



THIS IS A NEW PROJECT REFERRAL / SUMMARY *

DATE: 9/23/2021

TO: 3rd District Legislative Assistant, Assessors Office, Building, CalFire/County Fire, Environmental Health, Heal SLO, Public Works, Road Naming, Avila Valley Advisory Council, AT&T, Charter Cable TV, PG&E, Southern Cal Gas Co, Avila Community Services District, San Miguelito Water Co, San Luis Coastal School District, California Coastal Commission.

FROM: Terry Wahler, Project Manager

PROJECT NUMBER & NAME: C-SUB2021-00001 / Vesting Tentative Tract Map 3184 - Rourke

PROJECT DESCRIPTION*: The application is a vesting tentative tract map/development plan/coastal development permit requesting the re-subdivision of 2 existing lots into a 5-lot planned development. The approximate 12,000 square foot site is located at 250 and 254 San Miguel Street in Avila. Two existing residences will be retained and three new 3-level residences are also proposed. One of the five units will be designated and sold as moderate affordable housing which allows an increase in density and deviation from some development standards under state law. APN(s): 076-205-038 and 037

Please submit comments within 14 days from receipt of this referral. CACs please respond within 60 days. Thank you. In your response, please consider and/or indicate the following:

PART I: IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II: ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
NO (Please go on to PART III.)

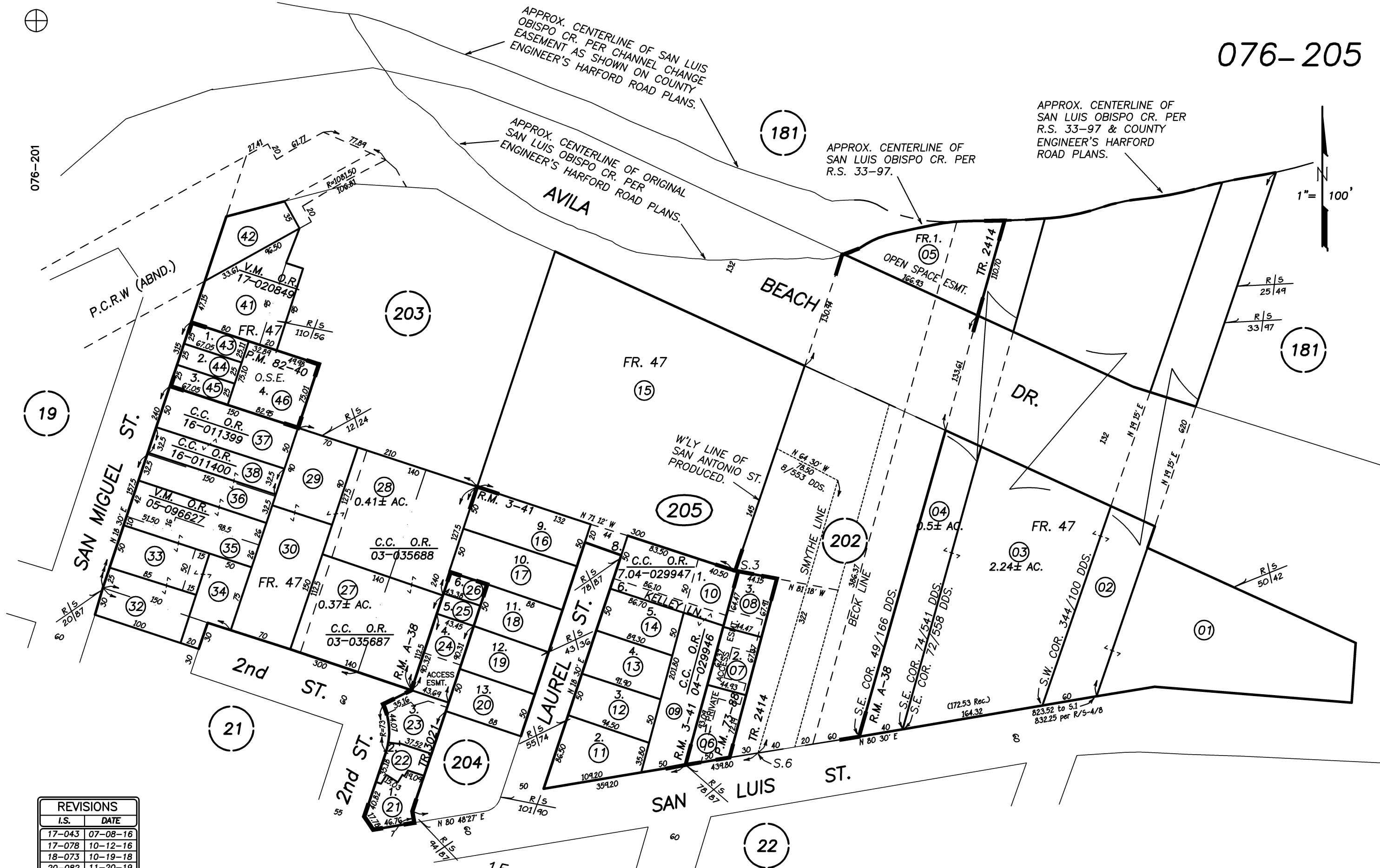
PART III: INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE INDICATE (VIA E-MAIL OR PHONE).

Date Name Phone

*All information and/or material provided in the following Referral Package is valid for 90 days after this correspondence. After that time please contact the Project Manager for the most updated information.



REVISIONS	
I.S.	DATE
17-043	07-08-16
17-078	10-12-16
18-073	10-19-18
20-082	11-20-19
NA	07-07-20

50' 0 100' 200'

AJS 02-28-00 THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.

TRACT NO. 2414, R.M. Bk. 22, Pg. 67-70.
 TOP OF THE HILL; TRACT NO. 3021, R.M. Bk. 34, Pg. 80-83.
 JUNIOR ADDITION TO THE TOWN OF AVILA, R.M. Bk. 3, Pg. 41.
 PORTION OF RANCHO SAN MIGUELITO, R.M. Bk. A, Pg. 38.

AVILA BEACH
 ASSESSOR'S MAP, COUNTY OF
 SAN LUIS OBISPO, CA.
 BOOK 076 PAGE 205





VESTING TENTATIVE TRACT MAP - TRACT 3184

250 & 254 SAN MIGUEL STREET, AVILA BEACH, CA 93424 (APN: 076-205-037, 076-205-038)

PROJECT TEAM:

OWNERS INFORMATION
 JOHN ROURKE
 163 SERRANO HEIGHTS DR.
 SAN LUIS OBISPO, CA 93405
 805.440.4973

PROJECT CIVIL ENGINEER & AGENT
 ABOVE GRADE ENGINEERING
 245 HIGUERA STREET
 SAN LUIS OBISPO, CA 93401
 805.540.5115

PREPARED BY:

SCOTT STOKES, PRESIDENT, PE 58256
 ABOVE GRADE ENGINEERING
 245 HIGUERA STREET
 SAN LUIS OBISPO, CA 93401

JEFFREY N WYANT, PLS 9338
 ABOVE GRADE ENGINEERING
 245 HIGUERA STREET
 SAN LUIS OBISPO, CA 93401

SURVEY INFORMATION:

TOPOGRAPHIC SURVEY PERFORMED APRIL, 2015 BY MBS LAND SURVEYS

BENCHMARK: THE BENCH MARK FOR THIS PROJECT IS BRASS DISK TIDAL 14 RESET IN NORTHERLY SIDEWALK OF FRONT STREET IN FRONT OF THE CUSTOM HOUSE RESTAURANT. EL=19.82' (NAVD 88)

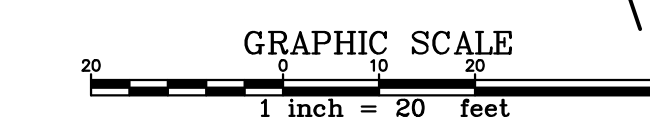
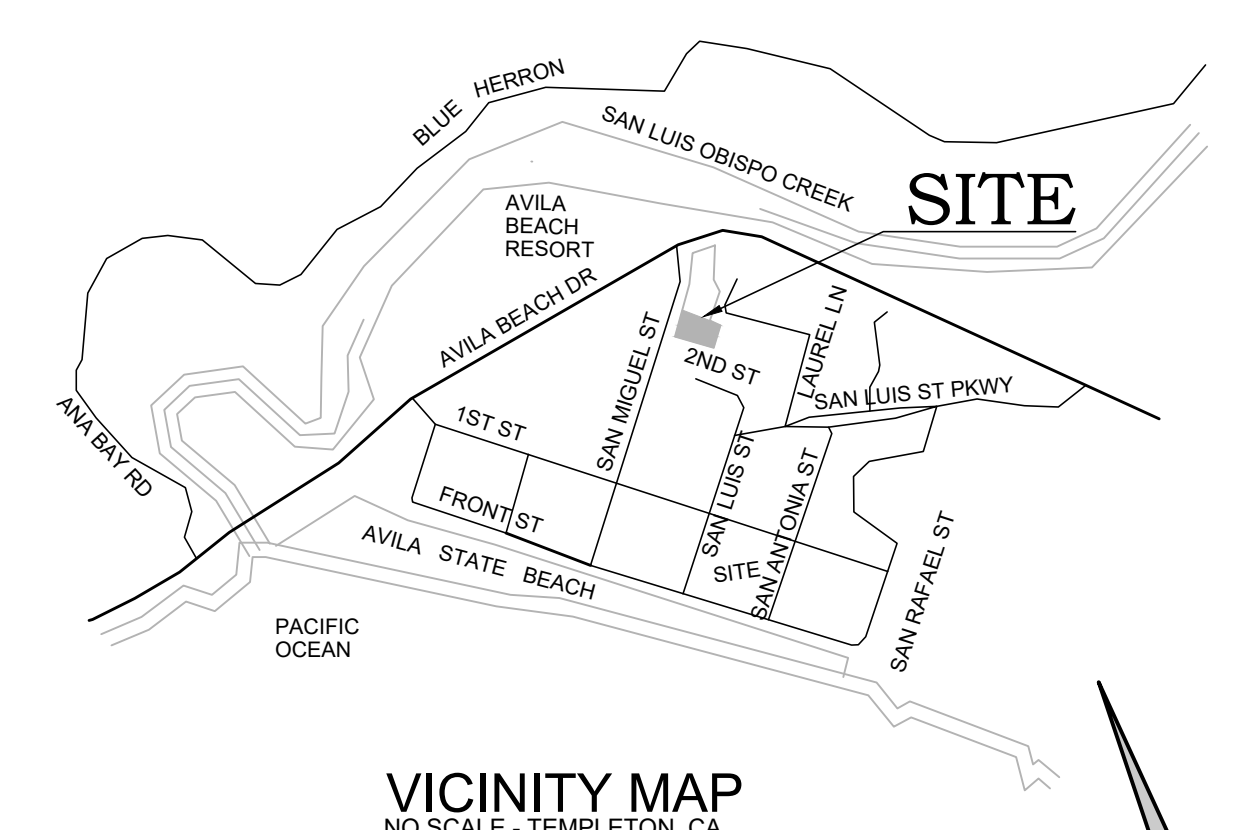
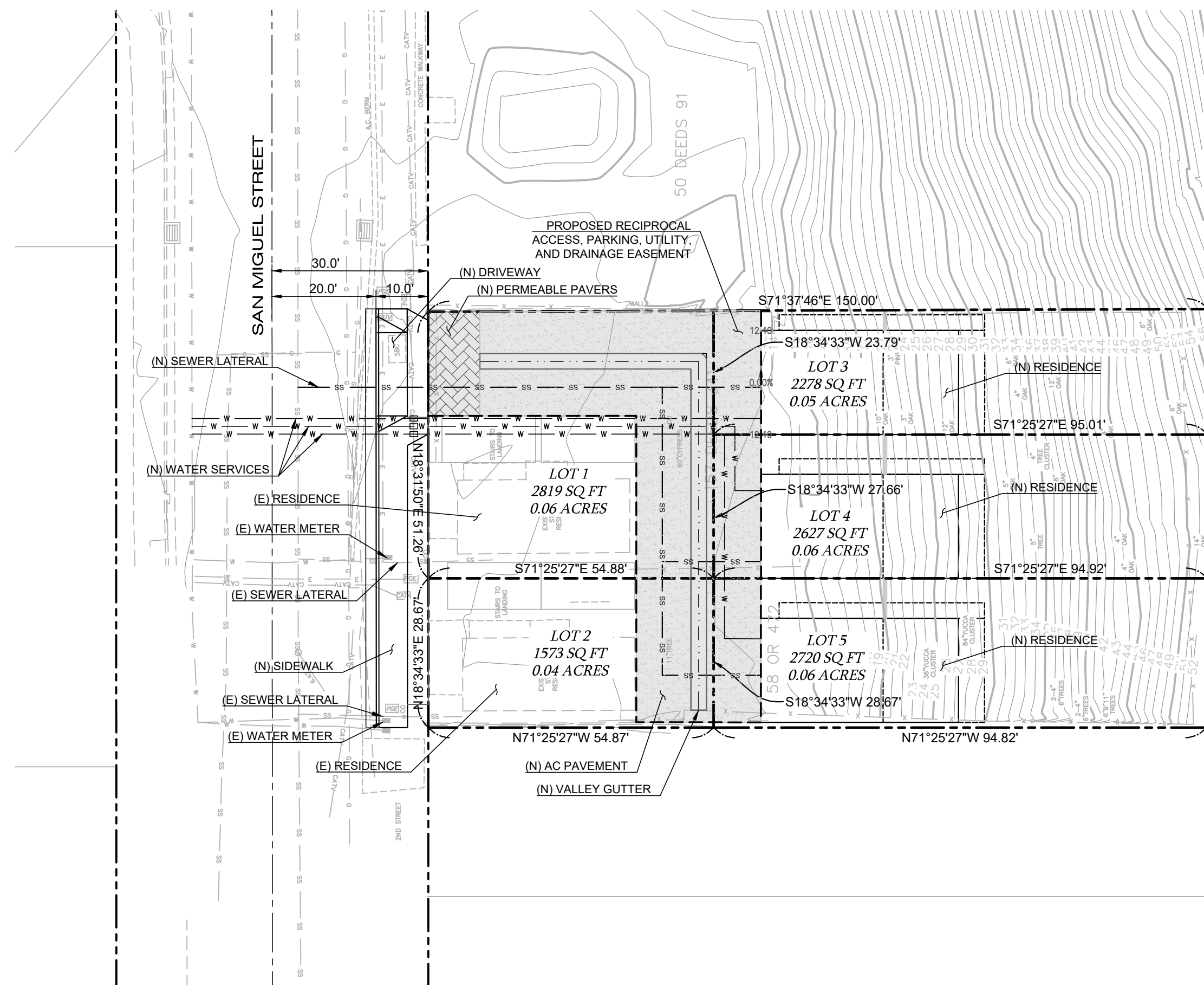
BASIS OF BEARING: THE BASIS OF BEARINGS FOR THIS PROJECT IS BASED ON FOUND MONUMENTS ALONG THE CENTERLINE OF SAN MIGUEL STREET BETWEEN 1ST STREET AND 2ND STREET BEARING N 18° 30' 00" E PER A MB 5.

PROJECT INFORMATION:

ADDRESS: 250 & 254 SAN MIGUEL ST.
 AVILA BEACH, CA 93424
APN: 076-205-037, 076-205-038
GROSS TOTAL AREA: 0.28 ac
NUMBER OF LOTS: 5
APPROXIMATE LOT SIZE: 0.05 ac
FLOOD ZONE: ZONE X
FLOOD MAP: 06079C1336H

LEGEND:

EXISTING
 -205- MJR CONTOUR
 -202- MNR CONTOUR
 (N) PROPOSED RECIPROCAL ACCESS, PARKING, UTILITY, AND DRAINAGE EASEMENT



JOB#: 21100
 DATE: August 6, 2021
 SHEET NUMBER:
TPM-1

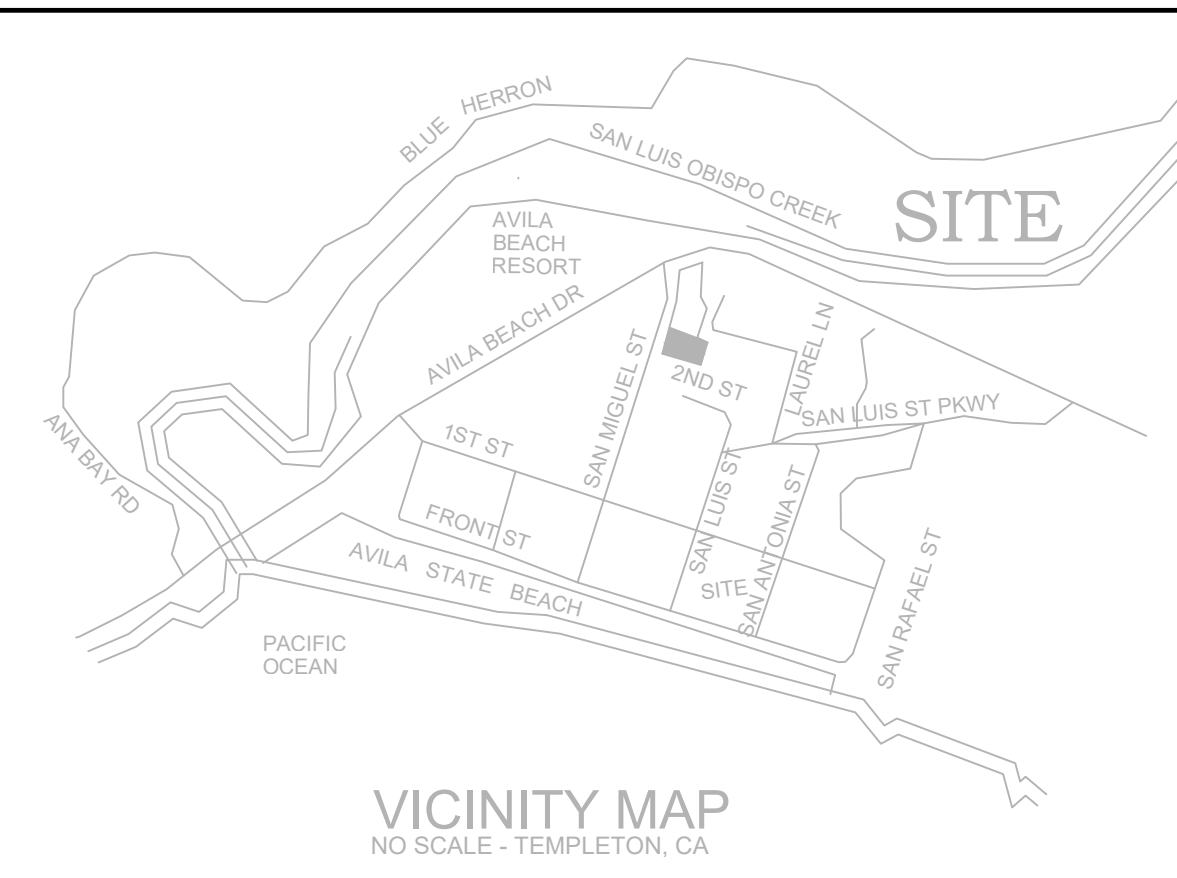
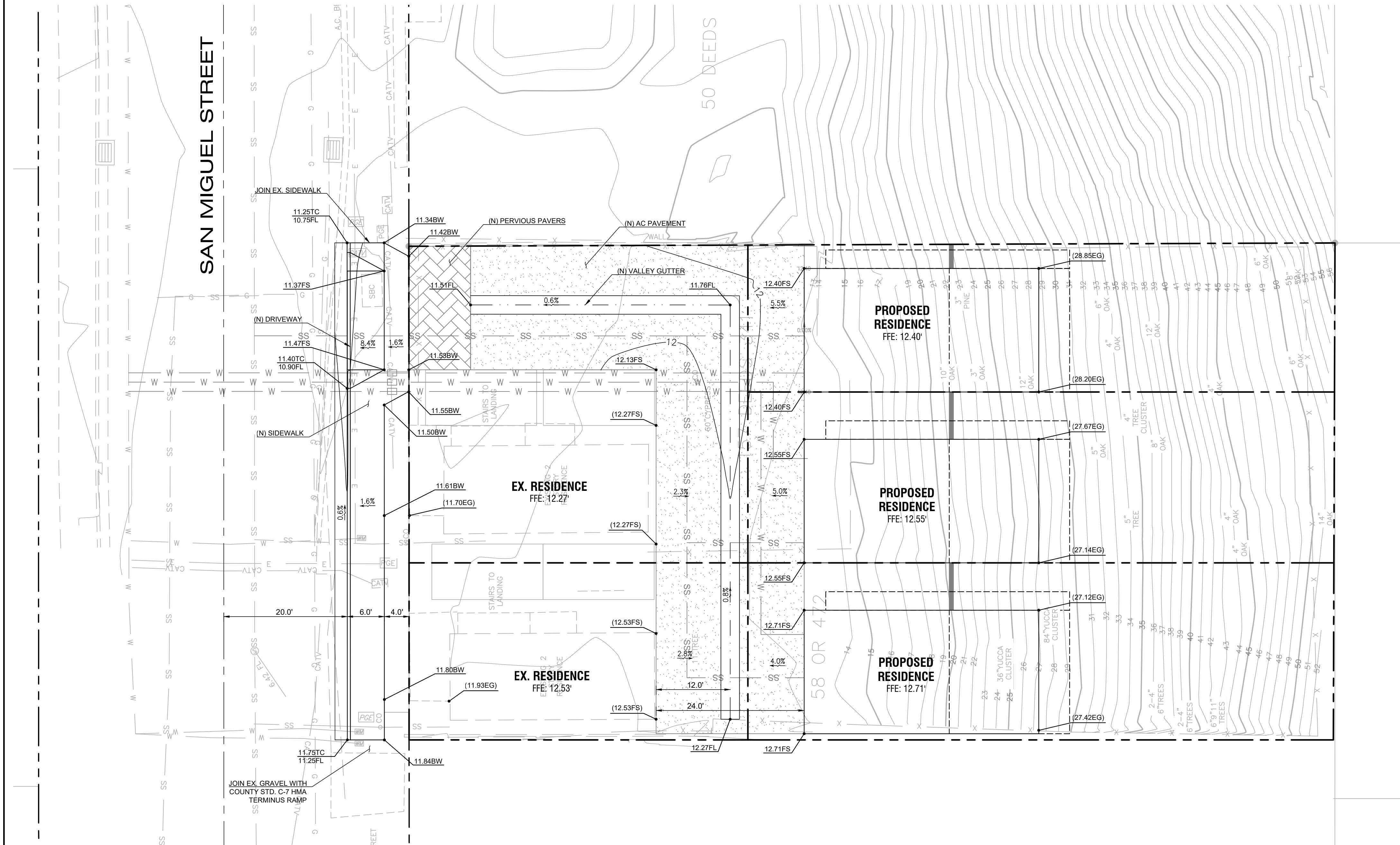
ABOVE GRADE ENGINEERING
 245 Higuera Street, San Luis Obispo, CA 93401
 phone: (805) 540-5115
 A California Corporation • Scott Stokes PE # 58256

N:\2021\21100-Rourke-Avilo-subdivision\Civil\TMA\Sheetfiles\21100-TPM.dwg, TPM-1, Aug 12, 2021 1:47pm, ACE08

Drawing name: N:\2021\12100-Rourke-Avila-subdivision\Civil\Condos\Sheets\12100-C1.1-GD.dwg

PLOT DATE: Aug 03, 2021 - 8:43am

PLOT BY: AGE08



PROJECT TEAM:

OWNERS INFORMATION
 JOHN ROURKE
 163 SERRANO HEIGHTS DR.
 SAN LUIS OBISPO, CA 93405
 805.440.4973

SURVEY INFORMATION:

TOPOGRAPHIC SURVEY PERFORMED APRIL, 2015 BY MBS LAND SURVEYS
 BENCHMARK: THE BENCH MARK FOR THIS PROJECT IS BRASS DISK TIDAL 14 RESET IN NORTHERLY SIDEWALK OF FRONT STREET IN FRONT OF THE CUSTOM HOUSE RESTAURANT. EL=19.82' (NAVD 88)
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PROJECT INFORMATION:

ADDRESS: 250 & 254 SAN MIGUEL ST.
 AVILA BEACH, CA 93424
 APN: 076-205-037, 076-205-038
 GROSS TOTAL AREA: 0.28 ac
 NUMBER OF LOTS: 5
 APPROXIMATE LOT SIZE: 0.05 ac
 FLOOD ZONE: ZONE X
 FLOOD MAP: 06079C1336H

PROJECT STORMWATER:

TOTAL PROJECT AREA: 9,619 SQFT
 EXISTING IMPERVIOUS AREA: 0
 NEW IMPERVIOUS AREA: 4,804 SQFT
 LOW IMPACT DEVELOPMENT (IP-1) WILL BE REQUIRED AND MET BY DIRECTING IMPERVIOUS SURFACES (DRIVEWAY/WALKWAY) TO ADJACENT LANDSCAPE AREAS. THE DRIVEWAY WILL ALSO DRAIN TO PERVIOUS PAVERS.
 NOTE: THE TWO EXISTING RESIDENCES ARE DOWNSTREAM OF THE PROPOSED DEVELOPMENT AND NOT INCLUDED IN THE PROJECT STORMWATER AREA OR IMPERVIOUS AREA CALCULATIONS.

PREPARED BY:

SCOTT STOKES, PRESIDENT, PE 58256
 ABOVE GRADE ENGINEERING
 245 HIGUERA STREET
 SAN LUIS OBISPO, CA 93401
 805.440.4973

JEFFREY N WYANT, PLS 9338
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 SAN LUIS OBISPO, CA 93401

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 245 Higuera Street
 San Luis Obispo, CA 93401
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 abovegradeengineering.com
 A California Corporation
 Scott Stokes PE # 58256

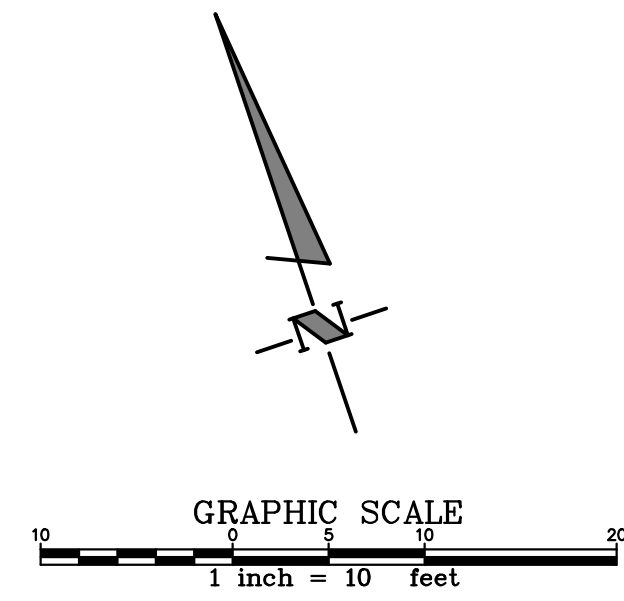
ENGINEER OF RECORD:

 DATE:

**ROURKE AVILA DEVELOPMENT III
 AVILA BEACH, CA**
 PRELIMINARY GRADING PLAN

NO.	REVISION	DATE

DESIGNED: SJS
 DRAWN: RH
 JOB NUMBER: 21100
 SHEET:
C1.0
 DATE: JULY 29, 2021



VESTING TENTATIVE TRACT MAP - TRACT 3184

250 & 254 SAN MIGUEL STREET, AVILA BEACH, CA 93424 (APN: 076-205-037, 076-205-038)

TREE EXHIBIT



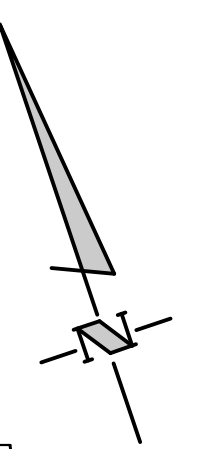
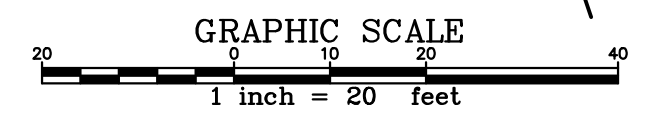
TREE LEGEND

(#) CONSTRUCTION NOTE

1 EXISTING TREE TO REMAIN

2 REMOVE TREE

NOTE: TREE DIAMETER AND TYPE LISTED IF KNOWN.



JOB#: 21100
DATE: August 11, 2021

SHEET NUMBER:

EX-1

ABOVE GRADE ENGINEERING

245 Higuera Street, San Luis Obispo, CA 93401
phone: (805) 540-5115

A California Corporation • Scott Stuber PE # 58256



First American Title

First American Title Company

899 Pacific Street
San Luis Obispo, CA 93401

Scott Stokes
Above Grade Engineering
245 Higuera Street
San Luis Obispo, CA 93401

Title Officer: Lisa Irot
Phone: (805)786-2042
Fax No.: (866)397-7092
E-Mail: lirot@firstam.com

Owner: Rourke
Property: 254 & 250 San Miguel St
Avila Beach, CA 93424

PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of August 19, 2021 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

To Be Determined

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Marcy W. Rourke, Trustee of the Marcy W. Rourke Separate Property Trust dated March 16, 2017 as to Parcel A and John Rourke, Trustee of the John Rourke Separate Property Trust dated March 16, 2017 as to Parcel B

The estate or interest in the land hereinafter described or referred to covered by this Report is:

Fee simple.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. Taxes and assessments not examined. A.P.N.'s 076-205-037 & 076-205-038
2. An easement for PUBLIC UTILITIES and incidental purposes, recorded September 23, 1952 as INSTRUMENT NO. 12582, [BOOK 677, PAGE 165](#) of Official Records.
In Favor of: PACIFIC GAS AND ELECTRIC COMPANY AND THE PACIFIC
TELEPHONE AND TELEGRAPH COMPANY, A CALIFORNIA
CORPORATION
Affects: AS DESCRIBED THEREIN
3. The terms and provisions contained in the document entitled "NOTICE OF ACTUAL AND/OR POTENTIAL CONTAMINATION PROXIMATE TO REAL PROPERTY" recorded December 09, 1998 as INSTRUMENT NO. [1998-081884](#) of Official Records.
4. The effect of a map purporting to show the land and other property, filed [BOOK 112, PAGE 11](#) of Record of Surveys.
5. The terms and provisions contained in the document entitled "AGREEMENT TO ADJUST LOT LINE" recorded MAY 18, 2016 as INSTRUMENT NO. 16-22621 of Official Records.

6. A deed of trust to secure an original indebtedness of \$690,000.00 recorded December 31, 2020 as Instrument No. [2020-078854](#) of Official Records.

Dated: December 30, 2020
Trustor: Marcy W. Rourke, a married woman as her sole and separate property
Trustee: First American Title Company
Beneficiary: Flagstar Bank, FSB

(Affects Parcel A)

7. A deed of trust to secure an original indebtedness of \$1,800,000.00 recorded April 29, 2021 as Instrument No. [2021-032208](#) of Official Records.

Dated: March 16, 2021
Trustor: John Rourke, Trustee of the John Rourke Separate Property Trust dated March 16, 2017
Trustee: First American Title Company, a Nebraska Corporation
Beneficiary: Strobel Limited Partnership

(Affects Parcel B)

INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

LEGAL DESCRIPTION

Real property in the unincorporated area of the County of San Luis Obispo, State of California, described as follows:

PARCEL A: CERTIFICATE OF COMPLIANCE 2016-11399 (A.P.N. 076-205-037)

ALL THAT PORTION OF THE SUBDIVISIONS OF THE RANCHO SAN MIGUELITO, IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP FILED FOR RECORD MAY 5, 1882, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAN MIGUEL AND SECOND STREETS, AS SAID STREETS ARE SHOWN ON THE MAP OF THE TOWN OF AVILA, FILED FOR RECORD AUGUST 20, 1875, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID SAN MIGUEL STREET, 240 FEET TO THE TRUE POINT OF BEGINNING; THENCE RUNNING FROM SAID TRUE POINT OF BEGINNING SOUTHWESTERLY ALONG SAID EASTERLY LINE OF SAN MIGUEL STREET, 50 FEET; THENCE SOUTHEASTERLY AND PARALLEL WITH THE NORTHERLY LINE OF SECOND STREET, 150 FEET; THENCE NORTHEASTERLY AND PARALLEL WITH SAID EASTERLY LINE OF SAN MIGUEL STREET, 50 FEET; THENCE NORTHWESTERLY AND PARALLEL WITH SAID NORTHERLY LINE OF SECOND STREET, 150 FEET TO THE POINT OF BEGINNING.

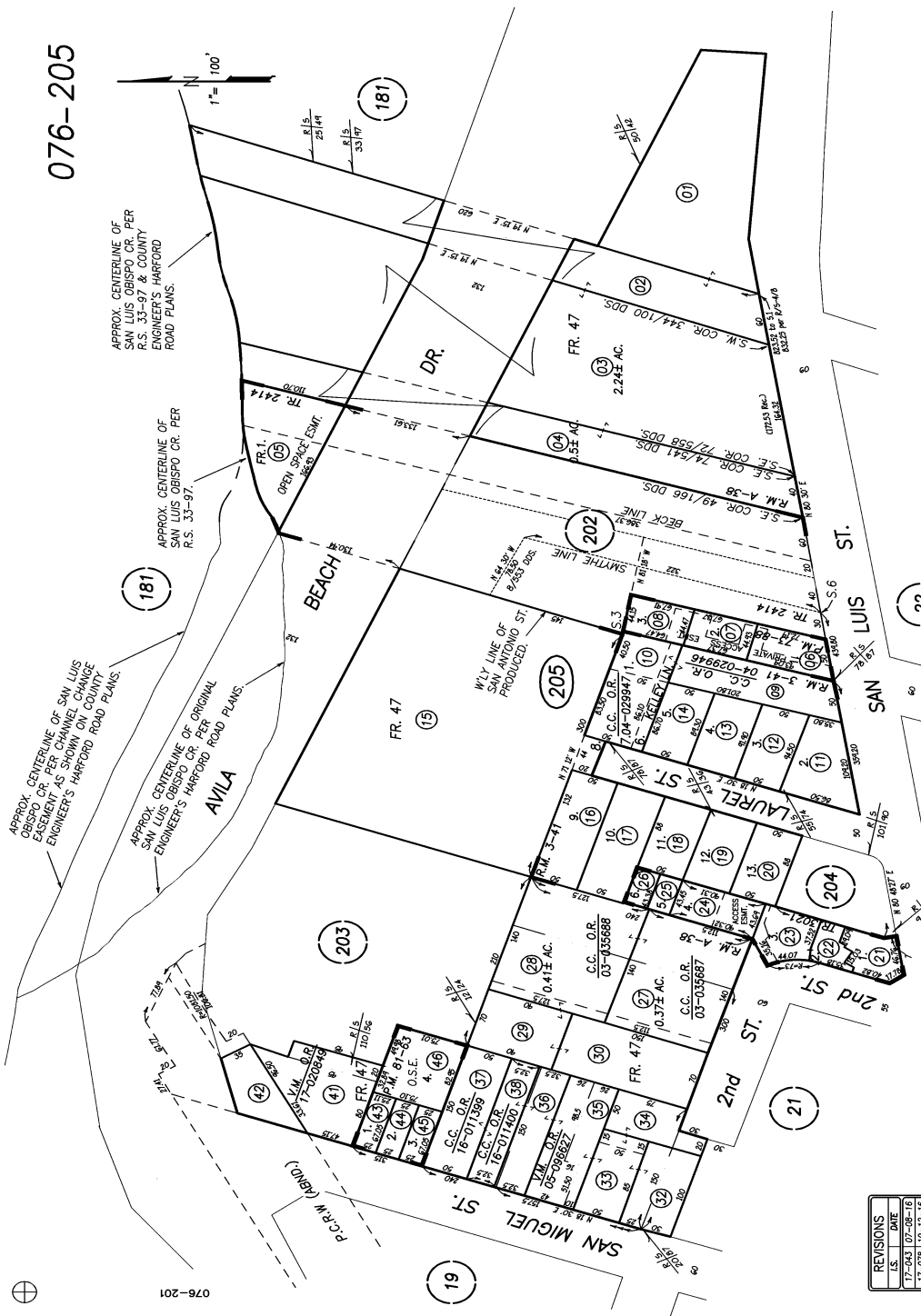
PARCEL B: CERTIFICATE OF COMPLIANCE 2016-11400 (A.P.N. 076-205-038)

ALL THAT PORTION OF THE SUBDIVISIONS OF THE RANCHO SAN MIGUELITO, IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP IN [BOOK A, PAGE 38](#) FILED FOR RECORD MAY 5, 1882, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAN MIGUEL AND SECOND STREETS, AS SAID STREETS ARE SHOWN ON THE MAP OF THE TOWN OF AVILA, FILED FOR RECORD AUGUST 20, 1875, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID SAN MIGUEL STREET, 157.5 FEET TO THE TRUE POINT OF BEGINNING; THENCE RUNNING FROM SAID POINT OF BEGINNING NORTHEASTERLY ALONG SAID EASTERLY LINE OF SAN MIGUEL STREET, 32 1/2 FEET TO THE SOUTHWESTERLY CORNER OF THE PROPERTY CONVEYED TO ANNIE SIMAS DE AGUSTINO, BY DEED RECORDED SEPTEMBER 21, 1922, IN [BOOK 157, AT PAGE 341](#) OF DEEDS; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF THE PROPERTY SO CONVEYED TO ANNIE DE AGUSTINO, 150 FEET TO THE WESTERLY LINE OF THE PROPERTY CONVEYED TO LENORA S. SCURI, BY DEED RECORDED SEPTEMBER 28, 1922, IN [BOOK 157, AT PAGE 387](#) OF DEEDS; THENCE SOUTHWESTERLY ALONG SAID WESTERLY LINE OF THE PROPERTY SO CONVEYED TO LENORA S. SCURI 32 1/2 FEET; THENCE NORTHWESTERLY AND PARALLEL WITH THE NORTHERLY LINE OF SECOND STREET, 150 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO A.C. FIGUEIREDO, ET UX, BY DEED DATED OCTOBER 22, 1947, AND RECORDED OCTOBER 28, 1947, IN [BOOK 456, AT PAGE 392](#) OF OFFICIAL RECORDS.

076-205



AVILA BEACH
ASSESSOR'S MAP
SAN LUIS OBISPO, CA.
BOOK 076 PAGE 205

TRACT NO. 2414, R.M. Bk. 22, Pg. 67-70.
TOP OF THE HILL; TRACT NO. 3021, R.M. Bk. 34, Pg. 80-83.
JUNIOR ADDITION TO THE TOWN OF AVILA, R.M. Bk. 3, Pg. 41.
PORTION OF RANCHO SAN MIGUELITO, R.M. Bk. A, Pg. 38.

50' 0 100' 200'
THIS MAP IS PREPARED FOR
ASSESSMENT PURPOSES ONLY.

REVISIONS	
L.S.	DATE
17-043	07-08-16
17-078	10-12-16
18-073	10-19-18
20-082	11-20-19

NOTICE

Section 12413.1 of the California Insurance Code, effective January 1, 1990, requires that any title insurance company, underwritten title company, or controlled escrow company handling funds in an escrow or sub-escrow capacity, wait a specified number of days after depositing funds, before recording any documents in connection with the transaction or disbursing funds. This statute allows for funds deposited by wire transfer to be disbursed the same day as deposit. In the case of cashier's checks or certified checks, funds may be disbursed the next day after deposit. In order to avoid unnecessary delays of three to seven days, or more, please use wire transfer, cashier's checks, or certified checks whenever possible.

EXHIBIT A
LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS (BY POLICY TYPE)

CLTA STANDARD COVERAGE POLICY – 1990
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material unless such lien is shown by the public records at Date of Policy.

CLTA/ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;

- d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.
- This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
 3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
 4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
 5. Failure to pay value for Your Title.
 6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
 7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
 8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
 9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:
For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.
The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16:	1% of Policy Amount Shown in Schedule A or \$2,500 (whichever is less)	\$10,000
Covered Risk 18:	1% of Policy Amount Shown in Schedule A or \$5,000 (whichever is less)	\$25,000
Covered Risk 19:	1% of Policy Amount Shown in Schedule A or \$5,000 (whichever is less)	\$25,000
Covered Risk 21:	1% of Policy Amount Shown in Schedule A or \$2,500 (whichever is less)	\$5,000

2006 ALTA LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
 5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
 6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
 7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

[Except as provided in Schedule B - Part II, [t[or T]his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

[PART I

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material unless such lien is shown by the Public Records at Date of Policy.

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:]

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 or 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
 5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of: [The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material unless such lien is shown by the Public Records at Date of Policy.
7. [Variable exceptions such as taxes, easements, CC&R's, etc. shown here.]

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the

Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.

7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.



Privacy Notice

Effective: January 1, 2020

Notice Last Updated: January 1, 2020

This Privacy Notice describes how First American Financial Corporation and its subsidiaries and affiliates (together referred to as "First American," "we," "us," or "our") collect, use, store, and share your information. This Privacy Notice applies to information we receive from you offline only, as well as from third parties. For more information about our privacy practices, please visit <https://www.firstam.com/privacy-policy/index.html>. The practices described in this Privacy Notice are subject to applicable laws in the places in which we operate.

What Type Of Information Do We Collect About You? We collect both **personal** and **non-personal information** about and from you. **Personal information** is non-public information that can be used to directly or indirectly identify or contact you. **Non-personal information** is any other type of information.

How Do We Collect Your Information? We collect your **personal** and **non-personal information**: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

How Do We Use Your Information? We may use your personal information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. We may use your **non-personal information** for any purpose.

How Do We Share Your Personal Information? We do not sell your **personal information** to nonaffiliated third parties. We will only share your **personal information**, including to subsidiaries, affiliates, and to unaffiliated third parties: (1) with your consent; (2) in a business transfer; (3) to service providers; and (4) for legal process and protection. If you have any questions about how First American shares your **personal information**, you may contact us at dataprivacy@firstam.com or toll free at 1-866-718-0097.

How Do We Secure Your Personal Information? The security of your **personal information** is important to us. That is why we take commercially reasonable steps to make sure your **personal information** is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your **personal information**.

How Long Do We Keep Your Personal Information? We keep your **personal information** for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.

Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your **personal information**. In accordance with applicable law, your controls and choices. You can learn more about your choices, and exercise these controls and choices, by sending an email to dataprivacy@firstam.com or toll free at 1-866-718-0097.

International Jurisdictions: Our Products are hosted and offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Products from another country, please be advised that you may be transferring your **personal information** to us in the US, and you consent to that transfer and use of your **personal information** in accordance with this Privacy Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Products, and your agreements with us.

We may change this Privacy Notice from time to time. Any and all changes to this Privacy Notice will be reflected on this page, and where appropriate provided in person or by another electronic method. **YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR PRODUCTS OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THIS PRIVACY NOTICE.**

Contact Us dataprivacy@firstam.com or toll free at 1-866-718-0097.



For California Residents

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018 (“CCPA”). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

Right to Know. You have a right to request that we disclose the following information to you: (1) the categories of **personal information** we have collected about or from you; (2) the categories of sources from which the **personal information** was collected; (3) the business or commercial purpose for such collection and/or disclosure of your personal information; (4) the categories of third parties with whom we have shared your **personal information**; and (5) the specific pieces of your **personal information** we have collected. To submit a verified request for this information, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097 and submitting written proof of such authorization to dataprivacy@firstam.com.

Right of Deletion. You also have a right to request that we delete the **personal information** we have collected from you. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for deletion, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097 and submitting written proof of such authorization to dataprivacy@firstam.com.

Verification Process. For either a request to know or delete, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the personal information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Right to Opt-Out. We do not sell your personal information to third parties, and do not plan to do so in the future.

Right of Non-Discrimination. You have a right to exercise your rights under California law, including under the CCPA, without suffering discrimination. Accordingly, First American will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

Collection Notice. The following is a list of the categories of personal information we may have collected about California residents in the twelve months preceding the date this Privacy Notice was last updated, including the business or commercial purpose for said collection, the categories of sources from which we may have collected the personal information, and the categories of third parties with whom we may have shared the personal information:

Categories of Personal Information Collected	The categories of personal information we have collected include, but may not be limited to: real name; signature; alias; SSN; physical characteristics or description, including protected characteristics under federal or state law; address; telephone number; passport number; driver’s license number; state identification card number; IP address; policy number; file number; employment history; bank account number; credit card number; debit card number; financial account numbers; commercial information; internet or other electronic network activity; geolocation data; audio and visual information; professional or employment information; and inferences drawn from the above categories to create a profile about a consumer.
Categories of Sources	Categories of sources from which we’ve collected personal information include, but may not be limited to: the consumer directly; public records; governmental entities; non-affiliated third parties; social media networks; affiliated third parties
Business Purpose for Collection	The business purposes for which we’ve collected personal information include, but may not be limited to: completing a transaction for our Products; verifying eligibility for employment; facilitating employment; performing services on behalf of affiliated and non-affiliated third parties; debugging to identify and repair errors that impair existing intended functionality on our Websites, Applications, or Products; protecting against malicious, deceptive, fraudulent, or illegal activity



Categories of Third Parties Shared	The categories of third parties with whom we've shared personal information include, but may not be limited to: advertising networks; internet service providers; data analytics providers; service providers; government entities; operating systems and platforms; social media networks; non-affiliated third parties; affiliated third parties
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Categories of Personal Information We Have Sold In The Past Year. We have not sold any personal information of California residents to any third party in the twelve months preceding the date this Privacy Notice was last updated.

Categories of Personal Information Disclosed For A Business Purpose In The Past Year. The following is a list of the categories of **personal information** of California residents we may have disclosed for a business purpose in the 12 months preceding the date this Privacy Notice was last updated: The categories of personal information we have collected include, but may not be limited to: real name; signature; alias; SSN; physical characteristics or description, including protected characteristics under federal or state law; address; telephone number; passport number; driver's license number; state identification card number; IP address; policy number; file number; employment history; bank account number; credit card number; debit card number; financial account numbers; commercial information; internet or other electronic network activity; geolocation data; audio and visual information; professional or employment information; and inferences drawn from the above categories to create a profile about a consumer.

July 5, 2021

Project: 250 & 254 San Miguel Street, Avila Beach

Project Description

250 San Miguel Street and 254 San Miguel Street are two adjacent existing parcels with frontage on San Miguel Street in Avila Beach. The two parcels are 0.10 acres and 0.17 acres with a gross area of 0.28 acres. The proposed project consists of subdividing the two parcels into five lots and constructing three new residential units. One of the five units will be designated and sold as moderate affordable housing which allows an increase in density and deviation from the development standards under state law. Although the base density is sufficient for the proposed project, the development standards deviations provided with density bonus law will allow the property to be subdivided and developed.

Project Data

250 & 254 San Miguel Street, Avila Beach, CA
APN 076-205-037 & 076-205-038
Gross Lot Area: 0.28 acres
Zoning: RMF

Code Analysis

ZONING per Chapter 23 of County of San Luis Obispo Municipal Code

Parcel size standards - Section 23.04.28

The minimum allowable parcel size is determined by the largest of the following site factors:

Road type = Local; 6,000 sf

Average slope = 22% outside GSA; 8,500 sf

Community Sewer = 6,000 sf

Therefore the minimum parcel size should be 8,500 sf, however neither of the existing parcels meet this requirement at 4,481 sf and 7,535 sf.

Grading standards - Section 23.05.034

Grading for siting of new development is limited to slopes less than 20% with exceptions that allow for grading on slopes between 20% and 30%.

The proposed new units are located at the base of a hillside with a foundation cut into and retaining the earth. The driveway and front of the units will be constructed on relatively level ground while the rear of the units will be cut into an existing slope of roughly 40%. This does not present significant grading impacts since the only grading on slopes over 20% will occur within the building footprint.

Maximum development density – Section 23.04.084

The density intensity factor is the lowest obtained from any of the following criteria:

Type of Road Access = Paved local street; MEDIUM

Sewer Service = Community Sewer; HIGH

Distance from Central Business District = <1000 ft.; HIGH

Allowable Density for an intensity factor of MEDIUM:

Maximum units per acre = 26

Maximum floor area = 48%

Minimum open area = 45%

Therefore, with 0.28 acres x 26 du/ac = 7.3 du

Base Density

Based on the RMF zoning, the residential density is 26 du/ac

0.28 acres x 26 du/ac = 7.3 du

The CA Density Bonus Statute 65915(q) and (r) allow, “**each component** of any density calculation including base density and bonus density, resulting in fractional units shall be **separately rounded up** to the net whole number. The Legislature finds and declares that this provision is declaratory of existing law. (r) This chapter shall be interpreted liberally in favor of producing the maximum number of total housing units.” Further, per Section 65915(a)(1) below, “When an applicant seeks a density bonus for a housing development withinthe jurisdiction of a city, county or county and city, that local government shall comply with this section.” Meaning the entire section, including (q) and (r) above. 7

Therefore, our base density for this project would be rounded up to 8 dwelling units.

Bonus Density

We will designate one unit as moderate income, therefore

1 moderate income unit / 5 base dwelling units = 20% affordable

Percentage Moderate Income Units	Percentage Density Bonus
20	15

From the above table 20% of the affordable units being Moderate income is equal to a 15% density bonus.

8 based density * 1.15 = 9.2 density units which would be rounded up to **10 density units total.**

The project is proposing 5 units.

Below are additional specific codes section from the CA State Density bonus statute justifying our calculations:

Section 65915(a)(1) “When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within the jurisdiction of a city, county or city and county, that local government shall comply with this section. A city, county, or city and county shall adopt an ordinance that specifies how compliance with this section will be implemented. Failure to adopt an ordinance shall not relieve a city, county or city and county from complying with this section”

65915(b)(1) A city, county, or city and county shall grant one bonus density, the amount of which shall be as specified in subdivision (f), and, if requested by the applicant and consistent with the applicable requirements of this section, incentives or concessions, as described in subdivision (d), waivers or reduction of development standards as described in subdivision (e), and parking ratios described in subdivision (p), when an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the bonus density award pursuant to this section, that will contain at least any one of the following:

Our project complies with section 65915(b)(1)B, in which, “An applicant shall agree to, and the city, county, or city and county shall ensure that, the initial occupant of all for-sale units that qualified the applicant for the award of the density bonus are persons and families of very low, low, or moderate income, as required, and that the units are offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code.

Development Standards

State Law defines development standards in section (o) (1) and specifically states:

“Development standard” includes a site or construction condition, including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation.”

We are requesting a wavier of development standards including but not limited to minimum parcel size, setback requirements, grading on slopes greater than 20%, and any other standards we are not compliant. Only with this wavier will we be allowed to subdivide the property, develop additional housing, and sell an affordable housing unit within this community in need of more and affordable housing.

Environmental Assessment

This project is for infill housing and meets all criteria under CEQA Guidelines §15332, exemption from environmental review. Those guidelines are as follows:

- a. The project is consistent with the applicable general plan designation and all general plan policies as well as within zoning designations and regulations. Although this project may deviate in development standards or ask for incentives in processing, thereby not consistent with the general plan or regulations, it has been established in Wollmer v. City of Berkeley (2011) 193 Cal.App.4th 1329, 1350–1352, 122, that any development standards deviated from or incentives given did not apply to the CEQA exemption

guidelines (ie, compliance with all general plan policies and regulations) because the bonus density law authorized it and must be granted on proper application.

- b. The project is within city limits. This property is within the urban limits of Avila Beach.
- c. The site is 5 acres or less. The total property before division is 0.28 acres.
- d. The site does not have any value as habitat for endangered, rare or threatened species. This site does not.
- e. The project does not result in any significant effects relating to traffic, noise, air or water quality. This project does not.
- f. The site can be adequately served by all needed utilities and public services. This project can.

Therefore, all conditions for exemption from environmental review have been met. Further, CEQA defines exceptions to the exemptions in §15300.2. This project does not meet any of the exceptions and is still qualified for the CEQA exemption from review. The exceptions are as follows:

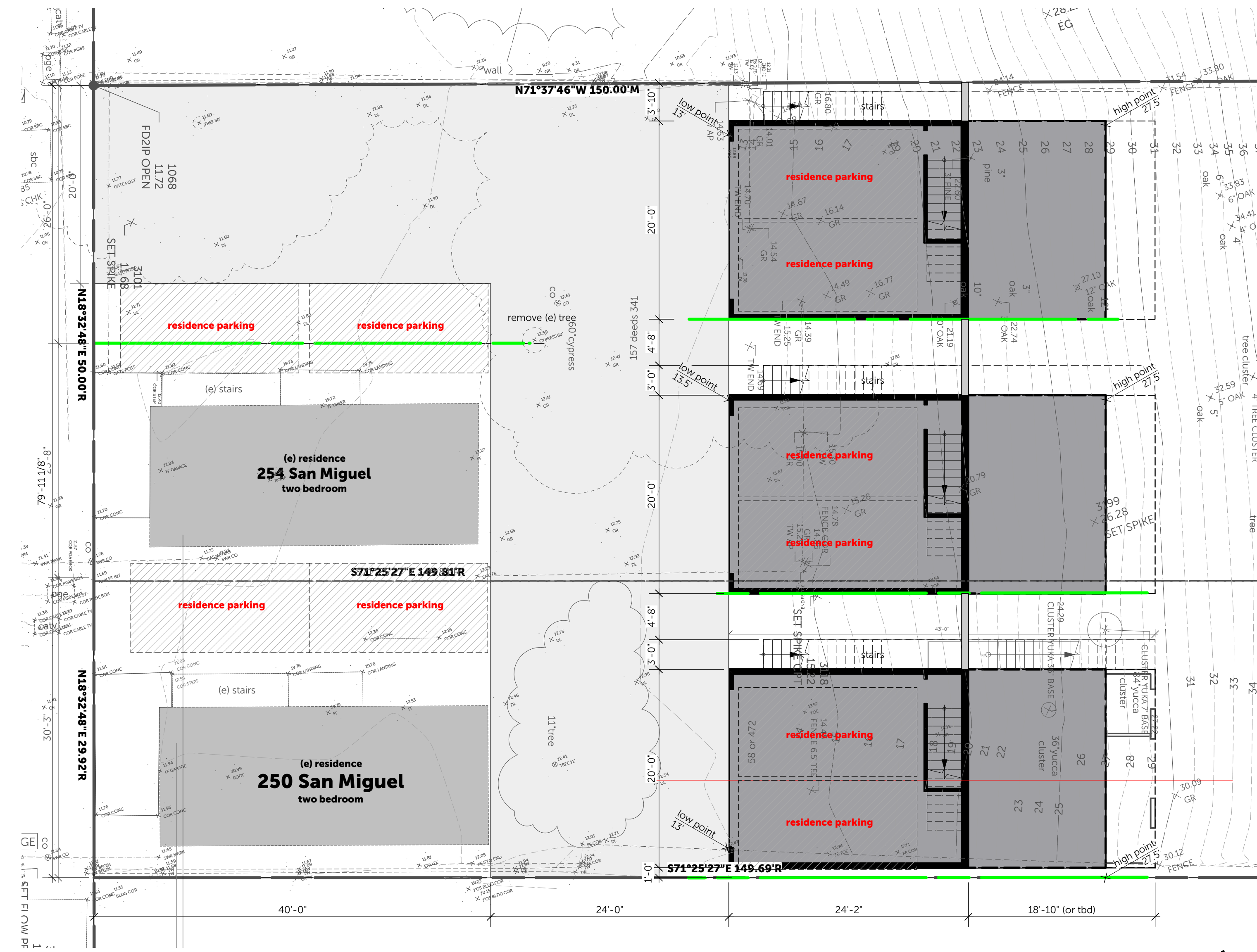
- a. Cumulative Impact – all exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. There is no significant environmental impact or as to traffic, noise, air or water quality, nor threat of future impact.
- b. Significant effect – there will be no categorical exemption where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. This project has no unusual circumstances that would give rise to a significant effect on the environment.
- c. Scenic Highways – inapplicable
- d. Hazardous Waste Sites – inapplicable
- e. Historical Resources – inapplicable

Concessions and Incentives

Section 65915(e)(2) of the state bonus statute says, “A proposal for the **waiver or reduction of development standards** pursuant to this subdivision **shall neither reduce nor increase the number of incentives or concessions** to which the applicant is entitled pursuant to subdivision (d).

Section 65915(d)(2)(B) gives us 2 concessions, “Two incentives or concessions for projects that include at least 17 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a common interest development.” This project has designated 20% of units to be sold as a moderate income unit and therefore entitled to 2 concessions/incentives.

We request that county fees be waived for this project as 1 concession/incentive and reserve the second for further use at this time.



1 ARCHITECTURAL SITE PLAN

Scale: 1/8" = 1'-0"



NEW LOTS - West Elevation
Scale: 1/8" = 1'-0"



All ideas, designs, arrangements and plans indicated or represented by the drawings, reports, specifications, computer files, field data, notes and other documents prepared by JADE ARCHITECTURE as instruments of service are owned by and shall remain the property of JADE ARCHITECTURE and were created and developed for use, and in conjunction with, the specific project described herein. None of said instruments of service shall be used by, or disclosed to any person, firm, or corporation for any purpose and no copying, reproduction or use thereof is permissible without the consent of JADE ARCHITECTURE. JADE ARCHITECTURE shall retain all common law, statutory and other reserved rights, including, without limitation, the copyrights thereto.

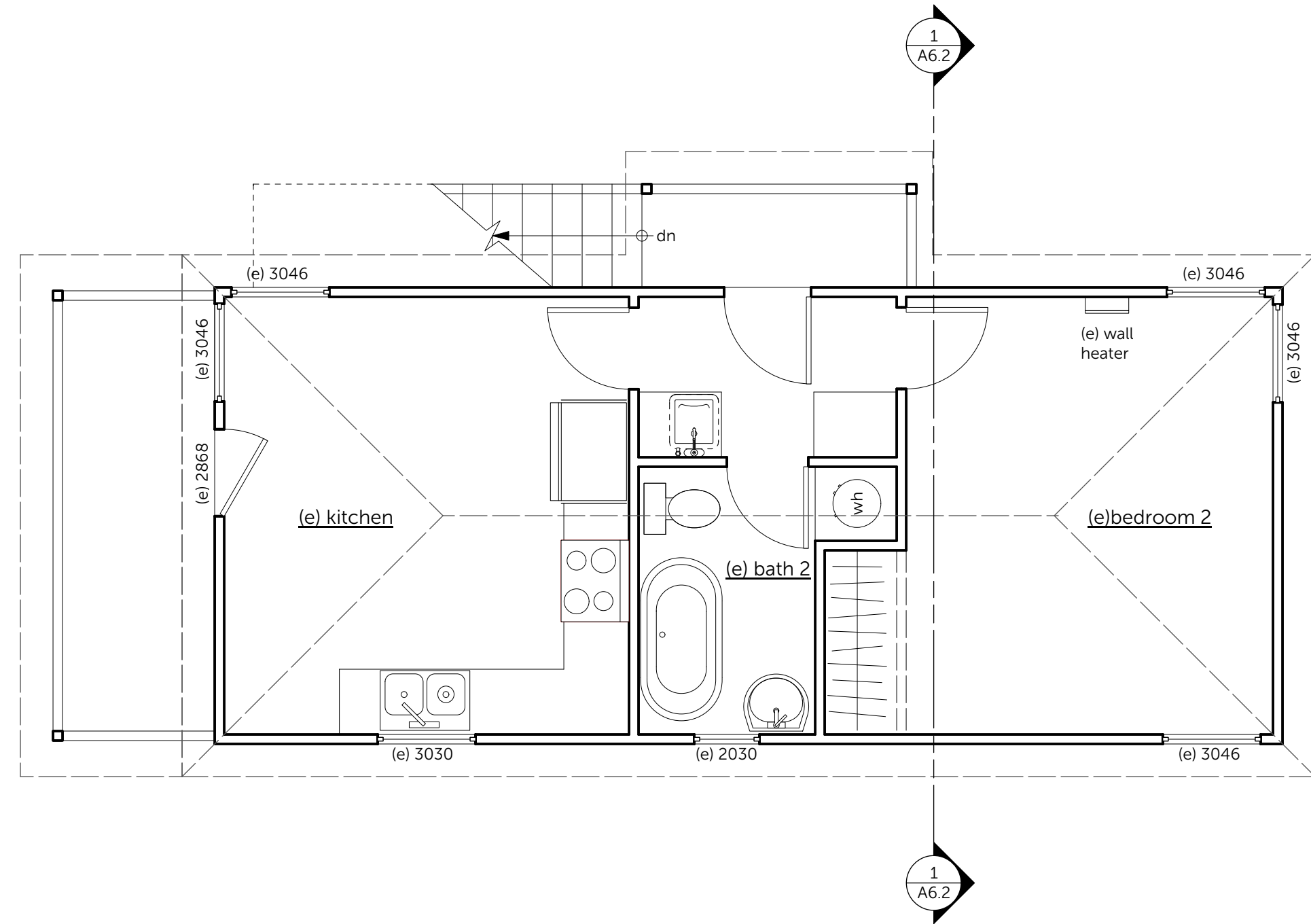
Planned Development
ROURKE AVILA DEVELOPMENT III
 for John Rourke
 250 & 254 San Miguel Street,
 Avila, CA

ARCHITECTURAL SITE PLAN

DATE: August 12, 2021
 JOB NO.: 19-004
 DRAWN BY: A. Edwards
 REVISIONS:

SHEET:
AS1.0

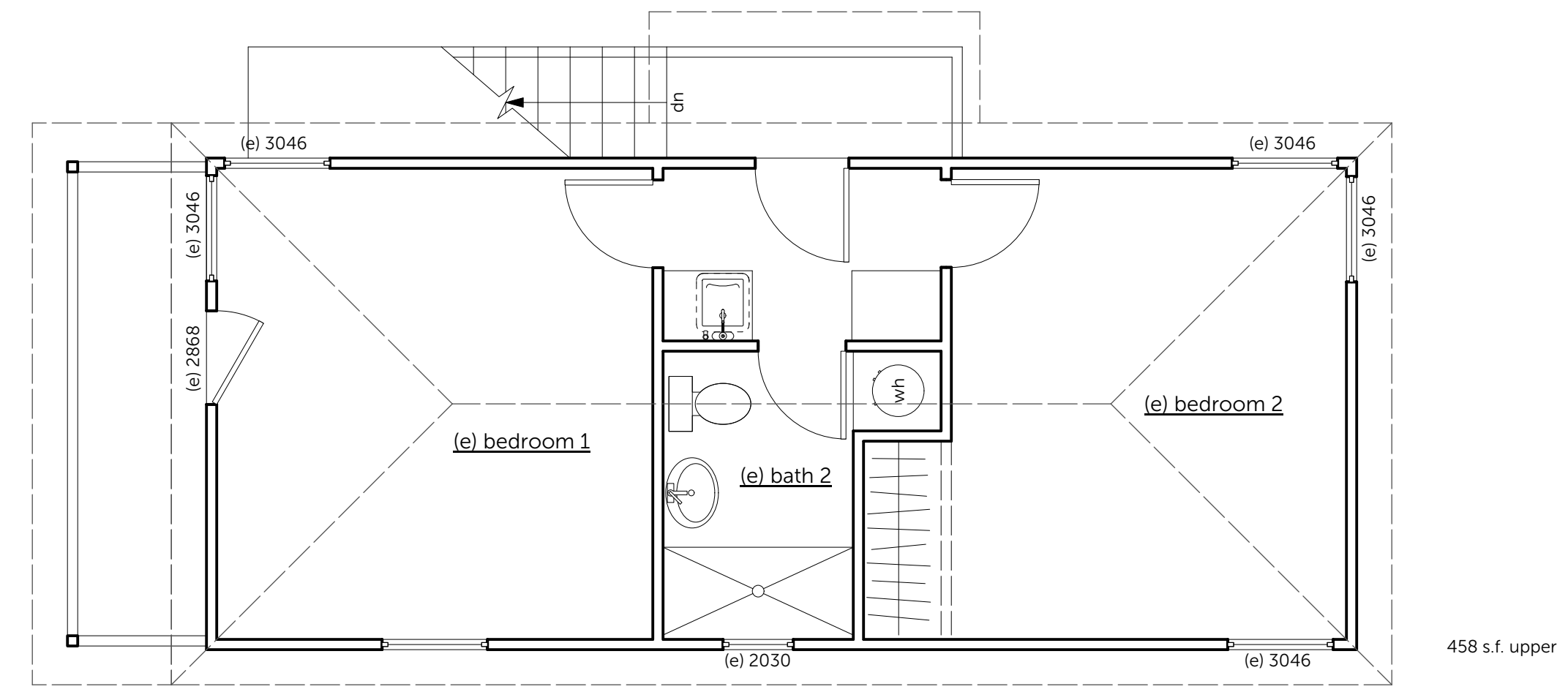
250 San Miguel



250 EXISTING UPPER FLOOR PLAN

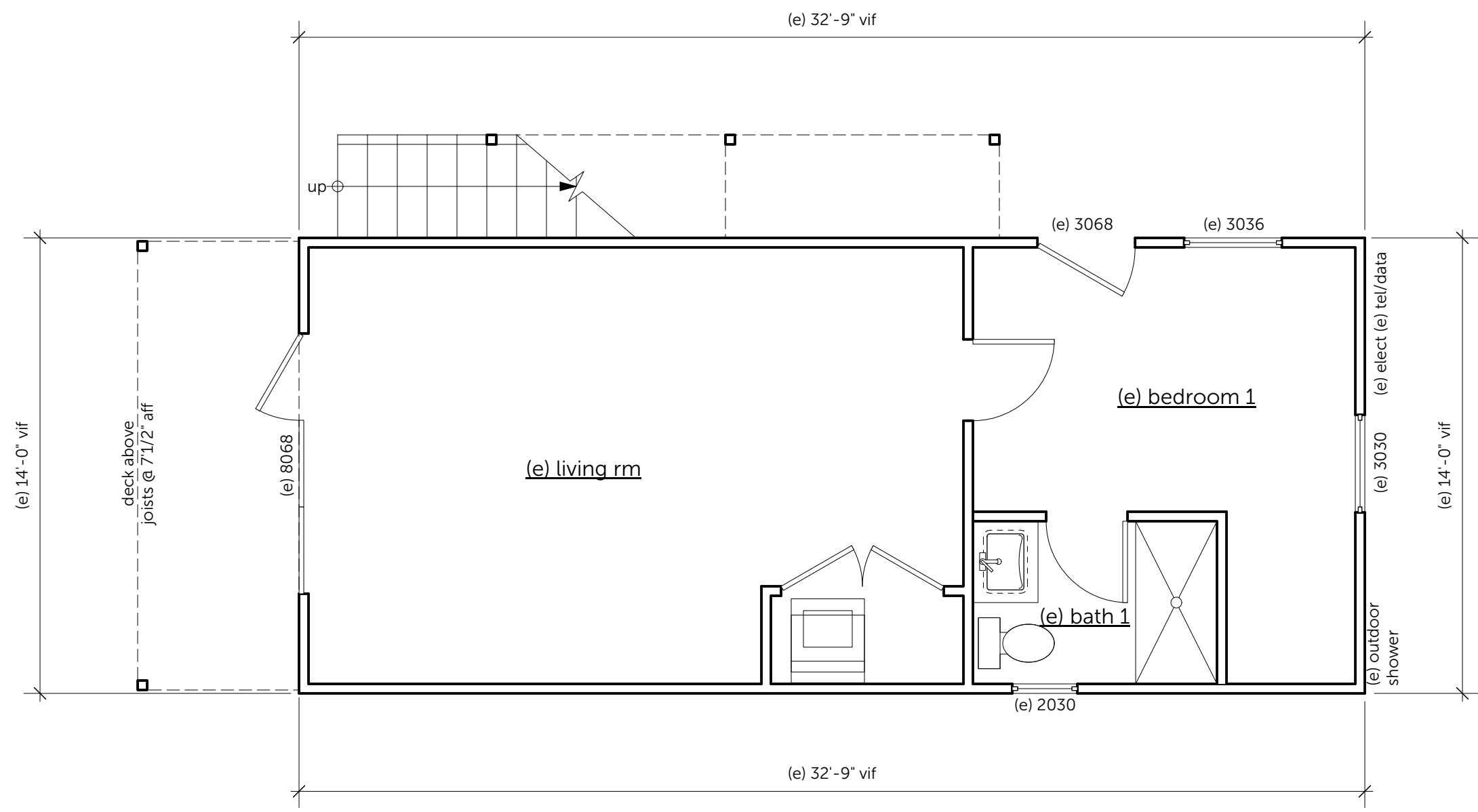
Scale: 1/4" = 1'-0"

254 San Miguel



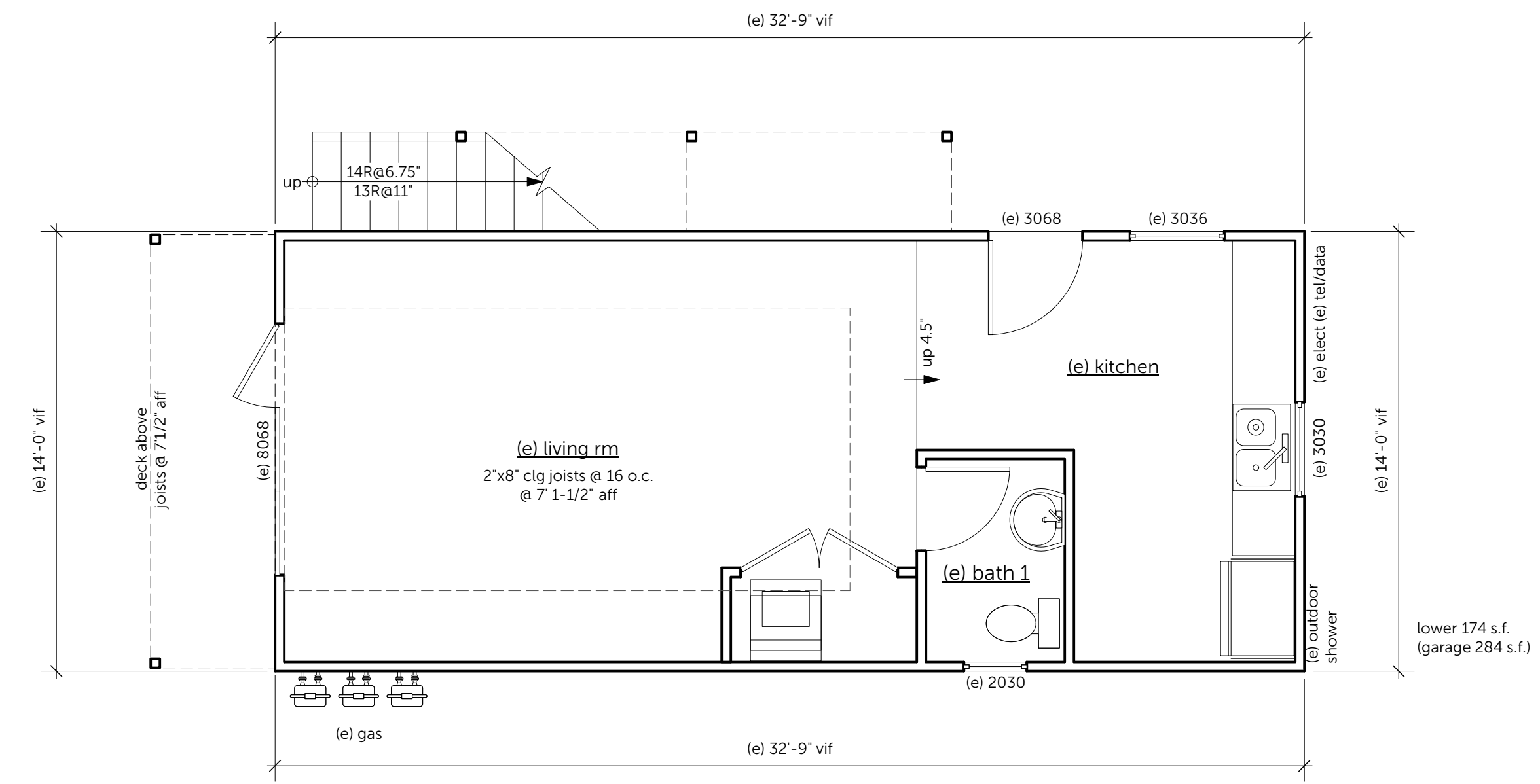
254 EXISTING UPPER FLOOR PLAN

Scale: 1/4" = 1'-0"



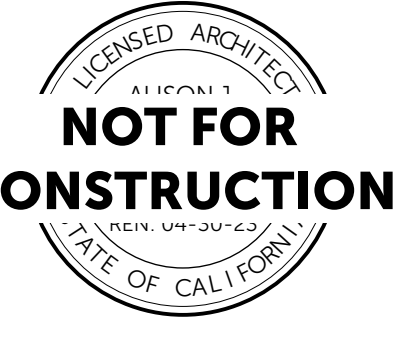
250 EXISTING LOWER FLOOR PLAN

Scale: 1/4" = 1'-0"



254 EXISTING LOWER FLOOR PLAN

Scale: 1/4" = 1'-0"



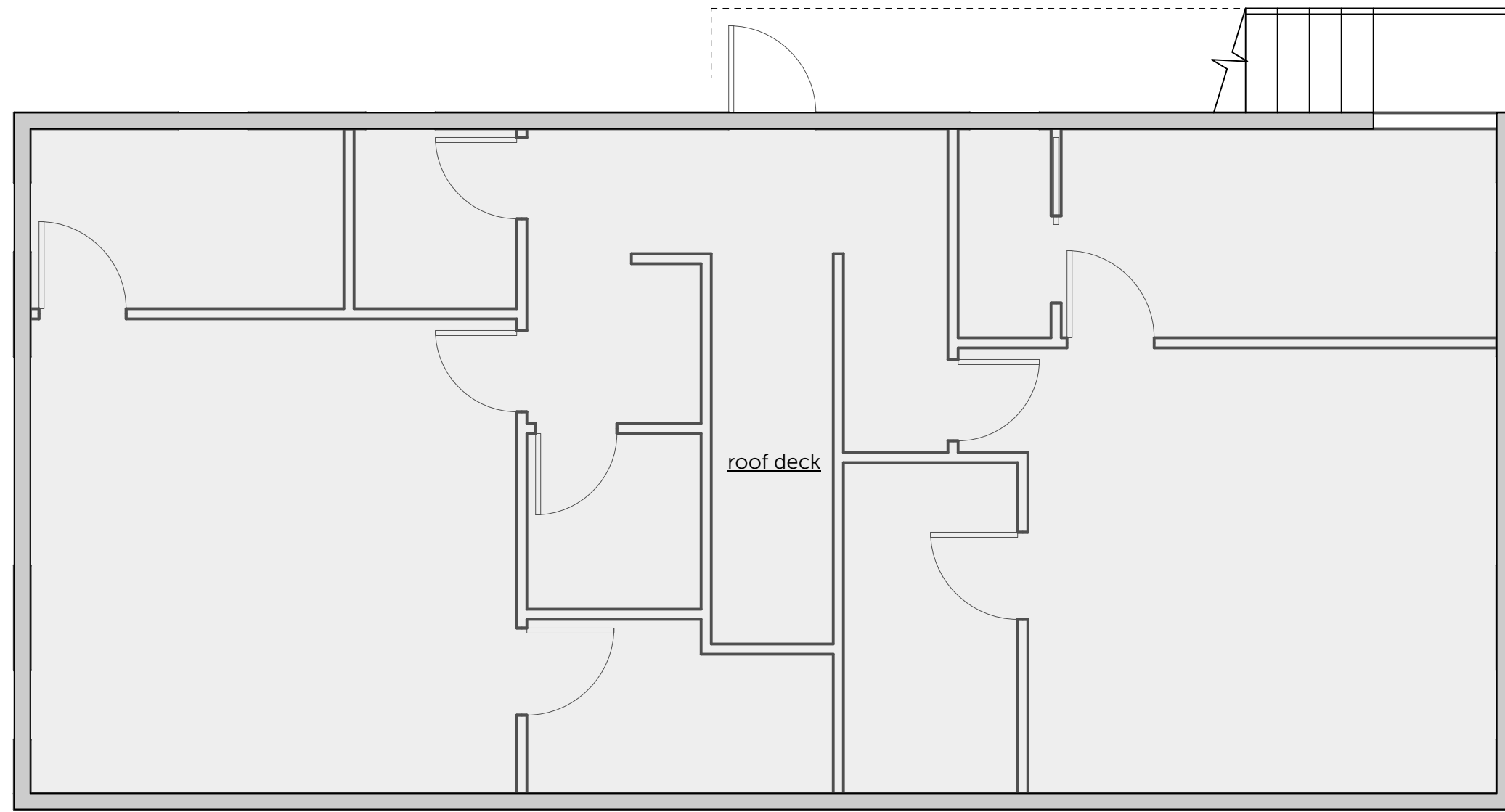
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Planned Development
ROURKE AVILA DEVELOPMENT III
 for John Rourke
 250 & 254 San Miguel Street,
 Avila, CA

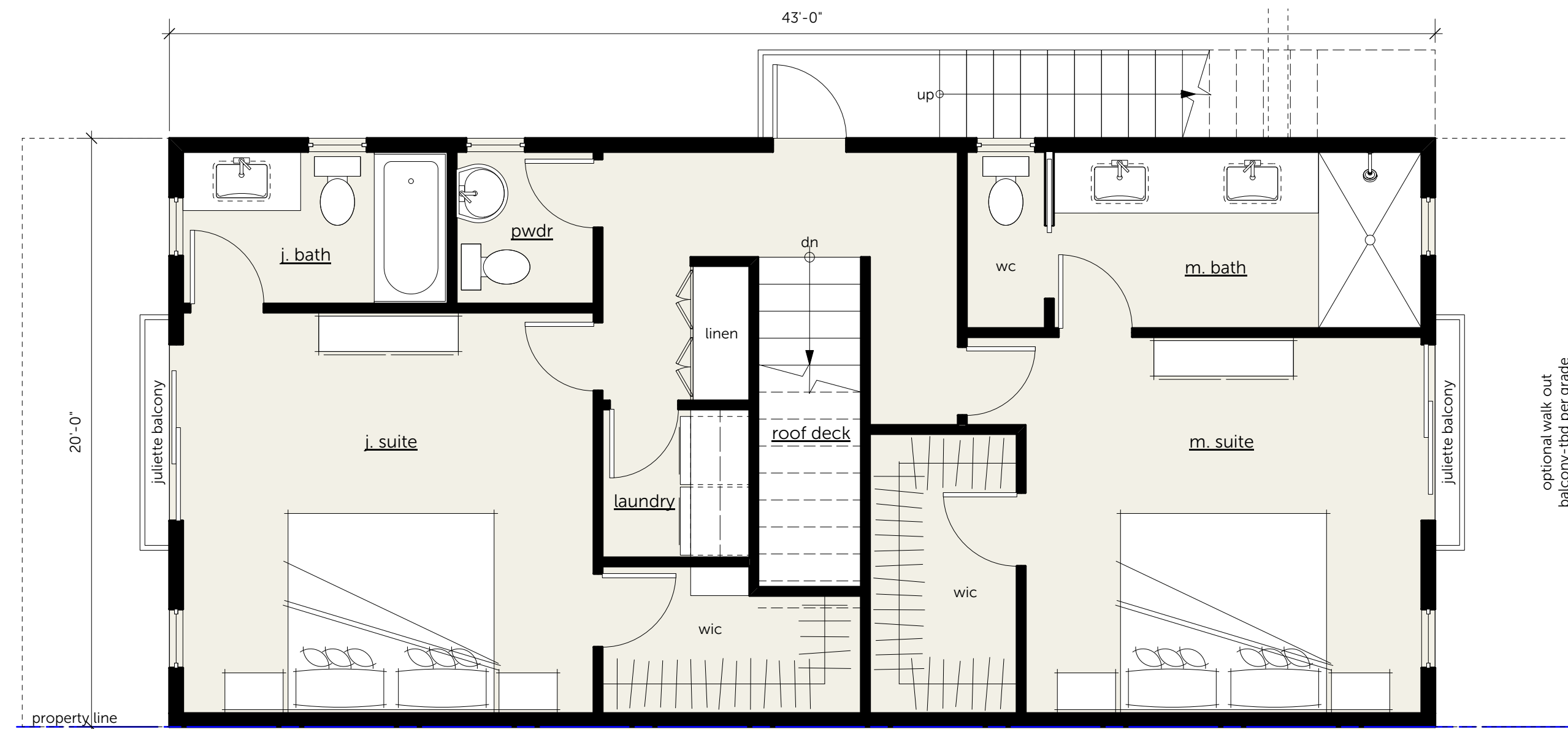
**250 & 254 SAN MIGUEL ST
 EXISTING FLOOR PLANS**

DATE: August 12, 2021
 JOB NO.: 19-004
 DRAWN BY: A. Edwards
 REVISIONS:

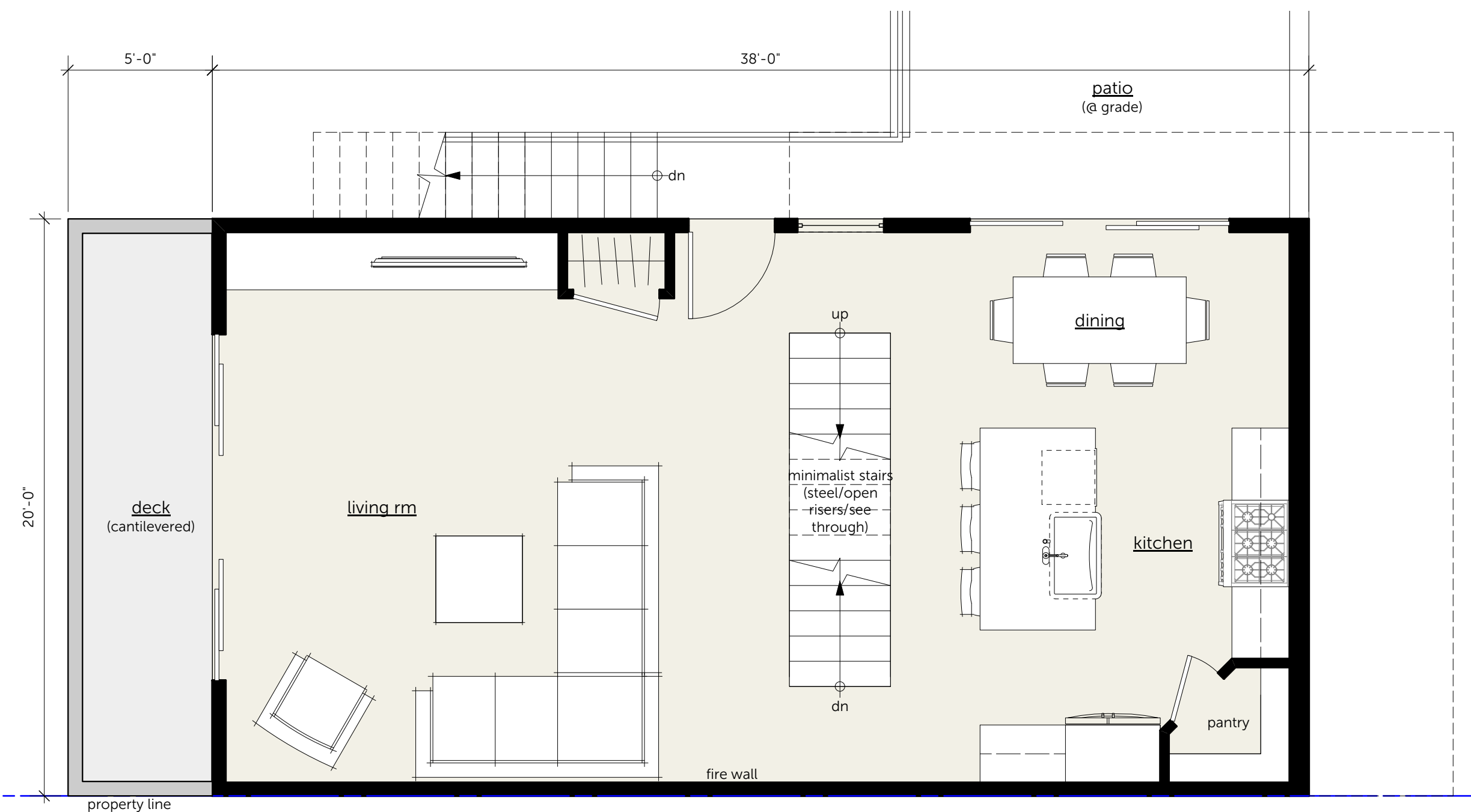
SHEET:
A2.0



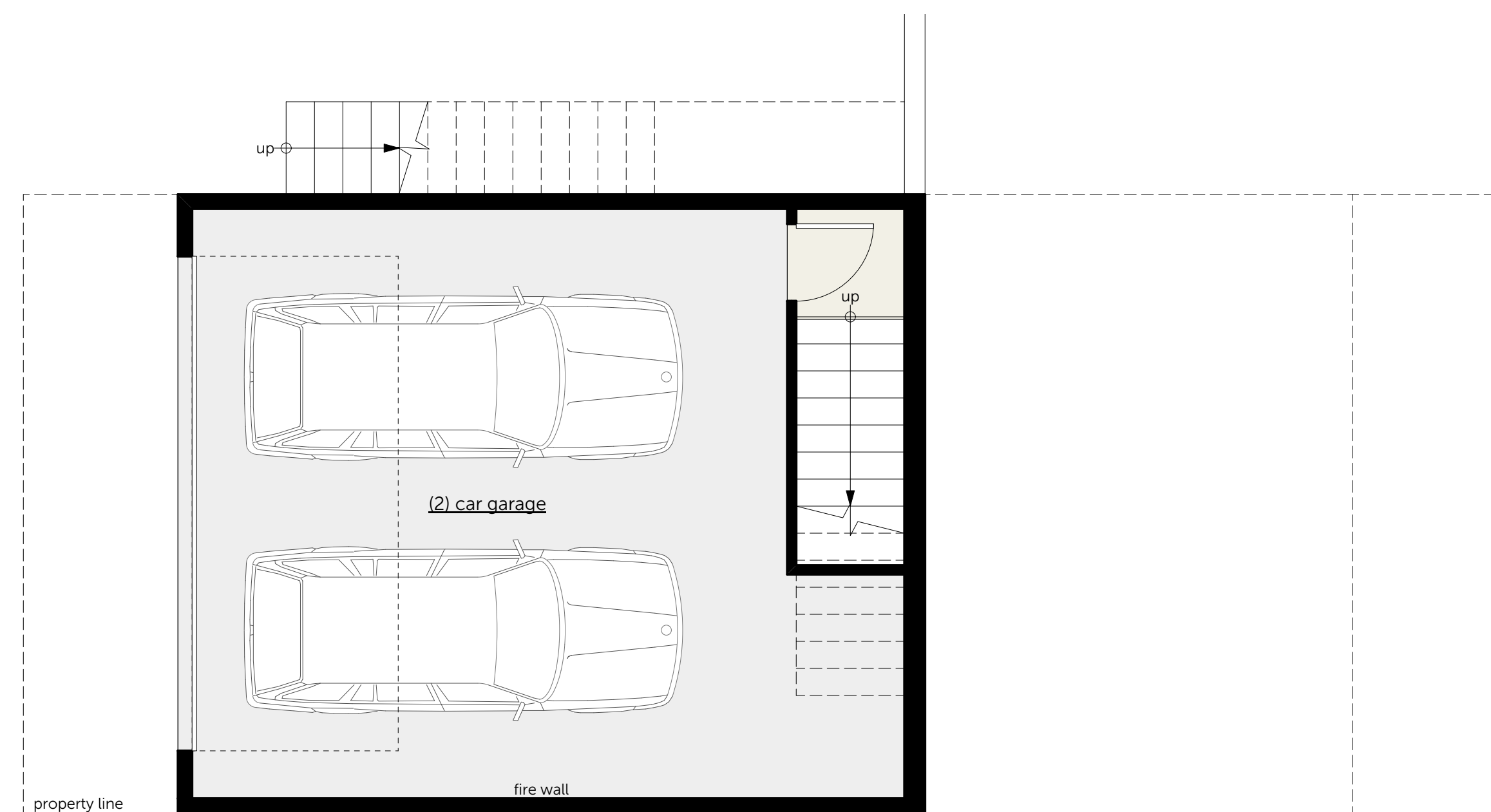
ROOF and ROOF DECK
Scale: 1/4" = 1'-0"



UPPER FLOOR PLAN
Scale: 1/4" = 1'-0"



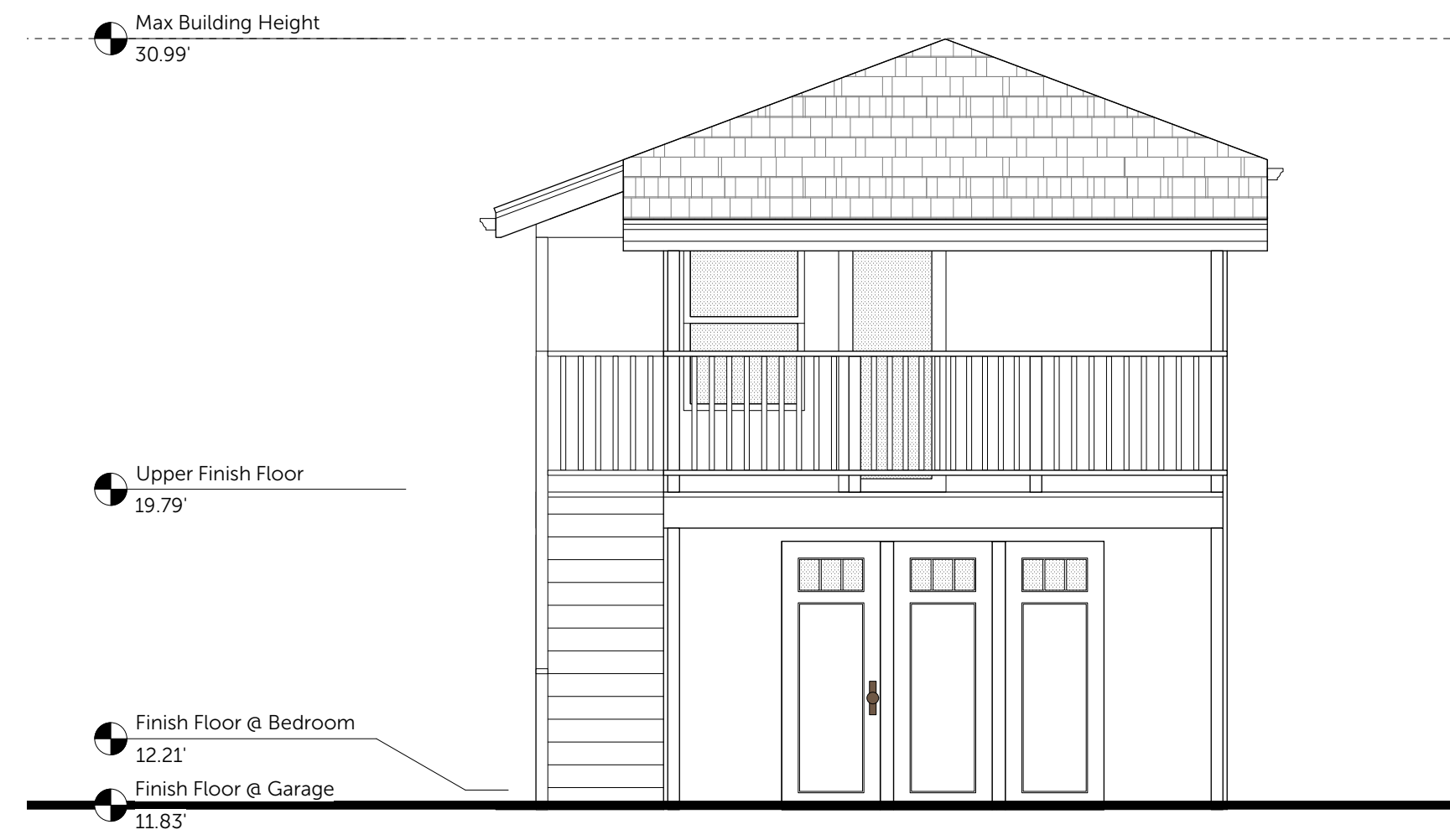
MIDDLE FLOOR PLAN
Scale: 1/4" = 1'-0"



LOWER FLOOR PLAN
Scale: 1/4" = 1'-0"

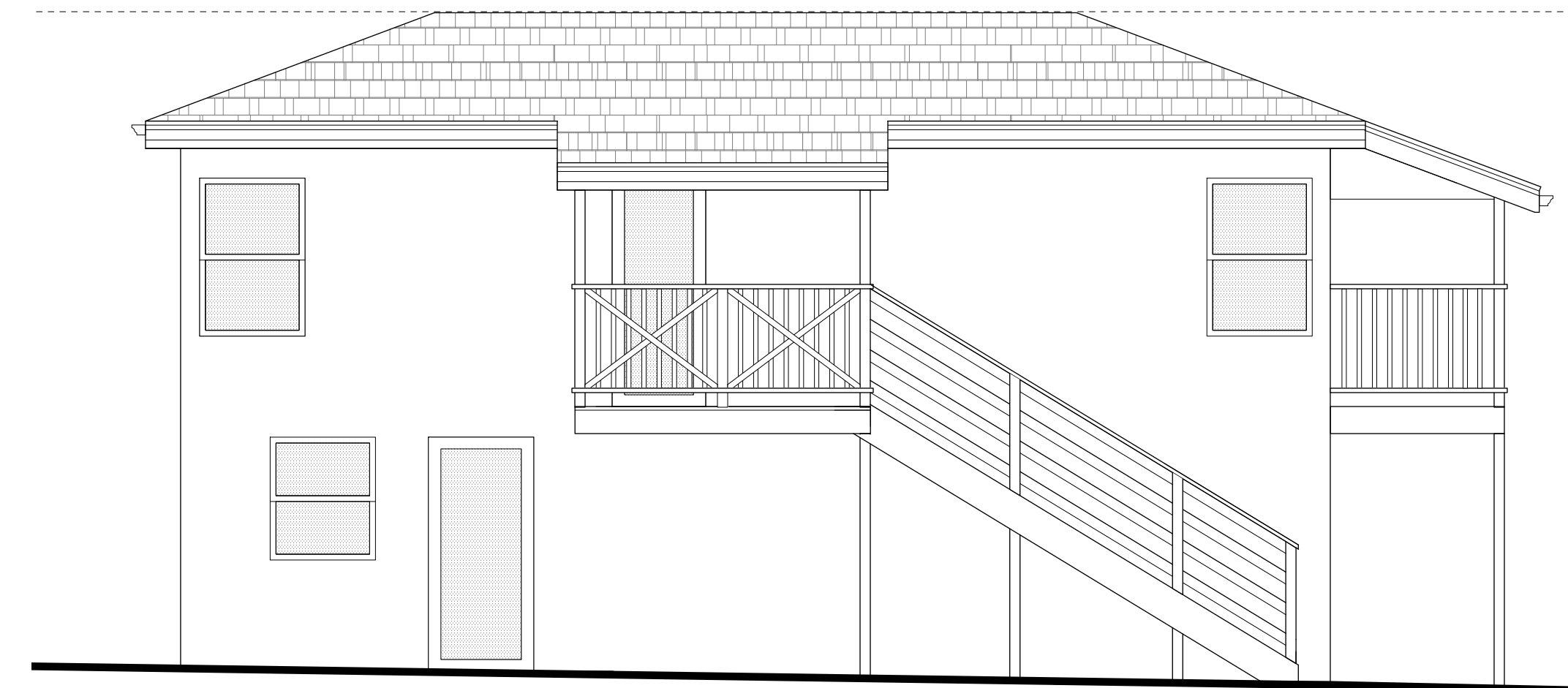
BUILDING AREAS:	
lower	45 s.f.
middle	718 s.f.
upper	820 s.f.
TOTAL	1,588 s.f.

garage	423 s.f.
roof deck	354 s.f.



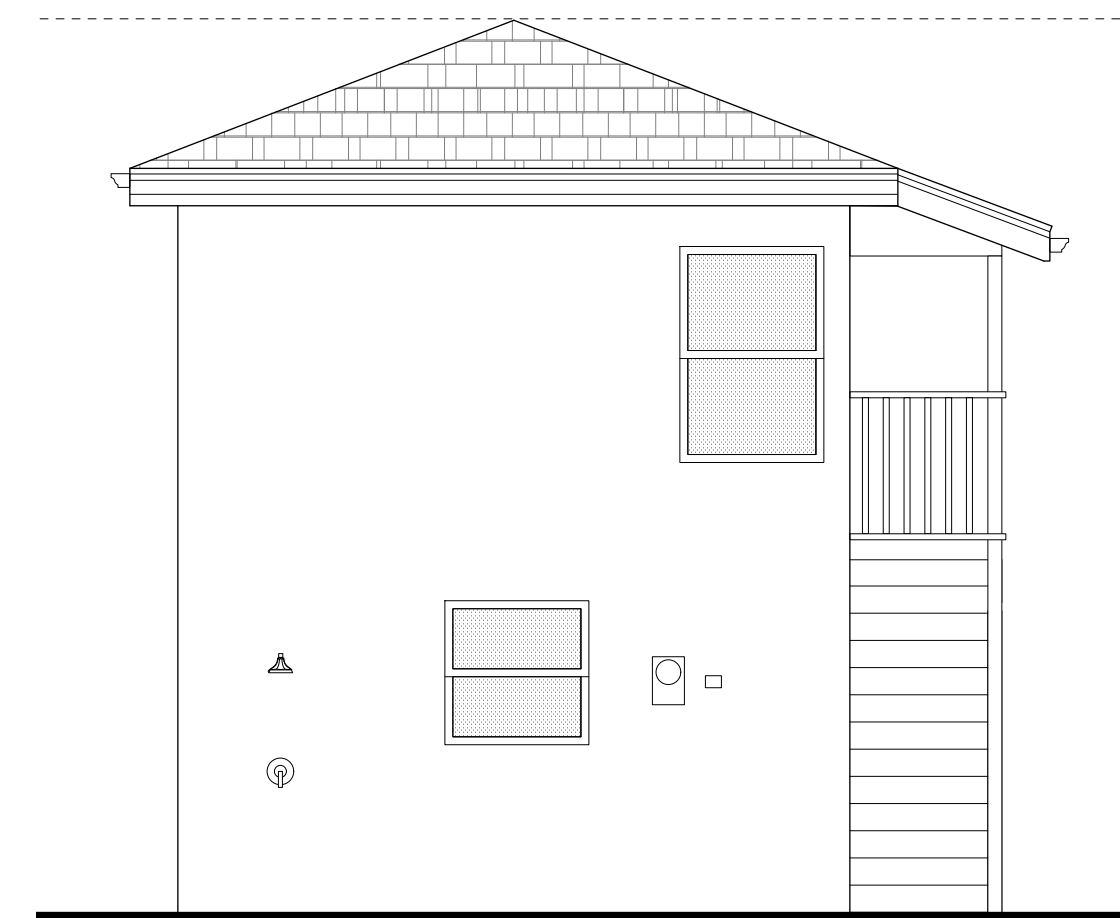
WEST ELEVATION

Scale: 1/4" = 1'-0"



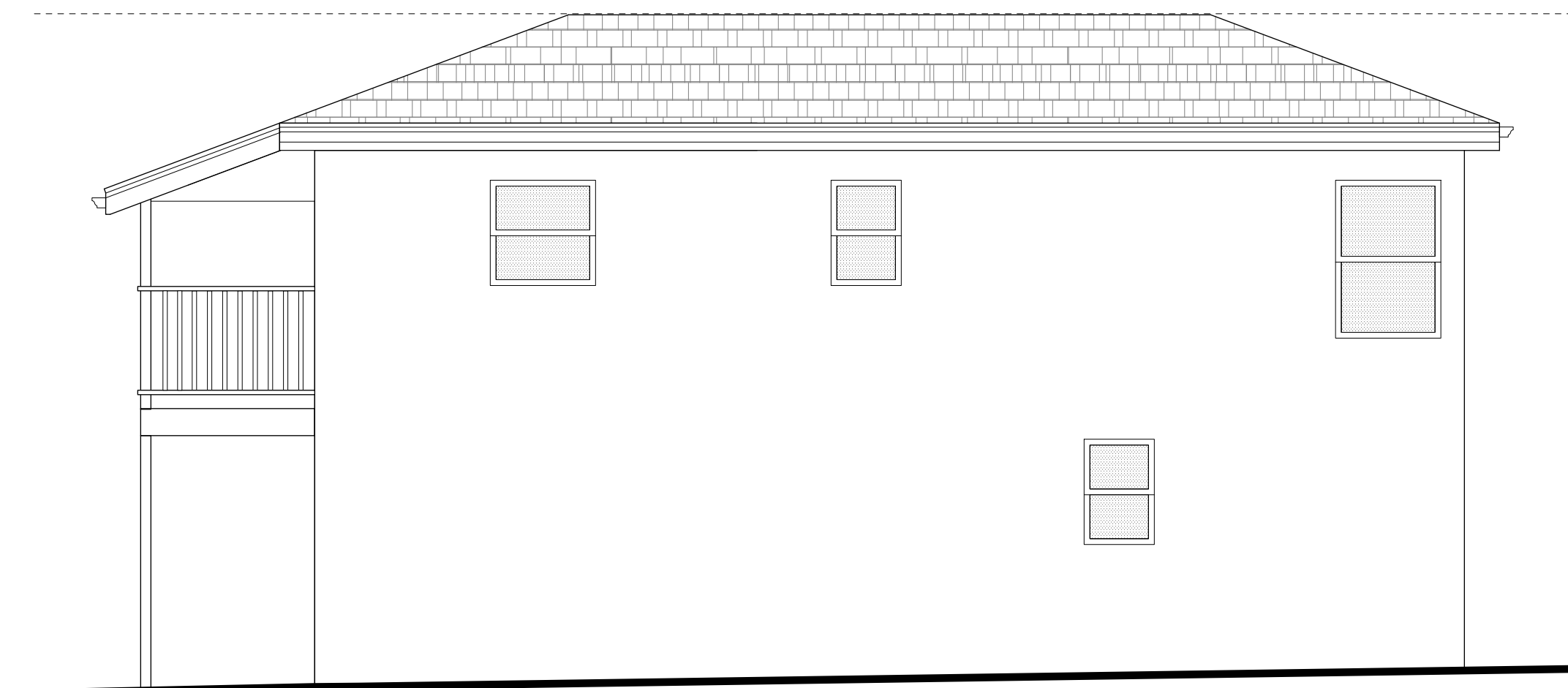
NORTH ELEVATION

Scale: 1/4" = 1'-0"



EAST ELEVATION

Scale: 1/4" = 1'-0"



SOUTH ELEVATION

Scale: 1/4" = 1'-0"



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Planned Development
ROURKE AVILA DEVELOPMENT III
for John Rourke
250 & 254 San Miguel Street,
Avila, CA

**250 SAN MIGUEL ST
EXISTING
EXTERIOR ELEVATIONS**

DATE: August 12, 2021
JOB NO.: 19-004
DRAWN BY: A. Edwards

REVISIONS:

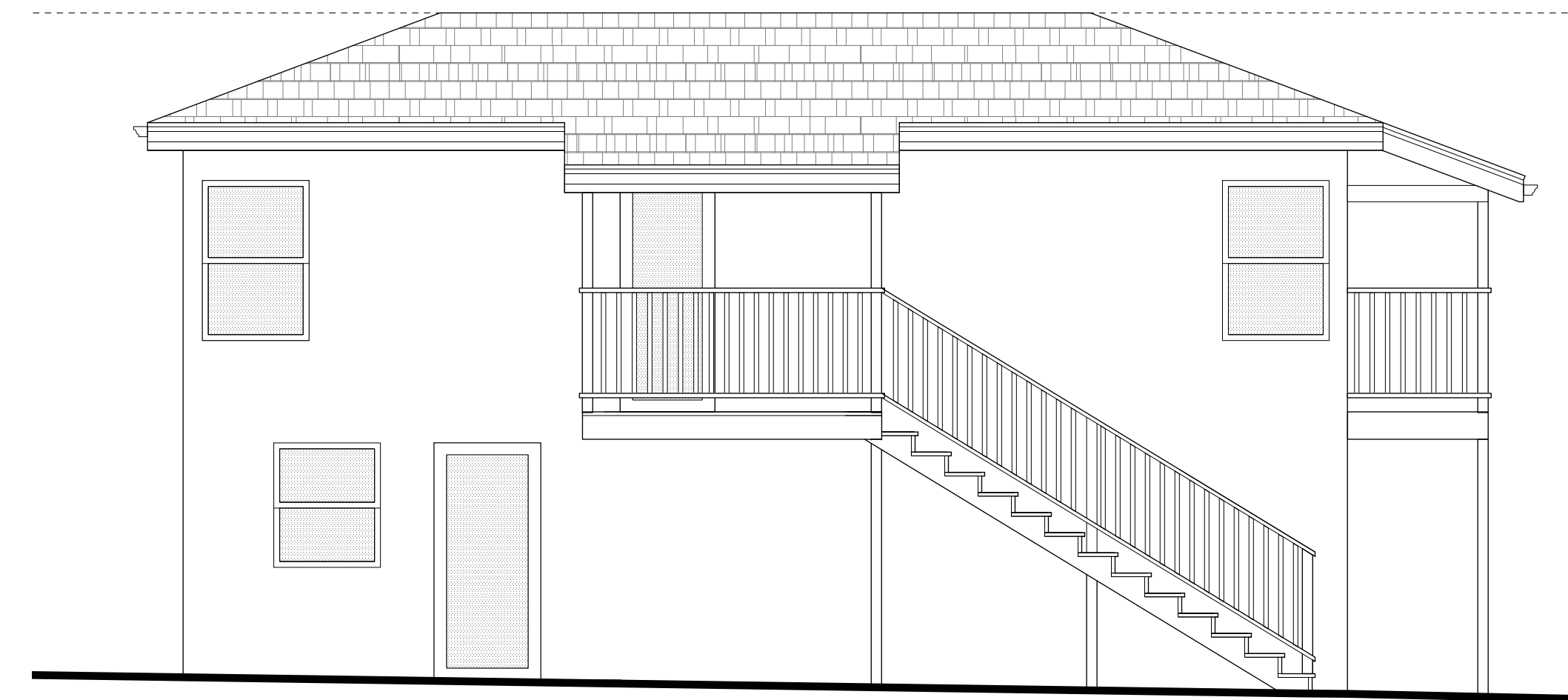
SHEET:

A5.0



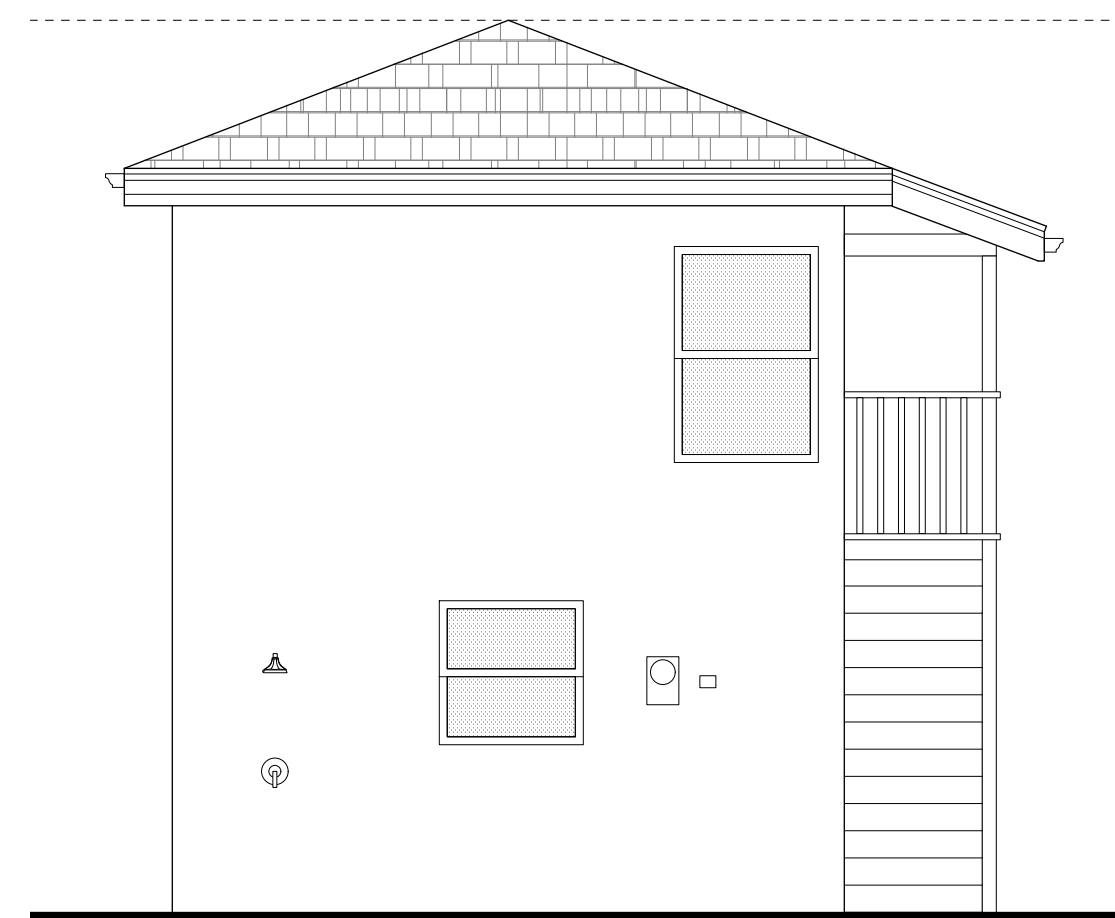
WEST ELEVATION

Scale: 1/4" = 1'-0"



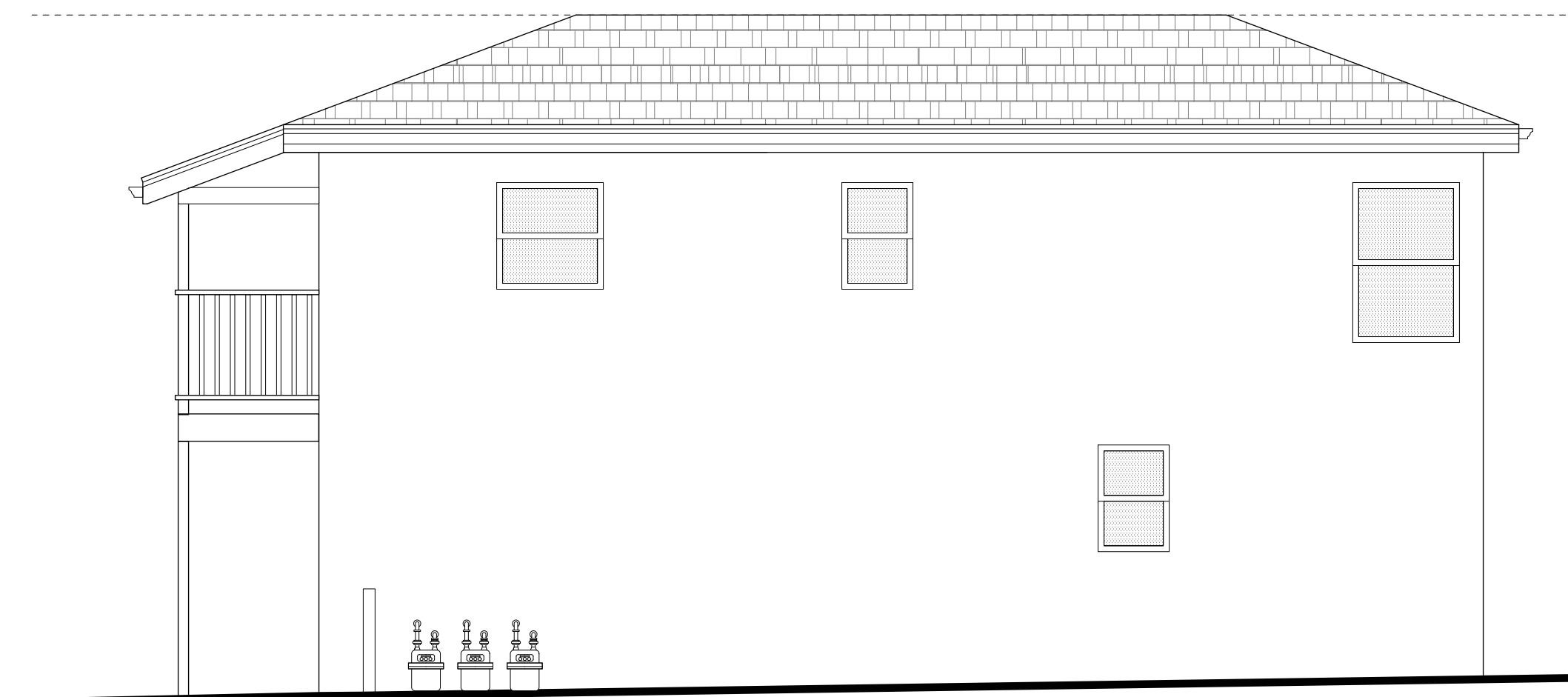
SOUTH ELEVATION

Scale: 1/4" = 1'-0"



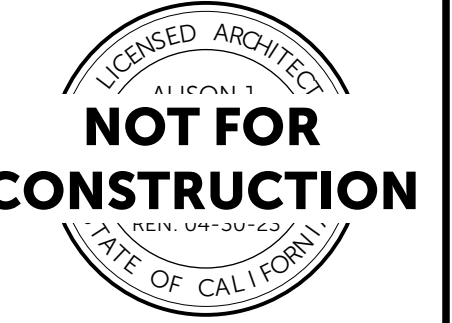
EAST ELEVATION

Scale: 1/4" = 1'-0"



NORTH ELEVATION

Scale: 1/4" = 1'-0"



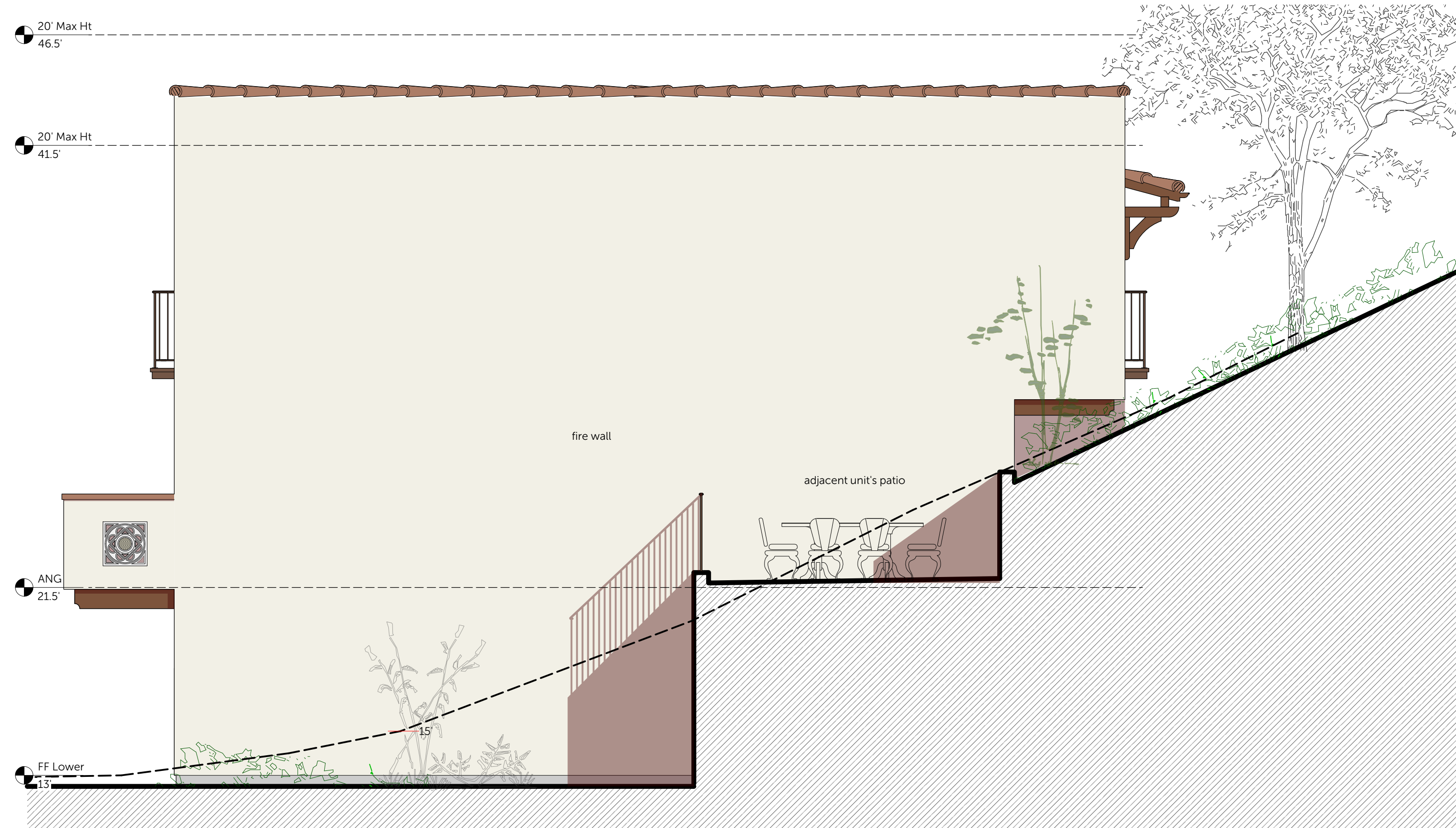
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Planned Development
ROURKE AVILA DEVELOPMENT III
for John Rourke
250 & 254 San Miguel Street,
Avila, CA

**254 SAN MIGUEL ST
EXISTING
EXTERIOR ELEVATIONS**

DATE: August 12, 2021
JOB NO.: 19-004
DRAWN BY: A. Edwards
REVISIONS:

SHEET:
A5.1



SOUTH ELEVATION

Scale: 1/4" = 1'-0"



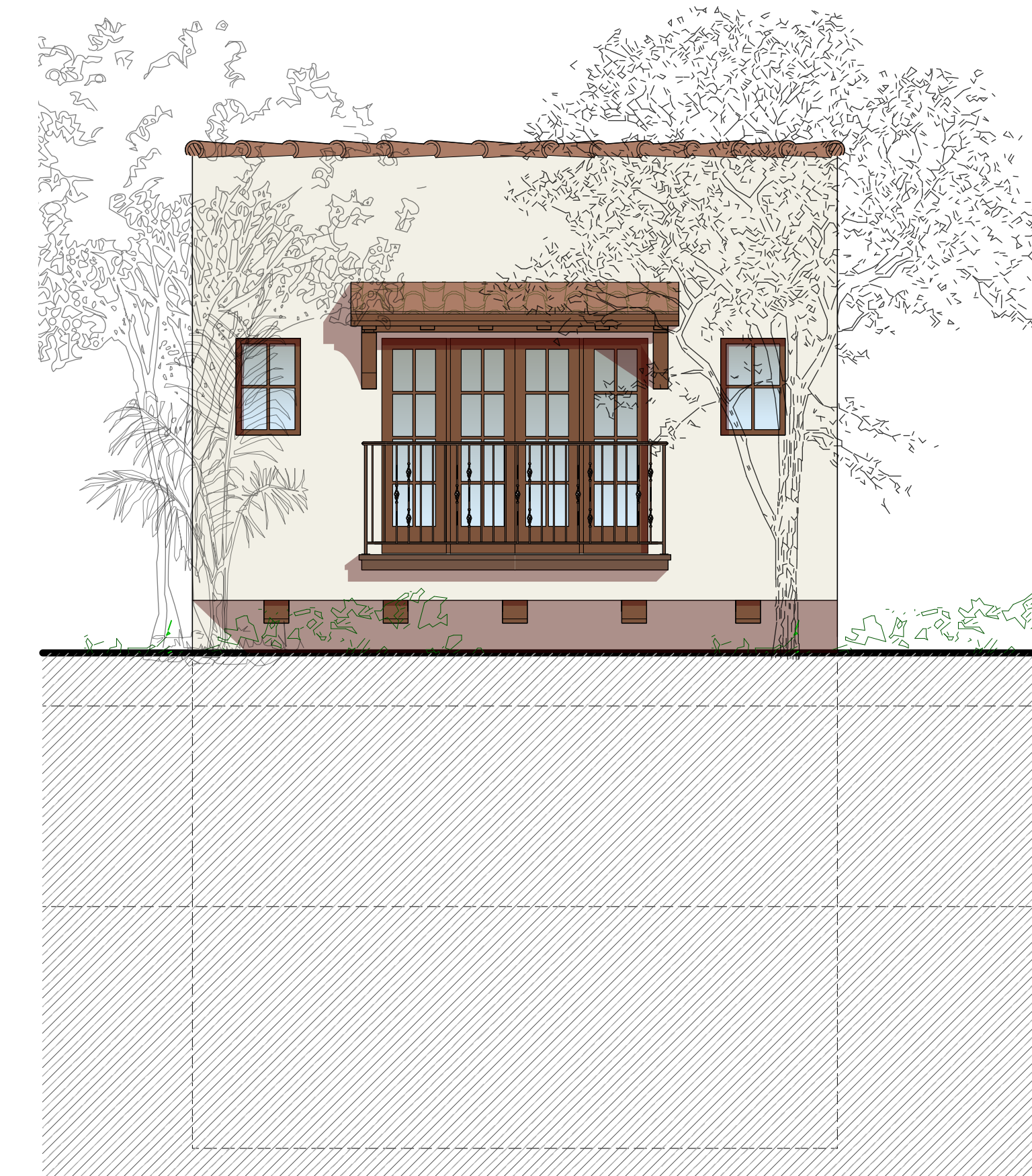
WEST (Street) ELEVATION

Scale: 1/4" = 1'-0"



NORTH ELEVATION

Scale: 1/4" = 1'-0"



EAST ELEVATION

Scale: 1/4" = 1'-0"



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Planned Development
ROURKE AVILA DEVELOPMENT III
for John Rourke
250 & 254 San Miguel Street,
Avila, CA

EXTERIOR ELEVATIONS
New Lots

DATE: August 12, 2021
JOB NO.: 19-004
DRAWN BY: A. Edwards
REVISIONS:

SHEET:
A5.3



COUNTY OF SAN LUIS OBISPO
 DEPARTMENT OF PUBLIC WORKS
 STORMWATER CONTROL PLAN APPLICATION



Applicant and Engineer Information

Applicant Name:	Daytime Phone:
Mailing Address:	Zip Code:
Email Address:	

Engineer Name:	Daytime Phone:
Mailing Address:	Zip Code:
Email Address:	

Project Information

<input type="checkbox"/> Preliminary- Subdivision or Land Use Permit	<input type="checkbox"/> Final- Building/Grading Permit
Permit Number(s):	
Property APN#:	
Project Address:	

Impervious Surface Areas

Projects that create or replace less than 2,500 square feet of impervious surface area must complete the Stormwater PCR Waiver Request Form.

Existing, Pre-Project Areas:

Total Project Area (acres or square feet):	
Total Impervious Area (square feet):	Total Pervious Area (square feet):

Proposed, Post- Project Areas:

Total Project Area (acres or square feet):	Total Impervious Area (square feet):
New Impervious Area (square feet):	Reduced Impervious Area Credit (square feet):
Replaced Impervious Area (square feet):	Net Impervious Area*:

*Net Impervious Area = (New + Replaced Impervious Area) – (Reduced Impervious Area Credit). Reduced Impervious Area Credit (if applicable) is the total pre-project impervious area minus the total post- project impervious area. (No credit if post impervious areas > pre-impervious areas).

Site Description

Is the project site within a downtown corridor?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the project involve redevelopment of a previously developed site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the project surrounded on all sides by development?	<input type="checkbox"/> Yes <input type="checkbox"/> No

STORMWATER CONTROL PLAN APPLICATION

Stormwater Performance Requirements

The following table summarizes the mandatory Performance Requirements based on the amount of impervious surface area that is created or replaced. Please review this table to determine which requirements apply to the project.

Net Impervious Surface square feet	Performance Requirements			
	Performance Requirement #1	Performance Requirement #2	Performance Requirement #3	Performance Requirement #4
0 - 2,499	Complete Stormwater PCR Waiver Request Form			
2,500 - 4,999	✓			
5,000 - 14,999	✓	✓ *		
15,000 - 22,499	✓	✓	✓	
≥ 22,500	✓	✓	✓	✓

* Not applicable for a single-family residence

For additional guidance review the County of San Luis Obispo Low Impact Development (LID) Handbook: <https://www.slocounty.ca.gov/Departments/Planning-Building/Forms-Documents/Stormwater-Forms-and-Documents/San-Luis-Obispo-County-Low-Impact-Development-Hand.pdf>

Check the applicable performance requirements and indicate whether the project meets the requirement:

Performance Requirement #1- Site Design	Requirement met? <input type="checkbox"/> Yes <input type="checkbox"/> No
<i>(Projects that meet Performance Requirement 1 only, complete this SWCP application pages 1-4 and attach any applicable exhibits)</i>	
Performance Requirement #2*- Water Quality Treatment	Requirement met? <input type="checkbox"/> Yes <input type="checkbox"/> No
Performance Requirement #3- Runoff Retention	Requirement met? <input type="checkbox"/> Yes <input type="checkbox"/> No
Performance Requirement #4- Peak Management	Requirement met? <input type="checkbox"/> Yes <input type="checkbox"/> No
Will structural stormwater control measures be used to meet the performance requirements? <input type="checkbox"/> Yes <input type="checkbox"/> No	

*Projects that meet Performance Requirement 2, 3, or 4, must submit Pages 1 and 2 of this application in addition to a complete Stormwater Control Plan using the template provided at:

<https://www.slocounty.ca.gov/Departments/Planning-Building/Stormwater/Services/Stormwater-Requirements-for-New-Construction.aspx>

STORMWATER CONTROL PLAN APPLICATION

Performance Requirement #1: Site Design Measures Applicants Can Incorporate to Reduce Stormwater Impacts

Applicants are encouraged to reduce stormwater impacts associated with development and redevelopment by incorporating these measures:

- Protect soils from compaction that will ultimately be used in landscaped areas.
- Amend soils designated to be used in landscaped areas.
- Create sumped landscaping areas over mounded landscaping areas to better retain irrigation and rain water.
- Direct driveway runoff and runoff from roof downspouts at least 10-feet away from foundations and towards landscaped beds and lawns where water can safely soak into the ground.
- Protect existing trees from construction impacts by placing safety fence around the root zone of the tree (minimally the shadow of the tree canopy at high noon) and/or plant new trees.
- Use permeable pavers for walkways, driveway and patios instead of concrete.
- Encourage water retention on site (but away from foundations).
- Install rain cisterns and/or rain barrels to capture and reuse roof rain water.

<i>Performance Requirement 1: Site Design and Runoff Reduction Summary</i> Minimize stormwater runoff by implementing <u>one or more</u> of the following Site Design Measures. <i>Selected Design Measures must be clearly referenced on the project plans.</i>			
Site Design Measures	Selected?	If Yes, provide Plan Sheet / Detail location	If No, provide an explanation below
Roof runoff directed into cisterns or rain barrels for reuse?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Roof runoff directed into vegetated areas (safely away from building foundations and footings)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Runoff from sidewalks, walkways, and/or patios directed onto vegetated areas (safely away from the building foundations and footings)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Runoff from driveways and/or uncovered parking lots onto vegetated areas (safely away from the building foundations and footings)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Are bike lanes, driveways, uncovered parking lots, sidewalks, walkways, and patios constructed with permeable surfaces?	<input type="checkbox"/> Yes <input type="checkbox"/> No		

STORMWATER CONTROL PLAN APPLICATION

Performance Requirement #1: Stormwater Site Design & Runoff Reduction Summary

For each of the following, please describe how this project has complied to the maximum extent practicable with the following site design and runoff reduction strategies (attach additional pages if needed):

1. Limit disturbance of creeks and natural drainage features.

2. Minimize compaction of highly permeable soils.

3. Limit clearing and grading of native vegetation at the site to the minimum area needed to build the project, allow access, and provide fire protection.

4. Minimize impervious surfaces by concentrating improvements on the least-sensitive portions of the site, while leaving the remaining land in a natural, undisturbed state.

Certification

This project is designed to achieve full compliance with the applicable Central Coast Post-Construction Requirements

Preparer Name	
Preparer Signature: <i>Ryan Haskin</i>	Date
Was this application completed by a Registered Civil Engineer? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Engineer Name	License Number:



Checklists for Performance Requirements #2, 3, or 4:

Complete and submit the following documentation:

1. Stormwater Control Plan Application (Pages 1 & 2 only).
2. Stormwater Control Plan, utilizing the County of San Luis Obispo Stormwater Control Plan Template:
 - Include pertinent Performance Requirement Checklists from Stormwater Control Plan Application.
3. Operations and Maintenance Documentation:
 - Agreement or Covenants, Conditions & Restrictions (CC&Rs) Documentation.
 - Exhibit A: Legal Description of included parcels.
 - Exhibit B: Structural Control Measures documentation and site map.
 - Plans and Manuals for maintenance and operation requirements.

STORMWATER CONTROL PLAN CHECKLISTS

Performance Requirement #2 Water Quality Treatment Checklist

Project Level Documentation		
<input type="checkbox"/> Net impervious area.	<input type="checkbox"/> Certification that onsite water quality treatment measures have been met onsite.	
Drainage Management Area (DMA) Documentation		
<input type="checkbox"/> Unique DMA Number.	<input type="checkbox"/> Area of each DMA.	<input type="checkbox"/> Pollutants of concern.
<input type="checkbox"/> Water Quality treatment approach (Self-treating, Biofiltration, LID, or Non-retention based treatment system.)		
<input type="checkbox"/> Support calculations demonstrating compliance with Treatment Performance Requirement.		
<input type="checkbox"/> Reference to Plan Sheet page where DMA exhibit is provided.		
For DMAs using Low Impact Development Treatment Systems:		
<input type="checkbox"/> 85 th percentile 24-hour storm event value, and basis of determination.		
For DMAs using Biofiltration Systems:		
<input type="checkbox"/> Statement indicating why an LID treatment system was not appropriate.		
<input type="checkbox"/> Surface loading rate approach, and basis of determination. (0.2 x per hour intensity, or 2 x 85th percentile hourly rainfall intensity)		
<input type="checkbox"/> Calculations to demonstrate that the minimum surface reservoir volume is equal to the biofiltration treatment system surface area time for a depth of 6 inches.		
<input type="checkbox"/> Planting medium and planting depth construction detail (reference to page or detail in plans).		
<input type="checkbox"/> Planting medium specifications, either: 60%-70% ASTM C33 sand with 30-40% compost or Alternative media with testing documentation demonstrating media can minimally infiltrate at a rate of 5 inches per hour.		
<input type="checkbox"/> Plant selection consistent with LID Handbook guidelines.		
<input type="checkbox"/> Subsurface drainage/storage (gravel) layer with an area equal to the biofiltration treatment system surface area, minimum depth of 12 inches.		
<input type="checkbox"/> Underdrain detail with discharge elevation at top of gravel layer.		
<input type="checkbox"/> Construction detail or note specifying no compaction of soils beneath biofiltration areas, and requiring ripping/loosening of soils if compacted. (Provide reference to page or detail in plans.)		
<input type="checkbox"/> Specification that no liners or other barriers may be installed to limit infiltration, except for situations where lateral infiltration is not technically feasible.		

STORMWATER CONTROL PLAN CHECKLISTS

Performance Requirement #2 Water Quality Treatment Checklist (Continued)

For DMAs using Non-Retention Based Treatment Systems:

Statement indicating why an LID or biofiltration treatment system was not appropriate.

Hydraulic sizing criteria used, and basis of determination:

Volume = to 85th percentile, 24-hour storm **or** flow basis (2 x 85th percentile hourly rainfall intensity or 0.2 x inches per hour intensity)

STORMWATER CONTROL PLAN CHECKLISTS

Performance Requirement #3 Runoff Retention Checklist

<p>Site Assessment Documentation: <i>Include an exhibit or narrative of the opportunities and constraints to implementing Low Impact Development Stormwater Control based on the following items:</i></p>		
<input type="checkbox"/> Site topography.	<input type="checkbox"/> Hydrologic features such as contiguous natural areas, wetlands, watercourses, seeps, or springs.	<input type="checkbox"/> Depth to seasonal high groundwater.
<input type="checkbox"/> Locations of potable water wells.	<input type="checkbox"/> Depth to impervious geology (such as bedrock).	<input type="checkbox"/> Presence of unique or limiting geology.
<input type="checkbox"/> Geotechnical hazards.	<input type="checkbox"/> Documented soil and/or groundwater contamination.	<input type="checkbox"/> Soil types and hydrologic soil groups.
<input type="checkbox"/> Preserved vegetated cover or trees.	<input type="checkbox"/> Run-on characteristics (source and estimated stormwater volume discharging to the project area).	<input type="checkbox"/> Existing drainage infrastructure of the site and nearby areas, including municipal storm drains.
<input type="checkbox"/> Locations of structures, including flatwork and retaining walls.	<input type="checkbox"/> Locations of utilities.	<input type="checkbox"/> Easements and covenants.
<input type="checkbox"/> Setbacks.	<input type="checkbox"/> Open space requirements.	<input type="checkbox"/> Other pertinent overlays.
<p>Site Design Documentation <i>Include a narrative, and provide supporting exhibits as necessary, to demonstrate that the project design has implemented the following design strategies (as applicable).</i></p>		
Design Strategy	Means of Demonstrating Compliance	
Define the development envelope and protected areas, identifying areas that are most suitable for development and areas to be left undisturbed.	Site Stormwater Assessment Exhibit.	
Conserve natural areas, including existing trees, other vegetation, and soils.	Site Stormwater Assessment Exhibit with native vegetation, overlain with development footprint.	
Limit the overall impervious footprint of the project.	Discussion regarding other building configurations considered (and ultimately rejected).	

STORMWATER CONTROL PLAN CHECKLISTS

Performance Requirement #3 Runoff Retention Checklist (Continued)

<p>Site Design Documentation (Continued) <i>Include a narrative, and provide supporting exhibits as necessary, to demonstrate that the project design has implemented the following design strategies (as applicable).</i></p>	
Design Strategy	Means of Demonstrating Compliance
Construct streets, sidewalks, or parking lot aisles to the minimum widths necessary, provided that public safety or mobility uses are not compromised.	Discussion on minimum allowable widths, and rationale for using larger values (if applicable) or confirmation that minimum values were used (where applicable).
Set back development from creeks, wetlands, and riparian habitats.	Discussion on set-back dimensions implemented.
Conform the site layout along natural landforms.	Within the Drainage Management Area (DMA) Exhibit, show topography with existing and planned contours cut and fill lines. Discussion of grading approach.
Avoid excessive grading and disturbance of vegetation and soils.	Exhibit with native vegetation, overlain with planned disturbed area limits.
<p>Stormwater Structural Control Measure Sizing:</p> <p><input type="checkbox"/> Certification statement indicating that the selection, sizing, and design of stormwater control measures meets the applicable Water Quality Treatment and Runoff Retention Performance Requirements.</p> <p><input type="checkbox"/> If applicable, provide documentation of the volume of runoff for which compliance cannot be achieved onsite and the associated off-site compliance volume.</p> <p><input type="checkbox"/> If applicable, provide a statement of intent to comply with Water Quality Treatment and Runoff Retention Performance Requirements through an Alternative Compliance Agreement.</p> <p><input type="checkbox"/> Documentation demonstrating percentage of the project's Equivalent Impervious Surface Area dedicated to retention-based Stormwater Control Measures.</p> <p><input type="checkbox"/> Indicate the sizing strategy used in each DMA:</p> <ul style="list-style-type: none"> • Hydrologic analysis and sizing methods. • Locally/regionally calibrated continuous simulation model that results in equivalent optimization of on-site runoff retention volumes. • Hydrologic analysis and sizing methods, equally effective in optimizing onsite retention volumes of the runoff generated by rainfall. <p><input type="checkbox"/> Provide supporting calculations demonstrating compliance with Performance Requirement #3.</p> <p><input type="checkbox"/> Indicate if a ten percent adjustment (based on technical infeasibility) is included in the design approach.</p> <p><input type="checkbox"/> Indicate if offsite mitigation is included in the design approach.</p>	

STORMWATER CONTROL PLAN CHECKLISTS

Performance Requirement #4 Peak Management Checklist

Project Level Documentation
<input type="checkbox"/> Point source discharge locations.
<input type="checkbox"/> Include hydraulic report demonstrating that post-development stormwater runoff peak flows discharged from the site do not exceed pre-project peak flows for the 2- through 10-year storm events.
<input type="checkbox"/> Certification statement indicating that the selection, sizing, and design of stormwater control measures meets the applicable Peak Management Requirements.
<input type="checkbox"/> If applicable, provide documentation of the volume of runoff for which compliance cannot be achieved onsite and the associated off-site compliance requirements.
<input type="checkbox"/> If applicable, provide a statement of intent to comply with the Peak Management Performance Requirement through an Alternative Compliance Agreement.



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING**

**PLN-1118
04/01/2020**

Land Division – Checklist & Application Package

REQUIRED MATERIALS AND INFORMATION

The following information is required to be submitted with your application. If additional information is necessary for application review, Department staff will notify applicants and/or authorized agents.

We are now accepting initial application materials in digital format but may request hard copies of documents and plans as necessary review and processing. Digital files should be in PDF format, and in a higher resolution to support digital review of all plan and map details.

FORMS

For applications via the Online Permit Portal: please upload this complete and digitally signed application package PLN-1000 (as detailed below).

Please provide one (1) completed copy of the following form:

PLN-1118: Land Division – Checklist & Application Package. This form conveniently combines all the following forms into one, and begins with a Checklist of Materials and Information Requirements for Applications

- GEN-3000: General Application Contact Information
- PLN-2050: Land Division – Project Information Form
- PLN-1003: Environmental Description Form
- PLN-1006: Information Disclosure form
- PLN-1012: Land Use Consent of Property Owner form (only if applicant does not own the property)
- PLN-1122: Hazardous Waste and Substances Statement Disclosure (PLN-1122)

FEES

- Application fee (refer to current [fee schedule](#))

TENTATIVE MAP OR ADJUSTMENT MAP

For applications via the Online Permit Portal: please upload during initial application submittal. The Department may request up to 4 copies of full-sized hard copy plans for inter-agency review as necessary.

The tentative parcel map, tentative tract map, or lot line adjustment map must show the following items (where they apply to your site):

- North arrow and scale, the legal description and the assessor parcel number(s) for the property, the name and address of the record owner(s) of the subdivision. A vicinity map showing precisely how to drive to the site (include street names and distances to help describe how to get to the site).
- Exterior boundaries and dimensions of the original parcel, with dimensions shown in feet based on survey data or information of record, and areas of the property shown in square feet or acres to the nearest tenth.
- The proposed division or adjusted lines with dimensions in feet and the gross and net area of each parcel created by the divisions in square feet or acres to the nearest tenth. Each proposed parcel must

Land Division – Checklist & Application Package

be designated on the Tentative Map by a number. The proposed use of the property must also be shown.

- Existing structures and their uses, wells, septic tanks, driveways, and other improvements on the original parcel, accurately located and drawn to scale. The distance between structures, the distance from existing structures to the boundary lines of the new parcel on which the structures will be located, and the height of each structure shown. Such distances may be required to be established by a registered civil engineer's or licensed land surveyor's survey.
- Location, name, width and pavement type of all adjoining contiguous highways, streets, roads, and alleys. Existing/proposed curb, gutter and sidewalk. All points of access, both existing and proposed
- Location, width and purpose of all existing and proposed easements, driveways, streets (with proposed names) and appurtenant utilities.
- Types and location of existing/proposed water supply and sewage disposal facilities.
- Contour Map showing the following (not required for a Lot Line Adjustment or a Public Lot):
 - Proposed parcels larger than 10 acres:
 - 40 acres or larger - 40-foot intervals;
 - 20 to 40 acres - 20-foot intervals;
 - 10 to 20 acres - 10-foot intervals
 - Proposed parcels smaller than 10 acres:
 - 0-12 percent slope - 2-foot intervals;
 - More than 12 percent - 5-foot intervals
- General location of major topographic and man-made features, such as rock outcrops, bluff tops, watercourses, drainage channels, drainage structures, streams, ponds, swales and graded areas.
- Approximate high-water lines in lakes or reservoirs, and the mean high tide line of the ocean. The location of all areas subject to inundation or stormwater overflow.
- Location, diameter (at 4 feet above grade), species, approximate canopy cover (dripline) of all trees on the site, noting which will remain and which are proposed for removal, and include proposals for replacement of trees to be removed.
- All areas proposed for grading and landscaping.
- Any areas proposed to be reserved and maintained as open space.
- Any designated building sites proposed to minimize grading, tree removal and other potential impacts, or areas proposed for exclusion from construction activities. Also include any proposed building setback lines different from those established by ordinance.
- Coastal Access - If the project is within the coastal zone and located between the ocean and the nearest public road, applications shall include the locations of the nearest public access points to the beach.

ADDITIONAL REQUIRED INFORMATION

For applications via the Online Permit Portal: please upload during initial application submittal. The Department may request up to 4 copies of full-sized hard copy plans for inter-agency review as necessary.

Land Division – Checklist & Application Package

- Title report - preliminary, dated within the last six months
- Legal lot verification - 1 copy of a statement, describing how the parcel(s) was/were legally created.
- Lot Line Adjustment – Justification or reason for the proposed lot line adjustment (only required for lot line adjustments).
- Improvements – Statement of road improvements and public utilities proposed to be made or installed, and timing of proposed completion. May include a road and/or culvert plan and profile and a streetscape plan.
- Environmental Health Letter – A letter verifying evidence of water and septic/sewer from the County Environmental Health Department (not required for lot line adjustments or public lots)
- Design Modifications/Road Exceptions – Justification and reason for any adjustments to the provisions of the Real Property Division Ordinance (Title 21), Section 21.03.010 or the standard improvement specifications and drawings – if applicable (not required for lot line adjustments or public lots).
- Public Lot – A statement from the public agency explaining what the public lot will be used for and the justification or reason for the request (only required for public lots).
- Abandoned oil and gas wells statement - 1 copy identifying any abandoned oil or gas wells on the parcel(s). This information is available from the California Division of Oil & Gas, 195 South Broadway, Suite 101, Orcutt, CA 93455, (805) 937-7246. (if applicable)

SUPPLEMENTAL INFORMATION

The following information may be required, depending on your Land Division application type. If you had a pre-application meeting and any of these items were indicated, they are required for a complete submittal. For applications via the Online Permit Portal, these can be uploaded with your initial application submittal, or later when your full Plan Case has been created.

Preliminary soils report - 1 copy prepared by a geotechnical engineer or qualified registered civil engineer (required for all tract maps). This provision may be waived, upon receipt of a written request if Public Works determines the information is unnecessary. Preliminary soils report may be required for tentative parcel maps.

- Preliminary grading/drainage/erosion control plan - 1 copy prepared pursuant to Section 22.52/23.05.020 and .040 or to Public Works improvement plan standards.
- Preliminary Landscaping Plan prepared pursuant to Section 22.16/23.04.180, et seq.
- Fire Safety Plan prepared pursuant to Section 22.52/23.05.080, et seq. and fire response time verification (where applicable).
- Agricultural buffers - if any adjacent parcels are used for agriculture, show all proposed agricultural buffers.
- Archeological report - 2 copies (where required).
- Biological report - 2 copies (where required).
- Botanical report - 2 copies (where required).
- Noise Study - 2 copies if the property either adjoins or will be a noise generator or a potential source of noise.
- Traffic Study
- Visual Analysis – for applications that propose development along significant visual corridors such as Highways 1 and 101



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING**

**PLN-2050
04/01/2020**

Land Division – Project Information Form

APPLICATION TYPE – CHECK ALL THAT APPLY

- | | | |
|--|---|--|
| <input type="checkbox"/> Public Lot | <input type="checkbox"/> Receiving Site | <input type="checkbox"/> Sending Site |
| <input type="checkbox"/> Condominium (new or conversion) | <input type="checkbox"/> Reversion to Acreage | <input type="checkbox"/> Amendment to approved land division |
| <input type="checkbox"/> Road Abandonment | <input type="checkbox"/> Road Name | <input type="checkbox"/> Lot Line Adjustment |
| <input checked="" type="checkbox"/> Tract Map | <input type="checkbox"/> Parcel Map | |

What is the proposed density or parcel size: from 1,650 sf to 2,550 sf

Number of existing lots/parcels/certificates: 2 Existing lot/parcel size(s): 4,575 sf & 7,500sf

What will the property be used for after division? Development of 3 new residential units

PROPERTY, PARCEL, AND PERMIT HISTORY:

Is the property part of a previous subdivision that you filed? Yes No

If Yes, please provide map number

Tract No.: _____ Parcel Map No.: _____ Lot Line Adjustment No.: _____

Have you reviewed county records to determine if the subject property has ever been the subject of a recorded certificate of compliance or a recorded map? Yes No

Building permits or other approval? Yes No

If you answered Yes to either question, please provide copies of all applicable materials.

OFF-SITE IMPROVEMENTS:

Will off-site road or drainage improvements be required? Yes No

SURROUNDING PARCEL OWNERSHIP: Do you own adjacent property? Yes No

If Yes, what is the acreage of all property you own that surrounds the project site? _____

DESCRIBE EXISTING AND FUTURE ACCESS TO THE PROPOSED PROJECT SITE:

The 2 existing units have frontage along San Miguel Street. The proposed development will have a shared drive for all 5 parcels from San Miguel Street that extends to the rear of the 2 existing units and the front of the the 3 proposed units.

SURROUNDING LAND USE: what are the uses of the land surrounding your property (when applicable, please specify all agricultural uses):

North: Residential South: Residential

East: Residential West: Residential

PROPOSED WATER SOURCE:

On-Site Well Shared Well Other: Public

Community System Agency: Avila Beach Community Services District

Will-serve letter?

Yes No
(if yes, please submit a copy)

PROPOSED SEWAGE DISPOSAL:

Individual On-Site System Other: Public

Community System Agency: Avila Beach Community Services District

Will-serve letter?

Yes No
(if yes, please submit a copy)

RESPONSIBLE FIRE PROTECTION AGENCY: Avila Beach Community Services District

PLN-2050
04/01/2020

Land Division – Project Information Form

AVAILABLE OR PROPOSED UTILITIES:
 Cable TV Electricity Gas Telephone

ADJUSTMENTS: Are you requesting any adjustments? Yes No
 If Yes, please complete the following:
 Parcel & site design (21.03.010(c)) Access & circulation design (21.03.010(d))
 Flood hazard & drainage (21.03.010(e)) Water supply (21.03.010(f))
 Sewage Disposal (21.03.010(g)) Public Utilities (21.03.010(h))
 Road Exception (21.03.010(d))
 Briefly describe the reasons for the request: _____

QUIMBY ORDINANCE (SECTION 21.09.010, ET SEQ., OF TITLE 21): HOW ARE YOU PROPOSING TO MEET THE REQUIREMENTS OF THE QUIMBY ORDINANCE
 Dedicate property for park & recreation purposes
 Pay the in-lieu fee
 Request credit for common open space (if you are choosing this option, please complete below)
 Acreage of open space: _____ Average slope of open space: _____
 Describe the on-site recreational amenities being proposed and their location on the open space:

 Specify the proposed ownership and method of maintenance of the open space:

AFFORDABLE HOUSING – COASTAL ZONE ONLY (GOVERNMENT CODE SECTION 65590 – SECTION 23.04.092 OF TITLE 23)
 Is your project:
 A new housing project containing 11 or more dwelling units or parcels; OR
 A demolition or conversion of one or more dwellings (includes mobile homes), where the proposed demolition or conversion involves three or more dwelling units in one structure, or 11 or more dwellings units in two or more structures AND any such units were occupied by persons or families of low or moderate income in the 12 months prior to filing the land use or division application.
 Demolition or conversion of one or more dwellings (includes mobile homes) to a non-residential use which is not “coastal dependent”.



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING**

**GEN-3000
04/01/2020**

General Application Contact Information

Staff: Input File Number or File Label Here			PROPERTY OWNER			<input checked="" type="checkbox"/> Primary Billing Contact											
Name: John Rourke			Company:			Telephone: 805-440-4973			Email Address: john@rourkefamily.com								
Mailing address: 163 Serrano Heights Drive			City: San Luis Obispo			State: CA			Zip Code: 93401								
APPLICANT			<input type="checkbox"/> Primary Billing Contact			AUTHORIZED AGENT			<input type="checkbox"/> Primary Billing Contact								
Name:			Name: Scott Stokes			Company:			Company: Above Grade Engineering								
Telephone:			Email address:			Telephone:			Email address:								
Mailing address:			Mailing Address:			Telephone:			Email address:								
City:			State:			Zip Code:			City:			State:			Zip Code:		
San Luis Obispo			CA			93401			San Luis Obispo			CA			93401		
PROPERTY INFORMATION																	
Assessor's Parcel Number: 076-205-038, 076-205-037				Physical address: 250 & 254 Miguel Street				Total size, in acres: 0.11 & 0.17 acres									
Directions to the property (include landmarks and any gate codes): North of the intersection of San Miguel Street and 2nd Street.																	
Describe current uses on the property (include structures, improvements, and vegetation): 2 existing residential units with gravel frontages and vegetated rear lots.																	
PROJECT INFORMATION																	
Briefly describe the proposed project (include all uses and building heights and areas, in square-feet) and attach supplemental info as necessary: Subdividing 2 existing parcels, each with an existing residential unit, into 5 parcels. The 3 new parcels will be developed with 3 new residential units.																	

Legal Declaration

I, the owner of record of this property, have completed this form accurately and declare that all statements here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

SIGNATURE: _____

DATE: 7/24/21

NOTE: Your application is public record and information regarding your application is available both in person and online via the Department of Planning & Building. All references to names, addresses, telephone numbers, email addresses and project details are part of this public record. All applications must be filed under the subject property's owner of record; however, you may use an alternate contact address and telephone number.



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
Environmental Description

PLN-1003
01/01/2020

The California Environmental Quality Act (CEQA) requires all state and local agencies to consider and mitigate environmental impacts for their own actions and when permitting private projects. The Act also requires that an environmental impact report (EIR) be prepared for all actions that may significantly affect the quality of the environment. The information you provide on this form will help the Department of Planning and Building determine whether your project will significantly affect the quality of the environment.

To ensure that your environmental review is completed as quickly as possible, please remember to:

1. Answer ALL the questions as accurately and completely as possible.
2. Include any additional information or explanations where you believe it would be helpful or where required. Include additional pages if needed.
3. If you are requesting a land division or a re-zoning, be sure to include complete information about future development that may result from the proposed land division or rezoning.
4. Include references to any reports or studies you are aware of that might be relevant to the questions asked or the answers you provide.

Should a determination be made that the information is inaccurate or insufficient, you will be required to submit additional information upon request.

PHYSICAL SITE CHARACTERISTICS			
Acres with 0-10% slopes: 0.12	Acres with 10-20% slopes: 0.01	Acres with 20-30% slopes: 0.01	Acres over 30% slopes: 0.14
Are there any springs, streams, lakes, or marshes on or near the site? ___Yes <u>X</u> No If yes, please describe: _____ _____		Are there any flooding problems on the site or in the surrounding area? ___Yes ___No If yes, please describe: _____ _____	
Has a drainage plan been prepared? ___Yes ___No If yes, please attach a copy.		Has there been any grading or earthwork on the site? ___Yes <u>X</u> No If yes, please describe: _____ _____	
Has a grading plan been prepared? ___Yes ___No If yes, please attach a copy.		Are there any sewer ponds/waste disposal sites on or adjacent to the site? ___Yes <u>X</u> No If yes, please describe: _____ _____	
Are there any railroads or highways within 300 feet of the site? ___Yes <u>X</u> No If yes, please describe: _____		Can the site be seen from surrounding public roads? <input checked="" type="checkbox"/> Yes ___No If yes, please describe: The project fronts San Miguel Street	

PLN-1003
01/01/2020

Environmental Description

WATER SUPPLY INFORMATION	
What type of water supply is proposed? <input type="checkbox"/> Individual Well <input type="checkbox"/> Shared Well <input checked="" type="checkbox"/> Community Water System	What is the proposed use of the water? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Non-Residential If non-residential, please describe: _____ _____
What is the expected daily water demand associated with the project? <u>900 GPD</u>	How many service connections will be required? <u>3</u>
Do operable water facilities exist on the site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please describe: <u>The 2 Existing residences each have a water service.</u>	Has there been a sustained yield test on proposed or existing wells? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please attach a copy.
Does Water Meet the Health Agency's Quality Requirements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Bacteriological? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Chemical? <input type="checkbox"/> Yes <input type="checkbox"/> No	Physical? <input type="checkbox"/> Yes <input type="checkbox"/> No
Water analysis report submitted. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Please check if any of the following have been completed on the subject property and/or submitted to County Environmental Health:	
<input type="checkbox"/> Well Driller's Letter <input type="checkbox"/> Water Quality Analysis OK Problems <input type="checkbox"/> Will-Serve Letter <input type="checkbox"/> Other: _____	<input type="checkbox"/> Pump Test Hours: <input type="checkbox"/> GPM: <input type="checkbox"/> <input type="checkbox"/> Surrounding Well Logs <input type="checkbox"/> Hydrologic Study
SEWAGE DISPOSAL INFORMATION (ON-SITE INDIVIDUAL DISPOSAL SYSTEM)	
Has an engineered percolation test been completed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please attach a copy.	Has a piezometer test been completed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please attach a copy.
Will subsurface drainage result in the possibility of effluent reappearing in surface water or on adjacent lands, due to steep slopes, impervious soil layers or other existing conditions? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Will a Waste Discharge Permit from the Regional Water Quality Control Board be required a waste discharge (typically needed in excess of 2,500 gallons per day)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the distance from proposed leach field to any neighboring water wells? _____ feet <p style="text-align: center;"><u>N/A</u></p>	

PLN-1003
01/01/2020

Environmental Description

SEWAGE DISPOSAL INFORMATION (COMMUNITY DISPOSAL SYSTEM)	
Is this project to be connected to an existing sewer line? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Distance to nearest sewer line: <u>25'</u>	Location of connection: <u>San Miguel St.</u>
What is the amount of proposed flow? <u>900</u> (gallons per day)	Does the existing collection treatment and disposal system have adequate additional capacity to accept the proposed flow? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
SOLID WASTE INFORMATION	
What is the name of solid waste disposal company? <u>South County Sanitary Services</u>	Where is the waste disposal storage in relation to buildings? <u>Side yard or garage</u>
What type of solid waste will be generated by the project? <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Industrial <input type="checkbox"/> Agricultural <input type="checkbox"/> Other If other, please describe: _____	Does your project design include an area for collecting recyclable materials and/or composting materials? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
COMMUNITY SERVICE INFORMATION	
Name of school district: <u>San Luis Coastal Unified School District</u>	
Are services (grocery/other shopping) within 1/2 mile of the project? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Location of nearest... Police station: <u>1000 Bello St. Pismo Beach</u> Fire station: <u>1551 Sparrow St., SLO</u> Public transit stop: <u>Avila Beach # First</u>
HISTORIC AND ARCHEOLOGICAL INFORMATION	
Describe the historic use of the site: <u>Residential Area</u>	
Are you aware of the presence of any historic, cultural, or archaeological materials on the project site or in the vicinity? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please describe: _____	Has an archaeological surface survey been done for the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please attach two copies.
AGRICULTURAL INFORMATION	
If your land is currently vacant or in agricultural production, are there any restrictions on the crop productivity of the land? That is, are there any reasons (i.e., poor soil, steep slopes) the land cannot support a profitable agricultural crop? <u>Not Applicable</u>	
Is the site currently in Agricultural Preserve (Williamson Act)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the site currently under land conservation contract? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

PLN-1003
01/01/2020

Environmental Description

SPECIAL PROJECT INFORMATION

Describe any amenities included in the project, such as park areas, open spaces, common recreation facilities, etc. (these also need to be shown on your site plan):

Common Driveway.

Will the development occur in phases?

Yes No

If yes, please describe: _____

Are there any proposed or existing deed restrictions?

Yes No

If yes, please describe: _____

Do you have any plans for future additions, expansion or further activity related to or connected with this proposal?

Yes No

If yes, please describe: _____

ENERGY CONSERVATION INFORMATION

Describe any special energy conservation measures or building materials that will be incorporated into your project:

N/A

ENVIRONMENTAL INFORMATION

List any mitigation measures that you propose to lessen the impacts associated with your project:

Erosion Control measures will be in place during construction.
Grading limits and impacts will be minimized where feasible.

Are you aware of any unique, rare or endangered species (vegetation or wildlife) associated with the project site?

Yes No

If yes, please describe: _____

Are you aware of any previous environmental determinations for all or portions of this property?

Yes No

If yes, please describe and provide permit or subdivision numbers(s): _____

OTHER RELATED PERMITS

List all permits, licenses or government approvals that will be required for your project (federal, state, and local):