RESOLUTION NO. 2005-077

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING
VESTING TENTATIVE TRACT MAP 2005-0067, A SIXTY-TWO LOT
SUBDIVISION CONSISTENT WITH A MASTER PLAN OF
DEVELOPMENT ON APN 049-042-018
(1155 El Camino Real / Wehn Group LLC)

WHEREAS, an application has been received from Wehn Group LLC (934 Sycamore Canyon, Paso Robles, CA 93446) Applicant and Property Owner, to consider a project consisting of a Zone Change from RMF-16 (Residential Multi-family-16) to RMF-16/PD26 (Residential Multi-Family-16 with a Planned Development Overlay 26) with corresponding Master Plan of Development and Vesting Tentative Tract Map on a 5.47-acre site located at 1155 El Camino Real, (APN 049-042-018); and,

WHEREAS, the site’s General Plan Designation is HDR (High Density Residential); and,

WHEREAS, the Planning Commission has recommended that the site’s Zoning District be changed from RMF-16 (Residential Multi-Family-16) to RMF-16/PD 26 (Residential Multi-Family-16/Planned Development Overlay 26); and,

WHEREAS, an Initial Study and Draft Mitigated Negative Declaration 2005-0028 were prepared for the project and made available for public review in accordance with the requirements of the California Environmental Quality Act (CEQA); and,

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and,

WHEREAS, a timely and properly noticed Public Hearing upon the subject Vesting Tentative Tract Map application was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said Master Plan of Development; and,

WHEREAS, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on July 19, 2005 studied and considered Tentative Tract Map 2005-0067, after first studying and considering the Proposed Mitigated Negative Declaration prepared for the project, and

WHEREAS, the City Council of the City of Atascadero, at a duly noticed Public Hearing held on August 9, 2005, studied and considered Tentative Tract Map 2004-0067, after first studying and considering the Proposed Mitigated Negative Declaration prepared for the project; and,
NOW THEREFORE, the City Council of the City of Atascadero takes the following actions:

SECTION 1. Findings of Approval for Vesting Tentative Tract Map, the City Council finds as follows:

1. The proposed subdivision, design and improvements as conditioned, is consistent with the General Plan and applicable zoning requirements, including provisions of the PD-26 overlay district.

2. The proposed subdivision, as conditioned, is consistent with the proposed Planned Development Overlay District-26 Master Plan of Development (CUP 2005-0167).

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

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

5. The design and improvement of the proposed subdivision will not cause substantial environmental damage or substantially and unavoidably injure fish and wildlife or their habitat.

6. The design of the subdivision will not conflict with easements acquired by the public at large for access through, or the use of property within, the proposed subdivision; or substantially equivalent alternative easements are provided.

7. Covenants, Conditions and Restrictions (CC&R’s) or equivalent shall be required that incorporate the Master Plan of Development conditions of approval to ensure that the site retains the proposed qualities (architecture, colors, materials, plan amenities, fencing, and landscaping) over time.

8. The proposed subdivision design and type of improvements proposed will not be detrimental to the health, safety or welfare of the general public.
SECTION 2. Approval. The City Council of the City of Atascadero, in a regular session assembled on August 9, 2005, resolved to approve Vesting Tentative Tract Map (TTM 2005-0067) subject to the following:

1. Exhibit A: Vesting Tentative Tract Map 2005-0067
2. Exhibit B: Conditions of Approval / Mitigation Monitoring Program.

On motion by Council Member O’Malley and seconded by Council Member Pacas, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES: Council Members O’Malley, Pacas and Mayor Scalise

NOES: None

ABSENT: Council Members Clay and Luna

ADOPTED: August 9, 2005

CITY OF ATASCADERO

By: [Signature]
Wendy Scalise, Mayor

ATTEST:

[Signature]
Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

[Signature]
Patrick Enright, City Attorney
## Exhibit B: Conditions of Approval / Mitigation Monitoring Program
### Tentative Tract Map 2005-0067

### Conditions of Approval / Mitigation Monitoring Program

#### The Village at Oakhaven
**Vesting Tentative Tract Map**
**TTM 2005-0067**

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#### Conditions of Approval

1. The approval of this use permit shall become final and effective for the purposes of issuing building permits thirty (30) days following the City Council approval of ZCH 2005-0099 and ZCH 2005-0101 upon second reading, unless prior to that time, an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.
   
2. Approval of this Tentative Tract Map shall be valid for two years after its effective date. At the end of the period, the approval shall expire and become null and void unless an extension of time is granted pursuant to a written request received prior to the expiration date.
   
3. The Community Development Department shall have the authority to approve minor changes to the project that (1) result in a superior site design or appearance, and/or (2) address a design issue that is not substantive to the Tentative Tract Map and that the Final Map is in substantial conformance with the Tentative Map.
   
4. The granting of this entitlement shall apply to the property located at (**APN 049-042-018**) regardless of owner.
   
5. The Final Map shall be drawn in substantial conformance with the approved tentative map, and in compliance with all conditions set forth herein, shall be submitted for review and approval in accordance with the Subdivision Map Act and the City's Subdivision Ordinance.
   
6. The subdivider shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the city, or any of its entities, concerning the subdivision.
   
7. The Tract Map shall be subject to additional fees for park or recreation purposes (**QUIMBY Act**) as required by City Ordinance.
   
8. The emergency services and facility maintenance costs listed below shall be 100% funded by the project in perpetuity. The service and maintenance costs shall be funded through a community facilities district established by the City at the developer's cost. The funding mechanism must be in place prior to or concurrently with acceptance of the final maps. The funding mechanism shall be approved by the City Attorney, City Engineer and Administrative Services Director prior to acceptance of any final map. The administration of the above mentioned funds shall be by the City. Developer agrees to participate in the community facilities district and to take all steps reasonably
Conditions of Approval / Mitigation Monitoring Program

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required by the City with regard to the establishment of the district and assessment of the property.

- All Atascadero Police Department service costs to the project.
- All Atascadero Fire Department service costs to the project.
- Off-site common City of Atascadero park facilities maintenance service costs related to the project.

9. All tract maintenance costs listed below shall be 100% funded by the project in perpetuity. The service and maintenance cost shall be funded through a Home Owners Association established by the developer subject to City approval. The Home Owners Association must be in place prior to, or concurrently with acceptance of any final maps. The Home Owners Association shall be approved by the City Attorney, City Engineer and Administrative Services Director prior to acceptance of any Final Map. The administration of the above mentioned funds, and the coordination and performance of maintenance activities, shall be the responsibility of the Home Owners Association.

- All streets, bridges, sidewalks, streetlights, street signs, roads, emergency access roads, emergency access gates, and sewer mains within the project.
- All parks, trails, recreational facilities and like facilities.
- All open space and native tree preservation areas.
- All drainage facilities and detention basins.
- All creeks, flood plains, floodways, wetlands, and riparian habitat areas.
- All common landscaping areas, street trees, medians, parkway planters, manufactured slopes outside private yards, and other similar facilities.
- All frontage landscaping and sidewalks along arterial streets.

10. Prior to final map, the applicant shall submit CC&Rs for review and approval by the Community Development Department. The CC&Rs shall record with the Final Map and shall include the following:

a) Provisions for maintenance of all common areas including access, parking, street trees, fencing and landscaping in perpetuity.

b) A detailed list of each individual homeowner’s responsibilities for maintenance of the individual units.
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<td>c) Residents shall keep all trash receptacles within the unit's designated trash storage area.</td>
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<td>d) Garages shall be maintained and used for vehicle parking.</td>
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<td>e) No boats, RV's or other type of recreation vehicle may occupy a guest or resident parking space, including within an individual garage.</td>
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<td>f) A provision for review and approval by the City Community Development Department for any changes to the CC&amp;R's that relate to the above requirements prior to the changes being recorded or taking effect.</td>
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11. **Affordable Housing Requirement:** The applicant shall deed restrict a minimum of 12 residential units for 30 years, at the moderate income rate:

   All units shall be distributed throughout the project, subject to staff approval.

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<th>Time</th>
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<td>GP/BP</td>
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12. **Workforce Housing:** Prior to recordation of final map, the applicant shall enter into a legal agreement with the City to reserve ½ of the units for sale to residents or workers within the City of Atascadero, including the affordable units. The agreement shall include the following provisions:

   - The units shall be offered for sale to residents or workers within the City of Atascadero for a minimum of 60-days. During this time period offers may only be accepted from Atascadero residents or workers;
   - The applicant shall provide reasonable proof to the City that at least one of the qualified buyers is a resident or worker within the City Limits of Atascadero;
   - The Atascadero resident or worker restriction shall apply to the initial sale only;
   - The applicant shall identify which units will be reserved; and

   The City Attorney shall approve the final form of the agreement.

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13. The developer and/or subsequent owner shall assume responsibility for the continued maintenance of all landscape and common areas.

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14. Deed notification shall be recorded against lots 24, 25, and 26 expressing the requirements and maintenance responsibilities of the landscape buffer.

### City Engineer Conditions

#### PROJECT SPECIFIC CONDITIONS
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#### Drainage:

1. Obtain approval by the City Engineer of the grading & drainage plan and the storm drain design & facilities.  
   - **Timing:** BP, GP  
   - **Responsible Party (RP):** CE

2. Submit calculations to support the design of any structures or pipes. Closed conduits shall be designed to convey the 10-year flow with gravity flow, the 25-year flow with head, and provide safe conveyance for the 100 year overflow.  
   - **Timing:** BP, GP  
   - **Responsible Party (RP):** CE

3. Provide for the detention of the 50 year developed storm runoff, while metering out the 2 year undeveloped storm runoff. Metered runoff must follow existing drainage patterns.  
   - **Timing:** BP, GP  
   - **Responsible Party (RP):** CE

4. Show the method of dispersal at all pipe outlets. Include specifications for size & type. Drainage calculations must show where water flows offsite, and analyze downstream facilities to ensure adequate capacity.  
   - **Timing:** BP, GP  
   - **Responsible Party (RP):** CE

5. Acquire drainage easements where needed. Drainage shall cross lot lines only where a drainage easement has been provided.  
   - **Timing:** BP, GP  
   - **Responsible Party (RP):** CE

6. Concentrated drainage from off-site areas shall be conveyed across the project site in drainage easements. Acquire drainage easements where needed. Drainage shall cross lot lines only where a drainage easement has been provided. If drainage easement can not be obtained the storm water release must follow the exact historic path, rate and velocity as prior to the subdivision.  
   - **Timing:** BP, GP  
   - **Responsible Party (RP):** CE

#### Public Improvements and Maintenance:

7. The applicant must provide for the repair and maintenance of on-site shared improvements. This includes roads, sidewalks, street trees, streetlights, private sewer system, drainage facilities, recreation areas and common landscaping. The two methods that may be used are:
   - a. Homeowners Association. This private organization would be responsible for the maintenance, repair and replacement of the facilities.
   - b. Assessment District and Landscape and Lighting District. Funds for the maintenance, repair and replacement of the facilities would be collected on the property tax bill and distributed to the City.

   The City Engineer and City Attorney shall approve the final form prior to recordation.

   - **Timing:** FM  
   - **Responsible Party (RP):** CE

8. All public improvements shall be constructed in conformance with the City of Atascadero Engineering Department Standard Specifications and Drawings or as directed by the City Engineer.  
   - **Timing:** BP, GP  
   - **Responsible Party (RP):** CE
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<tr>
<td>9.</td>
<td>The grade lines for all improvements shown on the tentative map may be subject to change or adjustment by the City Engineer.</td>
<td>BP, GP</td>
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<td>10.</td>
<td>Construction plans shall include plan and profile of sanitary sewer, storm drain lines, and waterlines.</td>
<td>BP, GP</td>
<td>CE</td>
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<td>11.</td>
<td>Full frontage improvements are required with this development. These include curb, gutter, sidewalk and paveout. Public Improvement plans shall be submitted detailing the design. Final alignment and configuration of El Camino Real shall be determined by the City Engineer. This may require reconfiguration of roadway to allow for parking and bicycle lanes.</td>
<td>BP, GP</td>
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<td>12.</td>
<td>All handicap ramps shall be constructed to current ADA requirements, including the use of truncated domes.</td>
<td>BP, GP</td>
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<td>13.</td>
<td>Prior to issuance of building permits, the applicant shall submit a grading and drainage plan with a separate sheet(s) devoted to <strong>sedimentation and erosion control</strong>, prepared by a registered civil engineer for review and approval by the City Engineer.</td>
<td>BP, GP</td>
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**SANITARY SEWER CONDITIONS**

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<td>14.</td>
<td>The Public Works Department shall approve all wastewater facilities prior to construction. This includes pumps, force mains, cleanouts, manholes and connections.</td>
<td>BP, GP</td>
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<td>15.</td>
<td>Applicant shall pay sewer extension (annexation) fees upon issuance of building permit. Sewer Connection and Reimbursement fees shall be payable upon actual connection of the building sewer to the public sewer system.</td>
<td>BP, GP</td>
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<td>16.</td>
<td>Gravity mains and other sewer facilities within the subdivision shall be privately owned and maintained.</td>
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<td>17.</td>
<td>Gravity mains within the subdivision shall be eight (8) inches in diameter.</td>
<td>BP, GP</td>
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<td>18.</td>
<td>Gravity mains onsite shall end in a manhole.</td>
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**STANDARD CONDITIONS**

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<td>19.</td>
<td>All public improvements shall be constructed in conformance with the City of Atascadero Engineering Department Standard Specifications and Drawings or as directed by the City Engineer.</td>
<td>BP, GP</td>
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<td>20.</td>
<td>In the event that the applicant is allowed to bond for the public improvements required as a condition of this map, the applicant shall</td>
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<td><strong>Survey</strong></td>
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<td>CE City Engineer</td>
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<td><strong>Waste</strong></td>
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<td>WW Wastewater</td>
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<td><strong>Engineer</strong></td>
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<td>CA City Attorney</td>
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<td><strong>City</strong></td>
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<td>AM Water Comp.</td>
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21. An engineer's estimate of probable cost shall be submitted for review and approval by the City Engineer to determine the amount of the bond.  

22. The Subdivision Improvement Agreement shall record concurrently with the Final Map.  

23. The applicant shall be responsible for the relocation and/or alteration of existing utilities.  

24. The applicant shall install all new utilities (water, gas, electric, cable TV and telephone) underground. Utilities shall be extended to the property line frontage of each lot or its public utility easement.  

25. The applicant shall monument all property corners for construction control and shall promptly replace them if disturbed.  

26. The applicant shall acquire title interest in any off-site land that may be required to allow for the construction of the improvements. The applicant shall bear all costs associated with the necessary acquisitions. The applicant shall also gain concurrence from all adjacent property owners whose ingress and egress is affected by these improvements.  

27. Slope easements shall be provided as needed to accommodate cut of fill slopes.  

28. Drainage easements shall be provided as needed to accommodate both public and private drainage facilities.  

29. The final map shall be signed by the City Engineer prior to the map being placed on the agenda for City Council acceptance.  

30. Prior to recording the tract map, the applicant shall submit a map drawn in substantial conformance with the approved tentative map and in compliance with all conditions set forth herein. The map shall be submitted for review and approval by the City in accordance with the Subdivision Map Act and the City's Subdivision Ordinance.  

31. Prior to recording the tract map, the applicant shall set monuments at all new property corners. A registered civil engineer or licensed land surveyor shall indicate by certificate on the parcel map, that corners have been set or shall be set by a date specific and that they will be sufficient to enable the survey to be retraced.  

32. Prior to recording the map, the applicant shall complete all improvements required by these conditions of approval.
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<td>33.</td>
<td>Prior to recording the tract map, the applicant shall have the map reviewed by all applicable public and private utility companies (cable, telephone, gas, electric, Atascadero Mutual Water Company). The applicant shall obtain a letter from each utility company indicating their review of the map. The letter shall identify any new easements that may be required by the utility company. A copy of the letter shall be submitted to the City. New easements shall be shown on the map.</td>
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<td>34.</td>
<td>Upon recording the final map, the applicant shall provide the City with a black line clear Mylar (0.4 mil) copy and a blue line print of the recorded map.</td>
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<td>35.</td>
<td>Prior to the final inspection of any public improvements, the applicant shall submit a written statement from a registered civil engineer that all work has been completed and is in full compliance with the approved plans.</td>
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<td>36.</td>
<td>Prior to the final inspection, the applicant shall submit a written certification from a registered civil engineer or land surveyor that all survey monuments have been set as shown on the final map.</td>
<td>BP, GP</td>
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<td>37.</td>
<td>An encroachment permit shall be obtained prior to any work within City rights of way.</td>
<td>BP, GP</td>
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<td>38.</td>
<td>Prior to the issuance of building permits the applicant shall submit a grading and drainage plan prepared by a registered civil engineer for review and approval by the City Engineer.</td>
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**Atascadero Mutual Water Company**

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<td>39.</td>
<td>Before the issuance of building permits, the applicant shall submit plans to AMWC for the water distribution facilities needed to serve the project. AMWC shall review and approve the plans before construction begins on the water system improvements. All water distribution facilities shall be constructed in conformance with AMWC Standards and Details and the California Waterworks Standards (Code of Regulations Title 22, Division 4, Chapter 16). All cross-connection devices shall conform to AWWA and California Department of Health Services standards.</td>
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<td>40.</td>
<td>Before the start of construction on the water system improvements, the applicant shall pay all installation and connection fees required by AMWC. Subject to the approval of AMWC, the applicant may enter into a &quot;deferred connection&quot; agreement.</td>
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<td>41.</td>
<td>Before issuance of building permits, the applicant shall obtain a &quot;Will Serve&quot; letter from AMWC for the newly created lots within the subdivision.</td>
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<td>42. The applicant shall provide AMWC with easements for those water facilities proposed for operation and maintenance by AMWC that are constructed outside of publicly maintained right-of-ways. AMWC shall review the form and content of the easements before recordation.</td>
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<td>43. The water mains required to serve the project shall be laid out in a grid or looped pattern and shall connect to the existing water mains system in El Camino Real at two points of connection.</td>
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<tr>
<td>44. The applicant shall provide AMWC with easements for those water facilities proposed for operation and maintenance by AMWC that are constructed outside of publicly maintained right-of-ways. AMWC shall review the form and content of the easements before recordation.</td>
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<td>45. The applicant shall submit a hydraulic analysis to AWMC for the water system improvements for the project. The analysis should take into account the fire flows required by the Uniform Fire Code and requirements of the California Waterworks Standards. The applicant is responsible for designing and constructing water system improvements that will provide water at pressures and flows adequate for the domestic and fire protection needs of the project.</td>
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<tr>
<td>46. The applicant is responsible for designing and constructing water system improvements that will provide water at pressures and flows adequate for the domestic and fire protection needs of the project.</td>
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<td>47. The applicant shall obtain a separate landscape-irrigation meter from AMWC for the common areas within the project.</td>
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| 48. Before construction of the water system improvements, AMWC shall review and approve the landscape plans for the common areas within the project. The landscape plan submittal shall incorporate the following:  
- Plant list w/ Water Use Classification of Landscape Species (WUCOLS) rating specified. Preference shall be given to plants with very low (VL) and low (L) WUCOLS ratings.  
- Justification for use of plants with WUCOLS rating of M or greater.  
- Total landscaped area including hardscapes (patios, walks & decks) and planted areas and excluding sidewalks, driveways, streets or parking.  
- The size and shape of turf areas shall promote for efficient irrigation shall be no less than 8-feet wide. Turf type shall be warm-season grasses. Turf areas shall be kept to a minimum and shall be limited to functional areas only. A goal of the landscape design should be a total turf area of no more than 10% of the total landscaped area. |        |                             |                    |
| 49. Before construction of the water system improvements, AMWC shall review and approve the irrigation plans for the common areas within the project. The irrigation plan submittal shall include the following |        |                             |                    |
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- Landscape irrigation meter location and size.
- Backflow prevention device type, location, and manufacturer.
- Flow and precipitation rate for each circuit.
- Irrigation schedules including schedules for establishment period and post establishment period.
- Total anticipated water application per circuit per month for both schedules.
- Total landscape water application.
- Use drip irrigation wherever possible.
- A check valve shall be installed on the lowest head in each sprinkler circuit.

### Mitigation Measures

**Mitigation Measure 1.c.1:** The project shall maintain a minimum 35-foot setback from the eastern property line. A minimum 10-foot wide landscape buffer shall be installed by the developer prior to final and a deed restriction shall be recorded against parcel 24, 25, and 26 requiring continued maintenance of the landscape buffer. The buffer area shall include evergreen screen trees such as live oaks and/or cedars.

**Mitigation Measure 1.d.1:** All lighting shall be designed to eliminate any off-site glare. All exterior site lights shall utilize full cut-off, "hooded" lighting fixtures to prevent offsite light spillage and glare. Any luminaire pole height shall not exceed 14-feet in height, limit intensity to 2.0 foot candles at ingress/egress, and otherwise 0.6 foot candle minimum to 1.0 maximum in parking areas. Fixtures shall be shield cut-off type.

**Mitigation Measure 3.b.1:** The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in sections 6.3, 6.4 and 6.5 of the April 2003 Air Quality Handbook.

- Asbestos has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if naturally occurring asbestos is present within the area that will be disturbed. If Naturally Occurring Asbestos (NOA) is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Should Naturally Occurring Asbestos be
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identified within the area of construction, and the worked area will be less than or equal to one acre, then the dust control measures identified below are required. If the disturbed area is greater than one acre, additional requirements may include but are not limited to 1) an Asbestos Dust Mitigation Plan which must be approved by the District before construction begins, and 2) an Asbestos Health and Safety Program will also be required for some projects.

Dust Control Measures for Construction and Grading Operation Projects One Acre or Less: No person shall engage in any construction or grading operation on property where the area to be disturbed is one (1.0) acre or less unless all of the following dust mitigation measures are initiated at the start and maintained throughout the duration of the construction or grading activity:

(A) Construction vehicle speed at the work site must be limited to fifteen (15) miles per hour or less;

(B) Prior to any ground disturbance, sufficient water must be applied to the area to be disturbed to prevent visible emissions from crossing the property line;

(C) Areas to be graded or excavated must be kept adequately wetted to prevent visible emissions from crossing the property line;

(D) Storage piles must be kept adequately wetted, treated with a chemical dust suppressant, or covered when material is not being added to or removed from the pile;

(E) Equipment must be washed down before moving from the property onto a paved public road; and

(F) Visible track-out on the paved public road must be cleaned using wet sweeping or a HEPA filter equipped vacuum device within twenty-four (24) hours.

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<thead>
<tr>
<th>Timing</th>
<th>Responsibility / Monitoring</th>
<th>Mitigation Measure</th>
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<tbody>
<tr>
<td>GP: Grading Permit</td>
<td>PS: Planning Services</td>
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<tr>
<td>BP: Building Permit</td>
<td>BS: Building Services</td>
<td></td>
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<tr>
<td>SP: Subdivision Improvement Plan</td>
<td>FD: Fire Department</td>
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<tr>
<td>FM: Final Map</td>
<td>PD: Police Department</td>
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<tr>
<td>TO: Temporary Occupancy</td>
<td>CE: City Engineer</td>
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<tr>
<td>F1: Final Inspection</td>
<td>WW: Wastewater</td>
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<tr>
<td>FO: Final Occupancy</td>
<td>CA: City Attorney</td>
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<td><strong>Mitigation Measure 3.b.1:</strong> Naturally Occurring Asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if naturally occurring asbestos is present within the area that will be disturbed. If naturally occurring asbestos is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include but are not limited to 1) an Asbestos Dust Mitigation Plan which must be approved by the District before construction begins, and 2) an Asbestos Health and Safety Program will also be required for some projects.</td>
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<td>PS</td>
<td>3.b.1</td>
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<tr>
<td>BP PS 4.e.1</td>
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<td><strong>Mitigation Measure 4.e.1:</strong> The Grading Plan shall identify tree protection fencing around the dripline, or as recommended by the project arborist, of each existing on-site or off-site native tree.</td>
<td>BP</td>
<td>PS</td>
<td>4.e.1</td>
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<td>GP PS 4.e.2</td>
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| **Mitigation Measure 4.e.2:** Grading and excavation and grading work shall be consistent with the City of Atascadero Tree Ordinance. Special precautions when working around native trees include:  
1. All existing trees outside of the limits of work shall remain.  
2. Earthwork shall not exceed the limits of the project area.  
3. Low branches in danger of being torn from trees shall be pruned prior to any heavy equipment work being done.  
4. Vehicles and stockpiled material shall be stored outside the dripline of all trees.  
5. All trees within the area of work shall be fenced for protection with 4-foot chain link, snow or safety fencing placed per the approved tree protection plan. Tree protection fencing shall be in place prior to any site excavation or grading. Fencing shall remain in place until completion of all construction activities.  
6. Any roots that are encountered during excavation shall be clean cut by hand and sealed with an approved tree seal. | GP | PS | 4.e.2 |
Mitigation Measure 4.e.3: The developer shall contract with a certified arborist during all phases of project implementation. The certified arborists shall be responsible for monitoring the project during all phases of construction through project completion, as follows:

(a) A written agreement between the arborist and the developer outlining an arborist monitoring schedule for each construction phase through final inspection shall be submitted to and approved by planning staff prior to the issuance of building/grading permits.

(b) Arborist shall schedule a pre-construction meeting with engineering/planning staff, grading equipment operators, project superintendent to review the project conditions and requirements prior to any grubbing or earth work for any portion of the project site. All tree protection fencing and trunk protection shall be installed for inspection during the meeting. Tree protection fencing shall be installed at the line of encroachment into the tree’s root zone area.

(c) As specified by the arborist report and City staff:
   - Prune all trees in active development areas to be saved for structural strength and crown cleaning by a licensed and certified arborist;
   - Remove all debris and spoils from the lot cleaning and tree pruning.
   - In locations where paving is to occur within the tree canopy, grub only and do not grade or compact. Install porous pavers over a three-inch bed of ¾ inch granite covered with one-inch pea gravel for screening. If curbs are required, use pegged curbs to secure the porous pavers. Pegged curbs are reinforced six to eight curbs poured at grade with a one-foot by one-foot pothole every four to six linear feet.
   - All trenching or grading within the protected root zone area, outside of the tree protection fence shall require hand trenching or preserve and protect roots that are larger than 2 inches in diameter.
   - No grading or trenching is allowed within the fenced protected area.
   - Any roots that are 4 inches in diameter or larger are not to be cut until inspected and approved by the on-site arborist.

(d) Upon project completion and prior to final occupancy a final status report shall be prepared by the project arborist certifying that the tree protection plan was implemented, the trees designated for protection were protected during construction, and the construction-related tree protection measures are no longer required for tree protection.

Mitigation Measure 5.b.1: Should any cultural resources be unearthed during site development work, the provisions of CEQA -Section 15064.5, will be followed to reduce impacts to a non-significant level.
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<td>GP</td>
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<td>6.c.d</td>
<td>GP</td>
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<tr>
<td>8.e.f.1</td>
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<td>CE</td>
<td>8.e.f</td>
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<td>8.e.f.2</td>
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<td>BS,PS,CE</td>
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<td>11.d</td>
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**Mitigation Measure 6.b:** The grading permit application plans shall include erosion control measures to prevent soil, dirt, and debris from entering the storm drain system during and after construction. A separate plan shall be submitted for this purpose and shall be subject to review and approval of the City Engineer at the time of Building Permit application. (See section 8 of this document).

**Mitigation Measure 6.c.d:** A soils report shall be required to be submitted with a future building permit by the building department. The building plans will be required to follow the recommendations of the soils report to assure safety for residents and buildings.

**Mitigation Measure 8.e.f.1:** A Stormwater Pollution Prevention Plan (SWPPP)/Erosion Control Plan shall be submitted and approved by the City Engineer prior to the issuance of the building permit. The plan shall include storm water measures for the operation and maintenance of the project for the review and approval of the City Engineer. The Building Permit application plans shall identify Best Management Practices (BMPs) appropriate to the uses conducted on site that effectively prohibit the entry of pollutants into storm water runoff.

**Mitigation Measure 8.e.f.2:** The developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop work orders.

**Mitigation Measure 11.d:** All construction activities shall comply with the City of Atascadero Noise Ordinance for hours of operation.

**Mitigation Measure 15.a.b.1:** Full frontage improvements shall be required along El Camino Real. Internal project circulation shall be designed to enhance flow and minimize traffic conflicts by implementing traffic calming measures and utilizing one-way streets as appropriate and as approved by the Community Development Director.

**Mitigation Measure 15.c.1:** The Contractor shall maintain one lane for traffic at all times. Traffic control shall be in accordance with the current Caltrans manual for traffic control and work area traffic control handbook. No street or lane closures shall be permitted unless previously arranged for and granted by the City Engineering Department.