicable City standards.

**Timing:** All drainage discharge improvements and design details shall conform to the approved drainage study and shall be shown on the grading and improvement plans, subject to approval by the City Engineer, prior to plan approval and grading permit issuance.

**80.** Before the City Engineer, or designee issues a grading permit, specific recommendations will be required from the consultant(s) regarding the suitability for development of all lots/parcels designed as ungraded site lots. The applicant / developer must file a report with the State Real Estate Commissioner indicating that additional geologic and/or soils studies may be required for ungraded site lots/parcels by the Soils and Geology Section. (Scope: Final Map / Survey / Subdivision; Timing: Before Tract Map /Parcel Map approval, the applicant / developer must submit a notarized affidavit to the City Engineer, signed by all owners of record at the time of filing of the map with the City, stating that any proposed condominium building have not been constructed or that all buildings have not been occupied or rented and that said building will not be occupied or rented until after the filing of the map with the County Recorder.)

## **81. Street and Frontage Restoration**

Prior to issuance of any Certificate of Occupancy, the Applicant/Developer shall repair or replace any broken, damaged, or deteriorated curb, gutter, and sidewalk, and shall rehabilitate the half-width pavement section along all streets within or abutting the project, as determined necessary by the City Engineer. All work shall be performed to the satisfaction of the City Engineer and in accordance with applicable City standards.

## **82. Inspection, Acceptance, As-Builts, and Warranty**

All public improvements shall be constructed, inspected, and completed to the satisfaction of the City Engineer. Prior to City acceptance of the public improvements and the release of any performance or payment securities, the Applicant/Developer shall submit record drawings (as-built plans) in PDF format for City review and approval. Upon formal acceptance of the public improvements by the City, a one-year warranty period shall commence, during which the Applicant/Developer shall be responsible for correcting any defective work or materials identified by the City.

## **83. Contractor Material Submittals**

The Applicant/Developer's Engineer of Record shall review, check, and approve all contractor submittals, shop drawings, product data, mix designs, materials certifications, and any other submittals required by the approved improvement plans or project specifications prior to

# Exhibit B

submittal to the City for review. All contractor submittals provided to the City shall include written evidence of the Engineer of Record's review and approval, confirming conformance with the approved plans, applicable City Standards, and project requirements. Submittals lacking Engineer-of-Record approval shall be returned without City review.

Contractor submittals shall be provided to the City for all major materials,

- a. Water and Serer pipe materials and appurtenances
- b. Valves, hydrants, blow offs,
- c. Base and Pavement materials
- d. Storm drain components, pipes
- e. Streetlights,
- f. Signage & striping

Construction shall comply with City Standard Specifications and Details.

## **84. Traffic Control**

Traffic control plans shall be submitted to the City for review and approval prior to issuance of any permit and prior to commencement of construction, for all work occurring within or affecting the public right-of-way. Plans shall be prepared in accordance with City standards and the latest edition of the California Manual on Uniform Traffic Control Devices (CA MUTCD).

## **Water System Improvements**

### **85. Water Service Final Design Standards and Compliance**

The details shown on the entitlement-level Preliminary Utility Plans (including utility types, general alignments, connection points, and locations within the public right-of-way and private streets) are conceptual and intended to demonstrate feasibility only. Final utility locations, sizes, depths, and configurations shall be determined during preparation of the improvement plans and may be modified during plan check, subject to review and approval by the City Engineer and applicable utility agencies.

All construction of water services and related utility improvements shall conform to applicable City standards, Utility Department requirements, and State regulations, and shall be subject to review and approval by the City Engineer and Utilities Director.

Any proposed work not conforming to City standards shall require a formal request for a design exception, subject to review and approval by the City Engineer and Utilities Director. No final water service design shall be approved until all required revisions and comments have been satisfactorily addressed and accepted by the City.

### **86. Project Water Demand Evaluation / Review**

# Exhibit B

Initial hydraulic modeling indicates the City's water system can currently provide up to 1,500 gallons per minute (gpm) to the Project; however, additional hydraulic analyses may be required if the Project's water demands, phasing, or configuration change, as determined by the City Engineer and Utilities Department.

- a. Prior to approval of any final map, or improvement plans, or at an earlier time as determined by the City Engineer and Utilities Department, the Applicant/Developer shall submit the Project's total water demand for City review, including combined fire flow demand and maximum day demand (MDD) for domestic and landscape uses, to demonstrate adequate water supply, pressure, and fire flow to serve the Project is available.
- b. A hydraulic analysis will be required if the project's demands differ from those received and reviewed by the City. Analysis may also be required if the project changes phasing or configuration of proposed improvements, or points of connection. The hydraulic analysis shall evaluate potential improvements to the existing water system, including on-site and/or off-site facilities, that would increase available supply and system capacity as necessary to adequately serve the Project's total water demand, including domestic, landscape, and fire flow demands, under ultimate buildout conditions.
- c. The Applicant/Developer shall reimburse the City for all costs associated with preparation, review, and administration of the hydraulic analysis, in accordance with the City's adopted fee schedule for actual costs. Review and approval of the hydraulic analysis by the City Engineer and Utilities Department shall be required prior to further City approvals, as determined by the City.

## **87. Water System Improvements and Mitigation Measures**

The Applicant/Developer shall be responsible for designing, permitting, constructing, and/or implementing all necessary improvements necessary to provide adequate water supply, pressure, and fire protection to the Project. If a hydraulic analysis approved by the City Engineer and Utilities Director identifies improvements beyond those proposed by the Applicant/Developer are necessary to serve the project, Applicant/ Developer shall be responsible for implementing the necessary improvements which may include, but are not limited to:

- a. Off-site public water system improvements.
- b. On-site or private improvements, including private fire pumps, booster systems, or on-site water storage.
- c. Project design modifications, phasing adjustments, or reductions in water demand.

All required improvements or mitigation measures shall be completed, or financial security provided if allowed by the City, prior to approval of any final map, and or issuance of building permits, as determined by the City Engineer and Utilities Department. Approval of this Project

# Exhibit B

does not constitute a determination that adequate water system capacity exists absent full compliance with this condition.

## **88. Water Service Connections**

All water service connections, including City water meters, shall be designed and constructed in accordance with City standards and specifications and shall be subject to review and approval by the City Engineer and Utilities Department. Water service and fire service to all parcels shall be via direct connection to City water mains and shall not cross parcels. Separate, individually metered, and appropriately sized water services shall be provided for each building or tenant, unless otherwise approved by the Utilities Department. The applicant shall evaluate existing water service connections to City mains, meters, and any manifolded service configurations serving the site, and shall modify, upsize, replace, or install additional service connections, meters, and backflow devices as required by the Utilities Department, to meet the demands of the proposed development.

## **89. Existing Wells and Water Supply**

The Applicant shall identify whether any existing groundwater wells are located on the project parcels. If present, the Applicant shall indicate the proposed future use or abandonment of each well and reference the well labeling shown on the project plans (including well numbering where multiple wells exist).

As proposed, the project shall be served exclusively by the City's municipal water system. The use of water supplied from private wells for domestic, irrigation, construction, or any other purposes shall not be permitted. Any existing wells located on project properties shall be subject to a Private Well Agreement with the City or shall be properly abandoned in accordance with applicable City, County, and State requirements, as determined by the City prior to any building permits.

## **90. Fire Flow and Fire Protection**

The project shall be designed to meet all applicable fire flow and fire protection requirements, as determined by the Fire Authority. Fire flow availability shall be demonstrated through the existing water supply and final improvement plans. Any required on-site or off-site improvements necessary to meet fire flow requirements shall be the responsibility of the Applicant/Developer.

## **91. Water Improvement Plans**

Public water improvement plans, including water mains, services, fire lines, meters, valves, appurtenances, and related facilities, shall be submitted to and approved by the City Engineer,

# Exhibit B

and the Utilities Department prior to approval of any final map, issuance of any grading, encroachment, or building permits.

All water facilities shall be designed and constructed in compliance with City standards and the California Division of Drinking Water (DDW) criteria for separation of water and sewer facilities, including horizontal and vertical separation requirements, unless alternative measures are approved by the City Engineer and Utilities Director. The design plans shall be incorporated into the consolidated improvement plans.

## **92. Easements and Rights-of-Way**

The Applicant/Developer shall dedicate or grant all necessary water, access, and utility easements required to install, operate, and maintain public water facilities, to the satisfaction of the City Engineer and Utilities Department. Easements shall be recorded with the final map or prior to issuance of building permits, unless otherwise approved by the City.

## **93. Water Fees and Charges**

All applicable water capacity fees, connection fees, meter fees, inspection fees, and related charges shall be paid prior to issuance of building permits, in accordance with City requirements in effect at the time of permit issuance. Connections, backflow prevention, and meter sizing shall comply with City requirements.

## **94. Reclaimed Water Service for Landscape Irrigation**

If reclaimed water service is available at the time of development, the Applicant / Developer shall provide reclaimed (recycled) water service for on-site landscape irrigation, where reclaimed water is available or planned to be available, to the satisfaction of the City Engineer and Utilities Department. Reclaimed water facilities shall be designed and constructed in accordance with City standards and applicable State regulations, including dual-plumbing requirements, identification standards, and cross-connection control provisions.

If reclaimed water service is not available at the time of development, the project shall be designed to allow for future conversion to reclaimed water, within the project site, as determined by the Utilities Department.

## **95. Fire Flow and Hydrant Requirements**

The Applicant/Developer shall demonstrate, through approved analysis, that the project meets all applicable fire flow and fire protection requirements. Fire hydrants shall be installed or modified as required in conformance with City and Fire Department standards. The water

# Exhibit B

system shall be included in the site improvements plans submitted to the City for review and approval.

## **96. Testing, Disinfection, and Activation**

All newly installed potable and recycled water facilities shall be pressure tested, flushed, and disinfected in accordance with City standards and applicable AWWA requirements prior to being placed into service. Final approval and activation of the water facilities shall be subject to acceptance by the City Engineer and Utilities Director, and shall be completed prior to issuance of a Certificate of Occupancy for any building, tenant, or use that will receive potable or recycled water service from the installed facilities.

## **97. Surface Restoration / Easements Areas**

The Owner shall be solely responsible for the restoration, repair, and replacement of any private enhanced surface improvements impacted by City maintenance activities, related to public waterlines and sewers, including emergency access activities. This responsibility includes, but is not limited to, decorative paving, special concrete treatments, colored or stamped concrete, pavers, hardscape features, non-standard curb, gutter, and sidewalk, and surface drainage improvements that exceed standard City construction requirements. The City's obligation shall be limited to restoration in accordance with applicable City standards, and any restoration beyond those standards shall be completed at the Owner's sole cost and to the satisfaction of the City Engineer. All easements granted to the City as part of the Project shall expressly include this provision and shall acknowledge that the City is not responsible for restoration of improvements beyond standard City facilities within such easements.

## **Solid Waste**

### **98. Collection Access**

The project shall be served by the City's authorized solid waste and recycling service provider and shall comply with all applicable collection requirements and service standards. Applicant/ Developer shall provide adequate access for solid waste collection vehicles, including turning radii, roadway widths, and vertical clearance, as determined by the City and the solid waste service provider.

### **99. On-Site Trash Enclosures**

The Applicant/Developer shall design the trash enclosures, and the quantity and locations of each trash enclosure to the satisfaction of the Solid Waste & Recycling Manager. To estimate the project's solid waste generation, the Project shall utilize the Enclosure Waste Generation

# Exhibit B

Calculator meeting approval of the Solid Waste Manager. All trash enclosures shall be covered to the satisfaction of the City.

## **100. Solid Waste Collection – HOA Responsibility and CC&R Requirements**

The Applicant/Developer shall ensure that the Homeowners' Association (HOA), contracts with the City's authorized solid waste and recycling service provider to provide adequate solid waste, recycling, and organics collection service for the project.

The level and frequency of service shall be sufficient to prevent overflowing bins, accumulation of trash, or nuisance conditions at any time, as determined by the City. The HOA shall be responsible for adjusting service levels, container sizes, and/or collection frequency as needed to maintain compliance.

These requirements shall be incorporated into the project's Covenants, Conditions, and Restrictions (CC&Rs) and shall be enforceable against the HOA and all subsequent owners. The CC&Rs shall require the HOA to maintain continuous solid waste service and to modify service levels as necessary to prevent overflow and maintain site cleanliness for the life of the project.

## **101. Food Waste Recycling and Organics Compliance**

The Applicant/Developer shall comply with all applicable State and local food waste and organic waste recycling requirements, including but not limited to AB 1273 and SB 1383, as amended. Prior to issuance of certificates of occupancy, the Applicant/Developer shall demonstrate to the satisfaction of the City that adequate facilities, collection areas, and operational procedures are provided to support separation, storage, and collection of organic waste and food waste generated by the project. Ongoing compliance with applicable organic waste diversion requirements shall be maintained for the life of the project.

## **102. Construction and Demolition (C&D) Waste Management**

The Applicant/Developer shall comply with the City of Paso Robles Construction and Demolition (C&D) Waste Management Ordinance in accordance with California Green Building Standards Code (CALGreen) requirements. The Applicant/Developer shall submit a C&D Waste Management Plan to the City for review and approval, identifying how compliance with the required diversion rate will be achieved. Prior to final project approval, the Applicant/Developer shall provide documentation, including weight tickets or receipts, demonstrating compliance with the recycling requirements. Failure to meet the minimum diversion threshold may result in the withholding of final inspections or other enforcement actions as deemed necessary by the City.

## **103. CITY RECYCLING AND ORGANIC WASTE**

The Applicant/Developer shall comply with the City's Recycling and Organic Waste Collection Ordinance (Municipal Code Chapter 7.40) and State Senate Bill 1383. During demolition, the

## **Exhibit B**

Applicant/Developer shall separate organic materials—including dimensional lumber, trees, and brush—for delivery solely to the Paso Robles Landfill or with City approval to another approved organics recycling facility.