

HERITAGE POINT CONDITIONS OF APPROVAL, COUNTY FILE #'S DP14-3026 & MS14-0007 AS APPROVED BY THE COUNTY PLANNING COMMISSION ON MARCH 24, 2015

Administrative

1. ____ This approval is based on the exhibits received by the Community Development Department listed as follows:
 - A. Tentative Map and Development Plan, Sheets C1.0 and A1 through A5, dated Received by the Community Development Department on January 22, 2015
 - B. Preliminary Landscape Plan, Sheet L 1, dated received January 22, 2015
 - C. Preliminary Stormwater Control Plan, dated October 22, 2014
2. ____ The Preliminary and Final Development Plan (DP14-3026) is approved contingent upon the following Board of Supervisor action;

Approval of the proposed General Plan amendment (GP13-0004) to change the land use designation of the project site from Commercial (CO) and Single Family High Density (SH) to Mixed Use (MU).
3. ____ The Minor Subdivision (MS14-0007) is approved to combine seven existing lots into two lots.
4. ____ The Preliminary / Final Development Plan (DP14-3026) is approved, subject to Condition of Approval #2, to allow for the development of a 42-unit multi-family affordable housing project with up to 4400 sq. ft. of commercial space, small office use and associated parking as shown on plans received by the Department of Conservation and Development (DCD) on January 22, 2015. The approval also allows frontage improvements which include modifications to the median strip in Fred Jackson Way to provide more room for emergency vehicles and, possible off-site improvements along Fred Jackson Way, north to Wildcat Creek, involving sidewalk reconstruction, installation of corner curb cuts and/ or bulb-outs, utility pole relocation and striping for bike lanes. Project approval also includes the acquisition of an adjacent 1,060 sq.ft. property if necessary. The applicant shall

enter into a Disposition, Development and Loan Agreement with the County Housing Successor prior to the issuance of building permits.

Design Review

5. ____ The proposed building shall be similar to that shown on the plans date 1/22/15. Prior to issuance of grading or building permits, final elevations and architectural design of the building and building roofing material shall be submitted for review and approval of the DCD. The roofs and exterior walls of the building shall be free of such objects as air conditioning or utility equipment. Colors of roofs and exterior materials shall not be reflective from a distance and be consistent with the surrounding neighborhood.

Landscaping / Fencing / Signs

6. ____ Prior to the issuance of grading or building permits a final landscaping and fencing plan for all areas shown on the plan shall be submitted for review and approval of DCD. The landscape plan shall comply with the state of California model water efficient landscape ordinance. The Landscape Plan shall be certified by a Landscape Architect to comply with said ordinance. Also prior to the issuance of grading or building permits a sign program for the property shall be submitted for review and approval of DCD.

Lighting

7. ____ Prior to the issuance of grading or building permits an exterior lighting plan shall be submitted for review and approval of DCD. The plan shall include details of location and design of outside lighting fixtures, proposed screening and hours of operation. Exterior lights shall be deflected so that lights shine onto applicant's property and not toward adjacent properties.
8. ____ This application is subject to an initial application fee, which was paid with the application submittal, plus time and material costs if the application review expenses exceed 100% of the initial fee. Any additional fee due must be paid within 60 days of the permit effective date or prior to use of the permit whichever occurs first. The fees include costs through permit issuance plus five working days for file preparation. You may obtain current costs by contacting the project

planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance. The term "applicant" throughout these conditions also means developer.

Indemnification

9. ____ Pursuant to Government Code Section 66474.9, the applicant (including the subdivider or any agent thereof) shall defend, indemnify, and hold harmless the County, agents, officers, and employees from any claim, action, or proceeding against the Agency (the County) or its agents, officers, or employees to attack, set aside, void, or annul, the Agency's approval concerning this subdivision map application, which action is brought within the time period provided in Section 66499.37. The County will promptly notify the subdivider of any such claim, action, or proceeding and cooperate fully in the defense.

Compliance Report

10. ____ At least 45 days prior to filing of the Parcel Map or issuance of grading permit, whichever ever occurs first, the applicant shall submit a report on compliance with the conditions of approval with this permit for the review and approval of the Zoning Administrator. The fee for this application is a deposit of \$1,000 that is subject to time and materials costs. Should staff costs exceed the deposit, additional fees will be required.
- A. Except for those conditions administered by the Public Works Department, the report shall list each condition followed by a description of what the applicant has provided as evidence of compliance with that condition. (A copy of the computer file containing the conditions of approval may be available; to try to obtain a copy, contact the project planner at 674-7793.)
- B. Unless otherwise indicated, the applicant will be required to demonstrate compliance with the conditions of this report prior to filing the final map.

Police Services

~~11. _____ The owner of the property shall participate in the provision of funding to maintain and augment police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be the per parcel annual amount (with appropriate future CPI adjustment) then established at the time of voting by the Board of Supervisors. The election to provide for the tax shall be completed prior to filing the Final Map. The property owner shall be responsible for paying the cost of holding the election, payable at the time the election is requested by the owner. Allow a minimum of three to four months for processing.~~

Air Quality

Control Measures for Construction Emissions

12. _____ Consistent with guidance from the BAAQMD, the following actions shall be required of construction contracts and specifications for the project site.
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. During dry and windy conditions all exposed surfaces shall be watered four times per day.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of

Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly visible sign shall be posted with the telephone number and contact information for the designated on-site construction manager available to receive and respond to dust complaints. This person shall report all complaints to project developer and take immediate corrective action as soon as practical but not more than 48 hours after the complaint is received. The BAAQMD's phone number shall also be visible to ensure compliance with the applicable regulations.(
Mitigation Measure AIR-1)

Cultural

13. ____ If deposits of prehistoric or historical archaeological materials are discovered during project activities, all work within 50 feet of the discovery shall be redirected. Project personnel shall not collect or move any archaeological materials. A qualified archaeologist shall be contacted to assess the situation and consult with agencies as appropriate, including the Contra Costa County Department of Conservation and Development. The archaeologist shall make recommendations for the treatment of the discovery.

It is recommended that adverse effects to archaeological deposits be avoided by project activities. If avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the California Register of Historical Resources (PRC §21084.1; *CEQA Guidelines* §15064.5(c)(1)), or whether the deposit qualifies as a "unique archaeological resource" under CEQA. If the deposits are neither eligible for the California Register of Historical Resources nor unique archaeological resources, avoidance is not necessary. If the deposits are eligible or qualify as unique archaeological resources under CEQA, adverse effects on the deposits must be avoided, or such effects must be mitigated. Mitigation can include, but is not necessarily limited to, excavation of the deposit in accordance with a data recovery plan (see

CEQA Guidelines §15126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; preparation of a report detailing the methods, findings, and significance of the archaeological site and associated materials; and, if appropriate, accessioning the historic archaeological material and technical report to an archaeological repository. Educational public outreach may also be appropriate.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results of resource evaluation and mitigation efforts. The report shall be submitted to the Northwest Information Center at Sonoma State University.

The project applicant shall inform its contractor(s) of the sensitivity of the project site for archaeological resources. The Contra Costa County Department of Conservation and Development shall verify that the following directive has been included in the appropriate construction documents:

"If prehistoric or historical archaeological deposits are discovered during project activities, all work within 50 feet of the discovery shall be redirected. The project applicant shall notify the Contra Costa County Department of Conservation and Development. A qualified archaeologist shall also be contacted to assess the situation and make recommendations regarding the treatment of the discovery. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. Archaeological resources that may be encountered include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian or chert toolmaking debris; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and stone-milling equipment (e.g., mortars, pestles, handstones). Prehistoric archaeological sites often contain human remains. Historical materials can include wood, stone, concrete, or adobe footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, metal, and other refuse." **Mitigation Measure CULT-1.**

14. ____ Should any potentially unique paleontological resources (fossils) be encountered during development activities, work shall be halted immediately within 50 feet of the discovery. The Contra Costa County

Department of Conservation and Development shall be notified immediately, and a qualified paleontologist shall be retained to determine the significance of the discovery. Based on the significance of the discovery, the qualified paleontologist shall present options to the Contra Costa County Department of Conservation and Development for protecting the resources. Appropriate action may include avoidance, preservation in place, excavation, documentation, and/or data recovery, and shall always include preparation of a written report documenting the find and describing steps taken to evaluate and protect significant resources. The Contra Costa County Department of Conservation and Development will implement feasible and appropriate recommendations and mitigation measures of the qualified paleontologist for any unanticipated discoveries. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery or other appropriate measures.

The project applicant shall inform its contractor(s) of the sensitivity of the project site for paleontological resources. The Contra Costa County Department of Conservation and Development shall verify that the following directive has been included in the appropriate construction documents:

"The subsurface of the construction site may be sensitive for fossils. If fossils are encountered during project subsurface construction, all ground-disturbing activities within 50 feet shall be redirected. The project applicant shall notify the Contra Costa County Department of Conservation and Development Planning Department. A qualified paleontologist shall also be contacted to assess the situation and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any fossils or surrounding matrix. Fossils that may be encountered include invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish or sea mammal bones." **Mitigation Measure CULT-2.**

15. __ __ If human remains are discovered during project activities the procedures outlined in Section 7050.5 of the California Health and Safety Code shall be implemented. Work within 50 feet of the discovery shall be redirected and the Contra Costa County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate, including the Contra Costa County

Department of Conservation and Development. Project personnel shall not collect or move any human remains and associated materials.

If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

The project applicant shall inform its contractor(s) of the appropriate procedures if human remains are encountered on the project site. The Contra Costa County Department of Conservation and Development shall verify that the following directive has been included in the appropriate construction documents:

"If human remains are encountered during project activities, work within 50 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, the project applicant shall notify the Contra Costa County Department of Conservation and Development of the discovery, and a qualified archaeologist shall be contacted to assess the situation. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods." **Mitigation Measure CULT-3.**

Geology

16. ____ At least 30 days prior to the issuance of grading or building permits the developer shall submit to the County peer Geologist for review and approval a design-level geotechnical report shall provide specific standards and criteria for foundation and pavement design developed in accordance with the California Building Code and County Code requirements on the basis of adequate subsurface data and laboratory testing. The constraints on use of expansive soils near finished grade should be evaluated in the report. It is also anticipated that the design-level geotechnical report shall provide California Building Code seismic parameters, and lot drainage recommendations, along with

recommendations for geotechnical monitoring services during site preparation work, grading and foundation-related work on the site.

The design-level geotechnical report shall also provide the following: (a) screening investigation of liquefaction potential. Based on the data provided and review of that data by the County peer review geologist, the screening investigation may be adequate to determine that further evaluation of liquefaction potential is not required; and (b) provide specific criteria and standards for site grading, drainage and foundation design, (including the design of the bio-retention facilities, and their proximity to planned improvements).

The design-level geotechnical report is subject to technical review by the Peer Review Geologist, and by review and approval of the Building Inspection Division. **Mitigation Measure Geo -1A**

17. ____ Following rough grading the geotechnical engineer shall perform corrosivity testing of the building pad to determine if special precautions shall be required to avoid damage to improvements that are in contact with the ground (concrete or steel). **Mitigation Measure Geo 1B**

18. ____ Prior to the issuance of building permits, the geotechnical engineer shall certify that the lot preparation work is in compliance with recommendations in the approved design-level report. During foundation work the geotechnical engineer shall provide observation services to ensure the geotechnical recommendations are properly implemented by the contractor. Prior to requesting a final building inspection, the Building Inspection may require documentation of the geotechnical engineer's observation services during final grading/ foundation work/ lot drainage. The intent of such documentation is to ensure that the lot/ building improvements are in conformance with recommendations in the approved design-level report.

The design-level geotechnical report is subject to technical review by the Peer Review Geologist, and by review and approval of the Building Inspection Division. **Mitigation Measure Geo 1C**

Noise

Construction Noise

19. ____ All noise generating construction activities shall be limited to the hours of 7:30 A.M. to 5:30 P.M., Monday through Friday, and shall be prohibited on state and federal holidays on the calendar dates that these holidays are observed by the state or federal government as listed below:

New Year's Day (State and Federal)
Birthday of Martin Luther King, Jr. (State and Federal)
Washington's Birthday/Presidents' Day (State and Federal)
Cesar Chavez Day (State)
Memorial Day (State and Federal)
Independence Day (State and Federal)
Labor Day (State and Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

For specific details on the actual day the state and federal holidays occur, please visit the following websites:

Federal holidays: http://www.opm.gov/Operating_Status_Schedules/fedhol/2011.asp
California holidays: <http://www.ftb.ca.gov/aboutFTB/holidays.shtml>

To reduce daytime noise impacts due to construction to the maximum feasible extent, the applicant shall be required to develop a site-specific noise reduction program, subject to County review and approval, which includes the following measures:

- Utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
- Prohibit unnecessary idling of internal combustion engines.

- Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Locate stationary noise generating equipment as far as possible from noise sensitive receptors.
- Designate a noise disturbance coordinator who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site. **Mitigation Measure Noise 1**

Construction Conditions

20. ____ The Applicant shall not interfere with existing neighborhood traffic flows. An on-site area in which to park earth-moving equipment and employee vehicles shall be provided.
21. ____ The worksite shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
22. ____ All chemicals and petroleum products stored on-site during construction shall be within a bermed containment area or other appropriate facility. The handling, storage and disposal of any hazardous materials used on the site will be in accordance with a business plan (or equivalent) on file with the County Health Services Department, Hazardous Materials Division. All refueling and vehicle maintenance activity shall be located away from the irrigation canal at the southeastern corner of the site.
23. ____ All staging for the construction phase of the project must occur on the project site. There is to be no construction parking on the adjacent streets.

Utilities

Wastewater

24. ____ ____ Prior to recording the Parcel map, the applicant shall provide documentation to the County (e.g. Can & Will Serve letter), demonstrating to the satisfaction of the Department of Conservation and Development (DCD) that the West County Waste Water District will provide waste water service to the project.

Water

25. ____ ____ Prior to Parcel map recordation, the applicant shall provide documentation to the County (e.g. Can & Will Serve letter), demonstrating to the satisfaction of the DCD that EBMUD will provide water service to the project.

Fire Protection

26. ____ ____ Prior to the issuance of building permits the applicant shall provide documentation to the DCD that the project has complied with the Contra Costa County Fire Protection District requirements including those set forth in their September 11, 2014 letter regarding the Alternative Methods which includes a 60-foot long portion of the median fronting the proposed building that allows for aerial apparatus access with mountable curbs and free of any obstructions

North Richmond Planned Unit District Booklet - Residential Development Standards

27. ____ ____ Below number 64 in the "Conditions for Development and Use of Property in the North Richmond Area" section of the North Richmond Planned Unit District booklet insert the following:

64.1 The North Richmond Heritage Point Multi-Family Mixed Use Development Project may include a maximum of 42 multi-family affordable housing units, with up to 4400 square feet of commercial and shall be subject to the following development guidelines:

- A. Height = 4 stories
- B. Building Coverage = 55% of site

- C. Access should be secured from Fred Jackson Way
- D. Shared parking for the use is permitted

Construction and Demolition Debris

28. ____ At least 30 days prior to the issuance of the building and/or Demolition Permit(s), the developer shall submit a "Debris Recovery Plan" demonstrating how they intend to recycle, reuse or salvage building materials and other debris generating from the demolition of existing building and/or the construction of new buildings. At least 30 days prior to the final inspection of the first residential unit not including models, the developer shall submit a completed "Debris Recovery Report" documenting actual debris recovery efforts including the quantities of recovered and landfilled materials) that resulted from the project.
29. ____ Prior to the recordation of the parcel map the applicant shall submit a Transportation Demand Management (TDM) information program for review and approval of the Department of Conservation and Development. It shall include monthly bus passes for unit residents if they do not have on-site parking, bike sharing, de-coupled parking and information on available parking for residents in the surrounding neighborhood.

PUBLIC WORKS RECOMMENDED CONDITIONS OF APPROVAL FOR SUBDIVISION MS14-0007/ PERMIT DP14-3026

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan/tentative map submitted to the Department of Conservation and Development, Community Development Division, on January 22, 2015.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT.

General Requirements:

30. ____ In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision

Ordinance (Title 9). Any exceptions therefrom must be specifically listed in this conditional approval statement. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department and are based on the Tentative Map received by the Department of Conservation and Development, Community Development Division, on January 22, 2015.

31. ____ Applicant shall submit improvement plans prepared by a registered civil engineer to the Public Works Department and pay appropriate fees in accordance with the County Ordinance and these conditions of approval. The below conditions of approval are subject to the review and approval of the Public Works Department.
32. ____ Prior to issuance of a building permit, the property owner(s) shall file the Parcel Map merging the separate parcels encumbered by Permit DP14-3026.

Roadway Improvements (Frontage):

33. ____ Where not already in place, applicant shall construct curb, ~~10-foot~~ sidewalk, necessary longitudinal and transverse drainage, street lighting, signage and striping along the frontages of Fred Jackson Way, Grove Avenue and Chesley Avenue. Sidewalk width along commercial frontages shall be 10-feet and 6.5 feet along residential frontages. Reductions may be allowed to accommodate stormwater treatment facilities subject to the review and approval of the Public Works Department.
34. ____ Applicant shall remove any existing driveways that will no longer be in service, and remove and replace any cracked and displaced curb, gutter, and sidewalk along the project frontages of Fred Jackson Way, Grove Avenue and Chesley Avenue. Concrete shall be saw cut prior to removal. Existing lines and grade shall be maintained. New curb and gutter shall be doveled into existing improvements.
35. ____ Applicant shall locate any vehicular entrance gates a minimum of 20 feet from the back of sidewalk to allow vehicles to queue without obstructing pedestrian or vehicular through traffic.

Access to Adjoining Property:

Proof of Access

36. ____ ____ Applicant shall furnish proof to the Public Works Department of the acquisition of all necessary rights-of-way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

Encroachment Permit

37. ____ ____ Applicant shall obtain an encroachment permit from the Application and Permit Center for construction of driveways or other improvements within the rights-of-way of Fred Jackson Way, Grove Avenue or Chesley Avenue.

Sight Distance:

38. ____ ____ Applicant shall provide sight distance at the intersection of the private driveway with Fred Jackson Way in accordance with Chapter 82-18 "Sight Obstructions at Intersections" of the County Ordinance Code. The applicant shall trim vegetation, as necessary, to provide sight distance at this intersection, and any new signage, landscaping, fencing, retaining walls, or other obstructions proposed at this intersection shall be setback to ensure that the sight line is clear of any obstructions.

Street Lights:

39. ____ ____ Applicant shall annex into the Community Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

Landscaping:

40. ____ ____ Applicant shall apply to the Public Works Department for annexation to the Community Facilities District (CFD) No. 2006-1 (North Richmond Area Maintenance Services) for the future maintenance of area-wide medians and landscaping. The annexation of property into the CFD must be completed prior to occupancy, and the applicant should be aware that the annexation process may take approximately 60 days.

Bicycle - Pedestrian Facilities:

Pedestrian Access

41. ____ Curb ramps and driveways shall be designed and constructed in accordance with current County standards. A detectable warning surface (e.g. truncated domes) shall be installed on all curb ramps. Adequate right-of-way shall be dedicated at the curb returns to accommodate the returns and curb ramps; and accommodate a minimum 4-foot landing on top of any curb ramp proposed.
42. ____ Applicant shall design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act. This shall include all sidewalks, paths, driveway depressions, and curb ramps.

Refuse Removal

43. ____ To minimize obstruction of public sidewalks, the applicant shall prepare an operations plan for refuse disposal and pick-up to be reviewed and approved by the Public Works Department and the Department of Community Development.

Parking:

44. ____ "No Parking" signs shall be installed along Fred Jackson Way, subject to the review of the Public Works Department and the review and approval of the Board of Supervisors, if necessary.

Utilities/Undergrounding:

45. ____ Applicant shall underground all new and existing utility distribution facilities, including those along the frontages of Fred Jackson Way, Grove Avenue and Chesley Avenue. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the

size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.

Construction:

46. ____ ____ Prior to the start of construction-related activities, the applicant shall prepare a Traffic Control Plan (TCP), for the review and approval of the Public Works Department.

Drainage Improvements:

Collect and Convey

47. ____ ____ The applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the stormwaters to an adequate natural watercourse, in accordance with Division 914 of the Ordinance Code.
48. ____ ____ The nearest public drainage facilities are located within the street frontages of Fred Jackson Way, Grove Avenue and Chesley Avenue. Applicant shall verify their adequacy prior to discharging run-off.
49. ____ ____ Applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.

Miscellaneous Drainage Requirements:

50. ____ ____ Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.
51. ____ ____ The property owner shall dedicate a public drainage easement over any man-made drainage system which conveys stormwater run-off from public streets.

National Pollutant Discharge Elimination System (NPDES)

52. ____ ____ The applicant shall be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities, as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay - Region II).

Compliance shall include developing long-term best management practices (BMPs) for the reduction or elimination of stormwater pollutants. The project design shall incorporate, wherever feasible, the following long-term BMPs in accordance with the Contra Costa Clean Water Program for the site's stormwater drainage:

- Minimize the amount of directly-connected impervious surface area.
- Place advisory warnings on all catch basins and storm drains using current storm drain markers.
- Shallow roadside and on-site swales.
- Distribute public information items regarding the Clean Water Program to tenants.
- Filtering Inlets.
- The applicant shall sweep the paved portion of the site at least once a year between September 1st and October 15th utilizing a vacuum type sweeper. Verification (invoices, etc.) of the sweeping shall be provided to the County Clean Water Program Administrative Assistant at 255 Glacier Drive, Martinez CA 94553 (925) 313-2238).
- Trash bins shall be sealed to prevent leakage, OR, shall be located within a covered enclosure.
- Other alternatives comparable to the above, as approved by the Public Works Department.

Stormwater Management and Discharge Control Ordinance:

53. ____ ____ The applicant shall submit a FINAL Storm Water Control Plan (SWCP) and a Stormwater Control Operation and Maintenance Plan (O+M

Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (§1014) prior to filing of the parcel map. To the extent required by the NPDES Permit, the Final Stormwater Control Plan and the O+M Plan will be required to comply with NPDES Permit requirements that have recently become effective that may not be reflected in the preliminary SWCP and O+M Plan. All time and materials costs for review and preparation of the SWCP and the O+M Plan shall be borne by the applicant.

54. ____ ____ Improvement Plans shall be reviewed to verify consistency with the final SWCP and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).
55. ____ ____ Stormwater management facilities shall be subject to inspection by Public Works Department staff; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.
56. ____ ____ Prior to issuance of a building permit, the property owner(s) shall enter into a standard Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for and related to operation and maintenance of the stormwater facilities, and grant access to relevant public agencies for inspection of stormwater management facilities.
57. ____ ____ Prior to issuance of a building permit, the property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners.
58. ____ ____ Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

ADVISORY NOTES

- The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the North Richmond and West Contra Costa Areas of Benefit, as adopted by the Board of Supervisors.
- This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Wildlife Code.
- This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.
- Although the Stormwater Control Plan has been determined to be preliminarily complete, it remains subject to future revision, as necessary, during preparation of improvement plans in order to bring it into full compliance with C.3 stormwater requirements. Failure to update the SWCP to match any revisions made in the improvement plans may result in a substantial change to the County approval, and the project may be subject to additional public hearings. Revisions to California Environmental Quality Act (CEQA) documents may also be required. This may significantly increase the time and applicant's costs associated with approval of the application.
- The applicant shall comply with the requirements of East Bay Municipal Utility District.
- The applicant shall comply with the requirements of West County Wastewater District.
- The applicant shall comply with the requirements of the Contra Costa County Fire Protection District.