



**MARIN COUNTY UNIFORMLY APPLIED CONDITIONS
FOR PROJECTS SUBJECT TO DISCRETIONARY PLANNING PERMITS**

2018

STANDARD CONDITIONS

1. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the site plan or other first sheet of the Building Permit plan sets to list as notes all standard and project specific conditions of approval, including the applicable special conditions listed herein and those conditions listed in the project approval, as well as any requirements indicated by other regulating agencies during the planning process.
2. The applicant/owner shall pay any deferred Planning Division fees as well as any fees required for mitigation monitoring or condition compliance review before vesting or final inspection of the approved project, as determined by the Director.
3. The applicant/owner shall defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of this application, for which action is brought within the applicable statute of limitations. The County of Marin shall promptly notify the applicant/owner of any claim, action, or proceeding that is served upon the County of Marin, and shall cooperate fully in the defense.
4. Exterior lighting for the approved development shall be located and shielded to avoid casting glare into the night sky or onto nearby properties, unless such lighting is necessary for safety purposes.
5. Building Permit applications shall substantially conform to the project that was approved by the planning permit. All Building Permit submittals shall be accompanied by an itemized list of any changes from the project approved by the planning permit. The list shall detail the changes and indicate where the changes are shown in the plan set. Construction involving modifications that do not substantially conform to the approved project, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications is obtained by the applicant.

SPECIAL CONDITIONS

1. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Conformance prepared by a certified or licensed landscape design professional indicating that the landscape plan complies with the State of California's Model Water Efficient Landscape Ordinance and that a copy of the Landscape Documentation Package has been filed with the Community Development Agency.

2. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall mark or call out the approved building setbacks on the Building Permit plans indicating the minimum distance of the building from the nearest property line or access easement at the closest point and any of the following features applicable to the project site: required tree protection zones, Wetland Conservation Areas, or Stream Conservation Areas.
3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the plans to depict the location and type of all exterior lighting for review and approval of the Community Development Agency staff. Exterior lighting visible from off-site shall consist of low-wattage fixtures, and shall be directed downward and shielded to prevent adverse lighting impacts to the night sky or on nearby properties. Exceptions to this standard may be allowed by the Community Development Agency staff if the exterior lighting would not create night-time illumination levels that are incompatible with the surrounding community character and would not shine on nearby properties.
4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall record a Waiver of Public Liability holding the County of Marin, other governmental agencies, and the public harmless related to losses experienced due to geologic and hydrologic conditions and other natural hazards.
5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit written confirmation that the property owner has recorded the "Disclosure Statement Concerning Agricultural Activities," as required by Section 23.03.050 of the Marin County Code.
6. BEFORE ISSUANCE OF A BUILDING PERMIT for any of the work identified in the project approval, the applicant shall install 3-foot high temporary construction fencing demarcating established tree protection zones for all protected trees that are not being removed in the vicinity of any area of grading, construction, materials storage, soil stockpiling, or other construction activity. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. Acceptable limits of the tree protection zones shall be the dripline of the branches or a radius surrounding the tree of one foot for each one inch diameter at breast height (4.5 feet above grade) of the tree trunk. The fencing is intended to protect existing vegetation during construction and shall remain until all construction activity is complete. If encroachment into the tree protection zone is necessary for development purposes, additional tree protection measures shall be identified by a licensed arborist, forester, or botanist, and the tree specialist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a tree protection zone occurs.
7. BEFORE FINAL INSPECTION, if encroachments into a tree protection zone have been approved, then the tree specialist shall submit a letter to the Planning Division verifying that the additional tree protection measures were properly implemented during construction activities.
8. BEFORE ISSUANCE OF A BUILDING PERMIT, temporary construction fencing shall be installed on the subject property at edge of the Wetland Conservation Area and/or Stream Conservation Area, as applicable to the site. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. The construction fencing shall remain until all

construction activity is complete. No parking of vehicles, grading, materials/equipment storage, soil stockpiling, or other construction activity is allowed within the protected area. If encroachment into the protected area is necessary for development purposes, additional protection measures shall be identified by a qualified biologist and the biologist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a protected area occurs.

9. BEFORE FINAL INSPECTION, if encroachments into a protected area have been approved, then the biologist shall submit a letter to the Planning Division verifying that the additional protection measures were properly implemented during construction activities.
10. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant must provide written evidence that all appropriate permits and authorizations have been secured for this project from the Bay Conservation and Development Commission, the California Department of Fish and Game, the Regional Water Quality Control Board, the California Coastal Commission, the California State Lands Commission, the Bay Area Air Quality Management District, and/or the United States Army Corps of Engineers.
11. BEFORE FOUNDATION INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification verify that the foundations of the project comply with the approved setback distances from adjacent property lines, access easements, or rights of way as shown on the approved building permit plans and submit a written (stamped) Building Setback Certification to the Planning Division. Verification is only required for setback distances when the structure is located up to or within one foot of the minimum required setback for conventionally zoned properties and when the structure is located within five feet of a property line, access easement, or right of way for planned district zoned properties. The building setback verification can also be satisfied by having a licensed land surveyor or civil engineer with proper certification conduct a survey of the appropriate boundaries and install survey hubs with connecting colored line in locations that can be readily used by the Building and Safety Inspection staff to verify building setbacks in the field prior to approval of the foundation inspection. If new survey hubs are installed, the project land surveyor or civil engineer must submit a written (stamped) Building Setback Certification to the Planning Division confirming that the staking of boundary lines has been properly completed.
12. BEFORE CLOSE-IN INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification prepare and submit written (stamped) Floor Elevation Certification to the Planning Division confirming that the building's finish floor elevation conforms to the floor elevation that is shown on the approved Building Permit plans, based on a benchmark that is noted on the plans.
13. BEFORE CLOSE-IN INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification submit a written (stamped) building Roof Elevation Certification confirming that the building conforms to the roof ridge elevations that are shown on the approved Building Permit plans, based on a benchmark that is noted on the plans. The Roof Elevation Certification shall include the roof materials in the calculation.
14. BEFORE CLOSE-IN INSPECTION, the applicant shall submit a written (stamped) building Floor Area Certification from the project surveyor or engineer confirming that the floor area of the building conforms to the floor area that is shown on the approved Building Permit

plans. The Floor Area Certification shall include the exterior siding finish for buildings in the calculation.

15. BEFORE FINAL INSPECTION, the project shall substantially conform to the requirements for exterior materials and colors, as approved herein. Approved materials and colors shall substantially conform to the materials and colors samples shown in "Exhibit A" unless modified by the conditions of approval. The exterior materials or colors shall conform to any modifications required by the conditions of approval. All flashing, metalwork, and trim shall be treated or painted an appropriately subdued, non-reflective color.
16. BEFORE FINAL INSPECTION, the applicant shall install all approved landscaping that is required for the following purposes: (1) screening the project from the surrounding area; (2) replacing trees or other vegetation removed for the project; (3) implementing best management practices for drainage control; and, (4) enhancing the natural landscape or mitigating environmental impacts. If irrigation is necessary for landscaping, then an automatic drip irrigation system shall be installed. The species and size of those trees and plants installed for the project shall be clearly labeled in the field for inspection.
17. BEFORE FINAL INSPECTION, the applicant shall submit a Certificate of Completion prepared by a certified or licensed landscape design professional confirming that the installed landscaping complies with the State of California's Model Water Efficient Landscape Ordinance and the Landscape Documentation Package on file with the Community Development Agency.
18. BEFORE FINAL INSPECTION, the applicant shall submit written verification from a landscape design professional that all of the approved and required landscaping has been completed and that any necessary irrigation has been installed.
19. BEFORE FINAL INSPECTION, the applicant shall call for a Community Development Agency staff inspection of approved landscaping, building materials and colors, lighting and compliance with conditions of project approval at least five business days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent reinspections.
20. BEFORE FINAL INSPECTION, utilities to serve the approved development shall be placed underground except where the Director determines that the cost of undergrounding would be so prohibitive as to deny utility service to the development.

CODE ENFORCEMENT CONDITIONS

1. Within 30 days of this decision, the applicant must submit a Building Permit application to legalize the development. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
2. Within 60 days of this decision, a Building Permit for all approved work must be obtained. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.

3. Within 120 days of this decision, the applicant must complete the approved construction and receive approval of a final inspection by the Building and Safety Division. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.

INTER-OFFICE MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

Conditions of Approval

DATE: August 21, 2018

DUE: N/A

TO: Jeremy Tejirian

FROM: Cara E. Zichelli

APPROVED: 

RE: The Oaks (Daphne Krestine Trust) Master

Plan Amendment, Precise Development

Plan and Design Review P1547

AP#: 164-270-05

ADDRESS: Marinwood Avenue, San Rafael

TYPE OF DOCUMENT

- DESIGN REVIEW
 LAND DIVISION
 USE PERMIT
 VARIANCE
 LOT LINE ADJUSTMENT
 COASTAL PERMIT
 ENVIRONMENTAL REV.
 OTHER: MP Amd & PDP

The Department of Public Works (DPW) Land Development and Traffic/Transportation Services recommends the following conditions of approval for the Oaks (Daphne Krestine Trust) Master Plan Amendment, Precise Development Plan and Design Review Application.

NOTE TO PLANNING:

DPW Real Estate recommends two actions be brought to the Board of Supervisors for their approval in addition to your recommendations to the Board for this application:

1. Vacation of the 1 foot wide non-access strip across Marinwood Avenue.
2. Acceptance of an additional section of Marinwood Avenue into the County Maintained Road List.

CONDITIONS OF APPROVAL:

- 1. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS**, the applicants shall provide plans which includes details for the repair of landslides and colluvial soils near the proposed development areas, to be completed during grading to mitigate the potential for future landslide movements. Standard techniques proposed to repair the landslides include removal and re-compaction of loose materials, keying and benching, and installation of subdrains and surficial drainage systems. All grading shall be performed in compliance with the Uniform Building Code, as well as local code and agency standards, under the observation and testing of the project geotechnical engineer and engineering geologist.
MM 5.1-1 Land Sliding (moved from Before Precise Development Plan (PDP) to Before issuance of any Building, Grading or other construction permit).
- 2. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS**, the applicants shall show on the plans implementation of mitigation measures that consist of a combination of site-specific recommendations by the applicant's consultant and local agency and code requirements. The following measures would be feasible in mitigating site-specific conditions and producing stable natural slopes, as well as engineered slopes, where cutting and filling would occur on the site:
 - Evaluate the effects of bedding orientation on the gross stability of existing and proposed slopes in the development area to prepare the geotechnical consultant to observe and direct grading operations and make site-specific determinations (see immediately following measure).

- Examine natural and cut slopes during grading to confirm their potential for long-term stability. If the geotechnical consultant determines that the exposed earth materials are weaker than expected, mitigate this condition by recompacting as an earth buttress or stability fill or by the selected use of retaining walls or other acceptable methods, as have been proposed by the applicant's geologist.
- Design drainage facilities to conform with agency and code standards. This shall include terrace drains every 30 feet of vertical height on all graded slopes with grades steeper than 5:1. The terrace drains shall have a minimum flowline gradient of six percent to make them self-cleaning (a minimal tenet of the Uniform Building Code). They also shall be fitted with down drains every 150 linear feet of terrace to allow for quick drainage.
- Plant cut and fill slopes with ground cover to prevent erosion, raveling, or development of rills, sloughs, and other failures which could reduce the effectiveness of stabilization methods whereas roots of newly planted vegetation would enhance stability of graded slopes by holding materials in place.

MM 5.1-3 Slope Stability (Expanded from Before Building Permit to Before issuance of any Building, Grading or other construction permit)

3. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION

PERMITS, the applicants shall show on the plans drainage devices that are employed during grading to reduce the potential for seepage from area D to the adjacent residential development. This shall include a subdrain system to intercept this seepage water and a surficial drainage system to reduce the ponding and infiltration of surface water into the landslide. The drainage system shall be designed by the project engineer and installed under his / her supervision. The plans shall also show implementation of the following measures:

- The construction contractor shall slope temporary excavations no steeper than 1-1/2:1 or shall install shoring as excavations proceed to maintain lateral support. Shoring shall be designed to resist lateral earth pressures as outlined in the Temporary Shoring section of August 2016 geotechnical report prepared for the project by Herzog Geotechnical Consulting Engineers, or as updated by the geotechnical engineer of record. In addition, the construction contractor shall implement the following additional measures during construction:
 - To the maximum extent feasible, all excavations and other site grading shall be performed during the late summer and fall months to minimize the potential for seepage to infiltrate the excavations required for Project construction. To the extent feasible, excavation within soft areas shall be done from the unexcavated perimeter areas using an excavator. Trucks and other construction equipment shall be restricted from the soft subgrade soils.
 - To protect construction workers within excavations from material sloping into the excavations that may occur from exposure of relatively weak soils and bedrock with bedding, fracture, and shear surfaces, all excavations shall be laid back or shored in conformance with applicable federal Occupational Safety and Health Administration (OSHA) standards. Shoring may be achieved with cantilevered or tied-back soldier piers with lagging, tied-back shotcrete walls, soil nail walls, internally braced walls, or other equally effective measures. Adequate drainage facilities shall be provided to prevent hydrostatic buildup behind the shoring.
 - Excavations shall be dewatered as necessary to address intrusion of water through seepage. If seasonal high moisture contents of some near surface soils cause soft "pumping" conditions in and adjacent to excavations, the construction contractor shall perform additional over excavation, install geotextile reinforcement, and/or import granular fill to provide adequate soil stability.
 - Where potentially unstable deposits will remain upslope of proposed improvements, debris fences or catchment/deflection berms shall be installed to protect workers and equipment. The debris fences shall consist of catchment areas and high-energy, ring net barriers (GeoBrugg® or equivalent). Material accumulated behind the barriers shall be removed periodically as necessary to maintain adequate catchment. Any occasional damage to

fences caused by the high lateral forces of slide debris shall be repaired or, if necessary, the fences shall be replaced.

- All other construction and design recommendations presented in the Herzog August 2016 geotechnical report shall be implemented unless updated or modified by the Project geotechnical engineer of record.

MM 5.1-4 (a) and (b) Groundwater (Expanded from Before Building Permit to Before issuance of any Building, Grading or other construction permit)

4. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS, the applicants shall show on the plans the following measures that would mitigate potential rockfall impacts:

- Remove any unstable materials encountered adjacent to development areas.
- Remove the materials and place rip-rap or other engineered erosion control devices, construct rockfall entrapment trenches, or undertake selective rock bolting of remaining materials with galvanized or gray PVC-coated gabion mesh.
- Set development back from eroding rock faces not mitigated by the above measures or in addition to implementing those measures, depending on specific situations.

MM 5.1-9 Rockfall (Expanded from Before Building Permit to Before issuance of any Building, Grading or other construction permit)

5. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS, the applicants shall show on the plans the following measures that would mitigate artificial fill impacts:

- Conduct field investigations when formulating the Final Grading Plan required for the Development Plan to determine the presence and limits of such materials in the vicinity of parts of the site proposed for development.
- Remove and recompact artificial fill located in or adjacent to areas of proposed grading during landslide repair, grading operations for road construction, or development of individual private lots under the observation and testing of a registered engineer.

MM 5.1-10 Artificial Fill Areas (Expanded from Before Building Permit to Before issuance of any Building, Grading or other construction permit)

6. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS, the applicants shall prepare a comprehensive Stormwater Pollution Prevention Plan (SWPPP), which is submitted as part of the NPDES General Construction Activity Stormwater Permit (General Permit) filing with the State Water Resources Control Board, then implement this plan prior to and during construction activities on the site. The NPDES General Permit is required for all developments which would disturb more than one acre of land. The SWPPP describes on-site measures for erosion control and stormwater treatment to be implemented during and following project construction, as well as a schedule for monitoring of performance. These measures are referred to as Best Management Practices (BMPs) for the control of point and non-point source pollutants in stormwater. BMPs incorporated in the project SWPPP would likely include *in-situ* protection, seeding and mulching of bare ground, planting of trees and shrubbery in both disturbed upland and riparian areas, and installation of other forms of biotechnical slope stabilization, such as appropriately staked straw bale perimeters, silt fences, or staked plant wattles on the slope contour. No grading shall occur within the Miller Creek Stream Conservation Area during the winter season, thus restricting grading activities at the proposed Miller Creek bridge crossing to the period between May 1 and October 15. Grading in site areas outside of the SCA can occur during the winter season, as long as erosion control measures approved as a part of the Stormwater Pollution Plan (SWPPP) are installed and properly maintained during this period.

MM 5.2-7 Site Erosion and Downstream Sedimentation and Flooding (expanded from Before Building Permit to Before issuance of any Building, Grading or other construction permit)

7. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS, the applicants shall show on the plans the following measures required to minimize impacts on-site and downstream water quality to less-than-significant levels, then implement them during construction on the site:

- Implementation of Mitigation Measure 5.2-7 (Site Erosion and Downstream Sedimentation and Flooding).
- Due to the close proximity to the sensitive wetland and aquatic habitats in the receiving waters of Miller Creek and lower Gallinas Creek, the following BMPs are considered a minimum for Oakview stormwater treatment to comply with the requirements of the NPDES General Permit and provisions of Title 24 of the Marin County Code (24.04.625), citing erosion control requirements associated with site grading.
- Institution of a regular schedule of street and parking lot sweeping. The frequency of cleaning should be higher (e.g. twice monthly) during the winter rainy season, yet maintained year-round. Regular cleaning of paved surfaces reduce the “first flush” phenomenon wherein the highest concentration of contaminants are flushed off the surfaces during the early portion of a runoff event.
- Incorporation of grass-lined swales to convey stormwater from paved surfaces to creek channels or wetlands. Grass-lined swales filter particulates from stormwater and, as a result, reduce the entry of heavy metals and contaminated sediments to drainageways. The current development plan includes one grass-lined (i.e. vegetated) swale each toward the lower end of Sub-watersheds 2 and 3, although the one proposed for Sub-watershed 2 would not provide significant water quality benefits. Two additional swale locations could be integrated into the project design for Sub-watershed 6 stormwater drainage. The first swale would extend downslope from the eastern edge of the Lot 30 parking lot to the top of the existing cut-slope, at the freeway interface. The second swale would extend from the northernmost storm drain inlet along Roadway C (Marinwood Avenue extension), parallel to the freeway, to the southern bank of Miller Creek. To forestall excessive rilling within such swales, it may be necessary to install biodegradable fabric along the swale flowline. Initially, the swale may need to be irrigated along with the landscaping.
- Revegetation of all disturbed areas prior to the onset of each winter rainy season during and for 2-3 years following completion of construction. Use of an erosion control grass and forb mixture, favoring native species, would be best suited to this task. In addition, some type of surface erosion protection (e.g. jute netting, erosion control blankets, punched straw) should be installed to reduce the erosive energy of incoming raindrops for the first couple of winter seasons.
- Preparation and implementation of an irrigation scheduling and chemical management plan governing the application of irrigation water and chemical amendments to landscaped areas adjacent to buildings and within or adjacent to parking lot facilities. Components of such a plan would likely include an irrigation schedule linked to soil moisture levels or related variables such as temperature, humidity and wind speed. Specific chemical inputs proposed for application to vegetation should be among those tested and cleared for use by the USEPA. Frequency and scheduling of these chemical inputs should also be indicated, based on-site-specific characteristics (e.g. soil and vegetative cover and rates of uptake) and the acknowledged sensitivity of downstream receiving waters.
- Implementation Mitigation Measure 5.2-8 (Site Erosion and Downstream Sedimentation and Flooding). ((CDA)

MM 5.2-10 Water Quality – Violation of Water Quality Standards and **MM5.2-11** Cumulative Water Quality Impacts (both expanded from Before Building Permit to Before issuance of any Building, Grading or other construction permit)

8. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS, the applicants shall provide a detailed erosion and sedimentation control plan and implement it during construction on the site. The plan shall contain detailed measures to control erosion of stockpiled earth and exposed soil, provide for revegetation of graded slopes before the first rainy season following construction, and specify procedures for monitoring the plan's

effectiveness. The revegetation component of the plan shall be consistent with the Landscape and Vegetation Management Plan required by Mitigation Measure 5.3-1(a). Implement Mitigation Measures 5.2-7 and 5.2-8.

MM 5.3-4(b) *Disturbance to Freshwater Seeps and Wetlands (moved from Before Precise Development Plan (PDP) to Before issuance of any construction permit).*

- 9. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS**, the applicant shall provide plans for the bridge or arched culvert proposed for the Marinwood Avenue crossing of Miller Creek, which shall minimize disturbance to jurisdictional waters and riparian vegetation by designing it to conform with the County's minimum roadway width standards and restricting abutments to the upper channel banks. Construction shall be performed during the low flow period in the creek (from June through October), and construction debris shall be kept outside of the creek channel by using silt fencing or other effective methods. Replacement planting with native trees and shrubs shall be provided adjacent to the structure as part of mitigation following completion of bridge construction. Alternately, the applicant may mitigate for permanent impacts to U.S. Army Corps of Engineers (Corps) jurisdictional wetlands by purchasing an appropriate amount of mitigation credits by an approved mitigation bank within the Project service area or other type of mitigation approved by the Corps and the San Francisco Bay Regional Water Quality Control Board (RWQCB) through the permitting process.

MM 5.3-4(c) and (d) *Disturbance to Freshwater Seeps and Wetlands (moved from Before Precise Development Plan (PDP) to Before issuance of any Building, Grading or other construction permit).*

- 10. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS**, the applicants shall provide plans which demonstrate that proposed development will minimize disturbance within the Miller Creek corridor on the site to protect its function for fish and wildlife movement. The proposed bridge or arched culvert crossing should be designed to avoid impeding movement of fish and wildlife along the creek channel, and drop structures under the bridge shall be prohibited. Improvements to the existing creekside path should be limited to stabilizing and possibly surfacing, and lighting should be prohibited along the path to minimize disrupting creek use by wildlife at night.

MM 5.3-6 *Disruption of Fish and Wildlife Habitat (moved from Before Building Permit to before issuance of any Building, Grading or other construction permit)*

- 11. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS**, the applicants shall pay the project's 1.5-percent proportional share of signaling the intersection of Miller Creek Road and Marinwood Avenue, estimated to be \$7,440.

MM 7.0-1(a) *Existing Plus Project AM and PM Peak Hour Conditions*, **MM 7.0-2(a)** *Short Range Cumulative AM and PM Peak Hour Conditions* and **MM 7.03-(a)** *Long Range Cumulative AM and PM Peak Hour Conditions (moved from Before Precise Development Plan (PDP) to Before issuance of any Building, Grading or other construction permit).*

- 12. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS**, the applicants shall pay the project's 15.6-percent proportional share of signaling the intersection of Highway 101 Southbound Ramps and Miller Creek Road, estimated to be \$77,876.

MM 7.0-1(c) *Existing Plus Project AM and PM Peak Hour Conditions*, **MM 7.0-2(c)** *Short Range Cumulative AM and PM Peak Hour Conditions* and **MM 7.03-(c)** *Long Range Cumulative AM and PM Peak Hour Conditions (moved from Before Precise Development Plan (PDP) to Before issuance of any Building, Grading or other construction permit).*

- 13. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS**, the applicants shall pay the project's 2.1-percent proportional share of signaling the intersection of Miller Creek Road and Las Gallinas Avenue, estimated to be \$10,615.

MM 7.0-3(d) Long Range Cumulative AM and PM Peak Hour Conditions (moved from Before Precise Development Plan (PDP) to Before issuance of any Building, Grading or other construction permit).

- 14. PRIOR TO THE ISSUANCE OF ANY BUILDING, GRADING, OR OTHER CONSTRUCTION PERMITS**, the applicants shall provide the following information on the construction plans or documentation to DPW:
- a. Plot, label and dimension all easements which benefit or encumber the property
 - b. Plot, label and dimension all proposed easements, specifically the proposed pedestrian and bike path easement (COA 5.d.) and drainage easement (COA 11.c)
 - c. Any work which extends over the property line for the construction of the bridge and footings shall be coordinated with that property owner. Applicant shall provide DPW with written verification of coordination from that owner.
 - d. Add a note to the plans indicating that all new easements shall be recorded prior to final inspection for senior residential facility.
- 15. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT for the senior residential facility**, the applicant shall specify on the construction drawings, and in the associated documents, the number of independent living units and the number of assisted living units to be constructed. The minimum number of parking spaces to be provided for the senior residential facility shall be determined based on the following parking generation rate presented in an analysis by W-Trans dated March 17, 2018: 0.54 parking spaces per assisted living unit and 0.66 parking spaces per independent living unit. The total number of parking spaces to be provided for the senior residential facility does not include the eleven (11) parking spaces to be provided for the six (6) work force housing units to be constructed in a separate building. Applicants shall provide calculations to determine the number of accessible parking spaces and accessible van parking spaces to be provided for the senior residential facility per current State accessibility requirements for the intended use (provide reference to section in CBC being used for the proposed type of development). Plans shall show that the minimum number of accessible parking spaces, or greater, will be provided.
- 16. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT for the senior residential facility**, applicants shall provide plans which show that conventional parking spaces in the garage are no less than 18.5 feet by 8.5 feet, which is a reduction from the requirements of MCC24.04.380(a) which requires a minimum of 9 feet by 20 feet for interior spaces.
- 17.** Wheel stops are required by MCC 24.04.355(f), or overhang a curb adjacent to a landscape area (not walkway) as described in MCC24.04.335(h). Note that spaces along sidewalk in front of building must have wheel stops.
- 18. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT for the six work force housing units**, applicants shall demonstrate compliance with 2016 CBC 1102A.1.1 which requires that apartment buildings with 3 or more dwelling units shall be accessible to persons with disabilities. All proposed units are accessed up a flight of stairs

-END-