



Date: May 8, 2018  
To: Schani Siong, Project Planner  
From: Glenn Marshall, Development Services  
Subject: **Amended Public Works Project Referral for DRC2018-00033, Somera Capital Mgmt CDP, Avila Beach Dr, Avila Beach, APN 076-174-009**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

**PUBLIC WORKS REQUESTS THAT AN INFORMATION HOLD BE PLACED ON THIS PROJECT UNTIL THE APPLICANT PROVIDES THE FOLLOWING DOCUMENTS FOR PUBLIC WORKS REVIEW AND COMMENT:**

1. Initial comments on the Draft Transportation Impact Study include:
  - a. Update the project trip generation rate to reflect 5,331sf restaurant (4,600sf evaluated) and add 1,679sf spa, 566sf fitness, 2,046sf conference & banquet space, 1,032sf lobby, 299sf gift shop, and the proposed events. Events with 200 visitors is discussed in project description but no information on how often and no discussion in traffic report.
  - b. Consider submitting a Traffic Management Plan as a project mitigation to limit vehicle trips for events, and to shuttle guests to and from town (as mentioned in project description).
  - c. Provide worse case design delivery truck or fire truck turning templates for Ana Bay Road and Marre Road showing sufficient access road widths are being provided.
  - d. The proposed Marre Road centerline curves and road sections A-A through D-D, Sheet C-3, do not conform to Cal Fire requirements. Show conformance or provide evidence that Cal Fire will support an adjustment to their standards.
  - e. Per Resolution 2008-152, submit a Roadway Safety Analysis for Avila Beach Drive between Ana Bay Road and San Luis Bay Drive.
  - f. Submit sight distance analysis with recommendations for the intersection Ana Bay Road at Avila Beach Drive.
  - g. Public Works requires additional time to circulate the Draft Transportation Impact Study through our Transportation Division. When completed will submit additional comments, if any, under separate cover.
  - h. Project specific impact at Avila Beach Drive and Ontario Road. Although covered in Avila Valley Circulation Study under cumulative conditions. Project must mitigate for project specific impacts by constructing signal or similar Public Works approved project. RIF fees may be applied together with a RIF reimbursement agreement. Contact Public Works for more information.
  - i. Project specific impact at Avila Beach Drive and Ana Bay Road. Project must propose mitigation if signal warrants not met, a southbound right turn lane should be considered/constructed.
2. See attached plan for recommended improvements for the Avila Beach Drive slope cut adjacent to the project site. The project must not create additional impervious area at top of road slope without construction concrete v-ditches or other slope drainage system protection system.
3. Update the Marre Road preliminary improvement plans (C-series sheets) to show and label the existing offsite access road easements. Show the proposed Marre Road improvement remain within the existing easement or provide evidence additional easement width can be secured from the affected property owner/s.

4. Update the site plan to show a pedestrian path of travel between the project site and existing pedestrian improvements on Avila Beach Drive (recommendation from Traffic Report).
5. The proposed project is located off non-county maintained roads. In accordance with Resolution 2008-152 no proposed land development which attracts general public traffic shall be permitted on privately maintained roads without a submission of a road maintenance agreement. Provide evidence that a road maintenance agreement signed by ALL property owners having legal access to Ana Bay Road and Marre Road can be secured.
6. Provide a preliminary drainage plan and calculations showing how the project will comply with Section 5 of the Public Improvement Standards.

**Public Works Comments:**

- A. The proposed project triggers road improvements per Resolution 2008-152.
- B. The proposed project is located off non-county maintained roads. In accordance with Resolution 2008-152 no proposed land development which attracts general public traffic shall be permitted on privately maintained roads without a submission of a road maintenance agreement.
- C. The proposed project is within the Avila Valley Road Fee Area. Payment of Road Improvement Fees is required prior to building permit issuance.
- D. The proposed project is within a drainage review area. Drainage plan is required to be prepared by a registered civil engineer and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52.110 or 23.05.040 of the Land Use Ordinance prior to future submittal of development permits.
- E. The applicable Post Construction Stormwater Performance Requirement(s) to fulfill shall be based on cumulative new or replaced impervious surface development on the entire project site including the public improvements as a plan of common development. From the information submitted it appears that all development associated with this project will be subject to Performance Requirements 1 & 2. . When Storm water management facilities are required:
  - i. Structural Control Measures (SCM) for public or common area improvements (including those for fronting and interior roadways) shall be constructed with those improvements and remain outside the County maintained road right-of-way. Private stormwater systems may use one of two mechanisms for recording an Operation and Maintenance Plan (i.e. Agreement, CCRs)
  - ii. Structural Control Measures (SCMs) and Flood Control Basins shall remain separate unless otherwise approved by the Public Works Department.
- F. If the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit.

**Recommended Project Conditions of Approval:**

Access

1. **At the time of application for construction permits**, the applicant shall submit plans prepared by a Registered Civil Engineer to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:
  - a. Reconstruct, if necessary, all deteriorated or non-compliant Avila Beach Drive frontage improvements.
  - b. Pedestrian access improvements proposed within the Avila Beach Drive right-of-way.
  - c. Implement the recommendations of the project traffic report to ensure sight distance at the intersection of Avila Beach Drive at Ana Bay Road meets County standards. The encroachment permit will require the fronting property owner/s assume ongoing vegetation maintenance responsibility to ensure sight distance compliance.

2. **At the time of application for construction permits**, the applicant shall submit plans prepared by a Registered Civil Engineer to the Department of Planning and Building to improve all access roads to Cal Fire standards. The plan is to include, as applicable:
  - a. Implement the recommendations of the project traffic report to improve sight distance at the intersection of Ana Bay Road at Marre Road. The fronting property owner/s must assume ongoing vegetation maintenance responsibility to ensure sight distance compliance.
  - b. Improve Ana Bay Road to Cal Fire access road standards within the require access easements.
  - c. Improve Marre Road to Cal Fire access road standards within the require access easements.
  - d. Improve all onsite roads and parking facilities to Cal Fire requirements.
3. **At the time of application for construction permits**, the applicant shall enter into an agreement and post a deposit with Public Works for the cost of checking the improvement plans and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
4. **Prior to commencing permitted activities**, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the Public Works Inspector and in accordance with the County's Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.
5. **At the time of application for construction permits**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.
6. **At the time of application for construction permits**, the applicant shall submit evidence to the Department of Planning and Building of a road maintenance agreement. The agreement shall establish an organized and perpetual mechanism to ensure adequate maintenance of the shared access roads in a form acceptable to the County. The road maintenance agreement shall be signed by the owners of all properties which have shared access rights or be fully assumed by the applicant for the full width across their property frontage and back to the nearest county maintained road; be binding upon their heirs and assigns; and be recorded with the County Clerk on each of the effected properties.
7. **Prior to occupancy or final inspection**, all public improvements have been constructed or reconstructed in accordance with County Public Improvement Standards and to the satisfaction of the County Public Works Inspector.
8. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc. without a valid Encroachment Permit issued by the Department of Public Works.
9. **On-going condition of approval (valid for the life of the project)**, the property owner shall be responsible for operation and maintenance of public road landscaping and maintaining County driveway sight distance standards, street lighting, and pedestrian amenities in a viable condition and on a continuing basis into perpetuity.

#### Fees

10. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the Avila Valley Road Improvement Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of issuance of building permits.

#### Drainage

11. **At the time of application for construction permits**, the applicant shall submit complete drainage plans prepared by a licensed civil engineer for review and approval in accordance with Section 22.52.110 (Drainage) or 23.05.040 (Drainage) of the Land Use Ordinance.
12. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
13. **Prior to issuance of construction permits**, the applicant shall provide evidence satisfactory to the Department of Planning and Building that the Army Corps of Engineers and the California Department of Fish and Game environmental permits have either been secured or that the regulatory agency has determined that their permit is not required.
14. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with their Storm Water Control Plan.

#### Storm Water Pollution Prevention Plan (SWPPP)

15. **At the time of application for construction permits**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

#### Stormwater Control Plan (SWCP):

16. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject post-construction stormwater requirements by submitting a Stormwater Control Plan application.
  - a. If required, the applicant must submit a Stormwater Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. Applicants must utilize the County's latest SWCP template.
  - b. If applicable, the applicant shall submit a draft stormwater operations and maintenance plan for review by the County. The operations and maintenance plan may be incorporated into existing or proposed CC&Rs or drafted as an Agreement.
  - c. If applicable, following approval by the County, the applicant shall record with the County Clerk the stormwater operations and maintenance plan to document on-going and permanent storm drainage control, management, treatment, inspection and reporting.
  - d. If applicable, the applicant shall submit a draft General Notice to document the location and type of control measures that were installed to mitigate Performance Requirement #2. Following approval by the County, the applicant shall record the General Notice with the County Clerk. The recorded control measures shall remain in good working order in perpetuity.
17. **At the time of submittal of the improvement plans or construction permits**, if necessary, the applicant shall submit a draft Stormwater Operations and Maintenance Plan for all structural post-construction storm water treatment or retention facilities and it must be provided for review.
18. **Prior to approval of the improvement plans or construction permits if necessary**, the approved Operations and Maintenance Plan may be recorded as an element of the Codes, Covenants and Restrictions, or as an Agreement with the County.

#### Recycling

19. **On-going condition of approval (valid for the life of the project)**, the applicants shall provide recycling opportunities to all facility users at all events in accordance with Ordinance 2008-3 of the San Luis Obispo County Integrated Waste Management Authority (mandatory recycling for residential, commercial and special events).

Attachment: Avila Beach Site #1 Storm Damage Repairs, Drainage Memorandum, October 28, 2011